Freeport Area School District

Board Policies

as of

September 9, 2026

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FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: BOARD POLICY/ PROCEDURE/ ADMINISTRATIVE REGULATIONS

ADOPTED: November 8, 2017

REVISED:

SC 407, 510	**000. BOARD POLICY/PROCEDURE/ADMINISTRATIVE REGULATIONS** Section 1. Authority The policies and procedures adopted by the Board establish the general parameters within which the daily operations of the school district are to be governed. Administrative regulations for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Superintendent. As applicable, all members of the 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. Section 2. Contents Policies of the Board shall consist of the following separate documents: a. Procedures and policies contained in the adopted Policy Manual. b. Strategic Plan. c. Courses of study in district schools. d. List of authorized textbooks. e. Code of Student Conduct. f. Job descriptions adopted by the Board. g. Administrative Compensation Plan. h. Any other documents the Board determines to be policy.

Administrative regulations are not part of Board policy and may be altered by the administration without Board action. Administrative regulations may not conflict with Board policy or with applicable law.

Section 3. Limitations

Board policies and procedures and administrative regulations are not intended and shall not be construed to supersede or preempt any applicable law. All Board policies and administrative regulations shall be interpreted and administered in a lawful manner. The Board shall make the final interpretation of its policies, and the administration shall make the final interpretation of its regulations.

Board policies and procedures and administrative regulations are limited by legal constraints, as are the rights of those to whom Board policies and administrative regulations apply, and are not intended to give an individual a cause of action not independently established in law.

Board policies and procedures and administrative regulations shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employees, residents or others within the school community beyond those established in law.

Section 4. Rules Of Construction

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

a. That neither the Board nor the administration intends a result that is absurd, impossible of execution, or unreasonable.

b. That neither the Board nor the administration intends to violate federal or state Constitutions or any other applicable law.

If any policy or procedure or administrative regulation can be given multiple interpretations, the Board and the administration intend that only constitutional and lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.

References:

School Code – 24 P.S. Sec. 407, 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: NAME AND CLASSIFICATION

ADOPTED: November 8, 2017

REVISED:

	001. NAME AND CLASSIFICATION
	Section 1. Name
SC 201	The Board of School Directors shall be known officially as the Board of School Directors of the Freeport Area School District, hereinafter sometimes referred to as the "Board."
	Section 2. Composition
	The Freeport Area School District is comprised of all lands that lie within the municipal boundaries of Buffalo Township, Freeport Borough, and South Buffalo Township.
	Section 3. Purpose
PA Const. Art. III Sec. 14 SC 501, 502, 503	The Freeport Area School District is organized for the purpose of providing a program of public education to serve the needs of the students of the Commonwealth.
	Section 4. Intermediate Unit
SC 901-A, 902-A	The Freeport Area School District is assigned to ARIN Intermediate Unit No. 28.
	Section 5. Classification
SC 202	The Freeport Area School District is classified as a school district of the fourth class.
	Section 6. Address
	The official address of the Board of School Directors of the Freeport Area School District shall be Post Office Box C, Freeport, PA 16229.

	References: Pennsylvania Constitution – PA Const. Art. III Sec. 14 School Code – 24 P.S. Sec. 201, 202, 501, 502, 503, 901-A, 902-A

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: AUTHORITY AND POWERS

ADOPTED: November 8, 2017

REVISED:

002. AUTHORITY AND POWERS

Section 1. Authority

PA Const. Art. III Sec. 14
SC 211, 301, 501, 502, 503, 507, 510

The authority to establish, equip, furnish, operate and maintain the public schools of the Freeport Area School District is vested in the Board of School Directors, which is a body corporate and is constituted and governed by Title 24 of the Pennsylvania Statutes, the Public School Code of 1949 as amended, Article III of the Pennsylvania Constitution and applicable federal and state laws and regulations.

Section 2. Powers

SC 211, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1411

The Board shall establish such schools as are required for the education of every student residing in the Freeport Area School District between the ages of six (6) and twenty-one (21) years who may attend school; shall equip, furnish, operate, and maintain the schools; shall adopt and enforce rules and regulations for the management of school affairs and the conduct and deportment of employees and students; and shall levy and collect taxes as may be necessary, in addition to the annual state appropriation, for the exercise of aforesaid powers.

SC 301
Title 22 Sec. 4.13
Pol. 100, 102

The Board shall act as the general agent of the residents of the school district in matters of public education. It shall establish educational goals and academic standards for district schools and govern an educational program designed to meet those goals and standards and to support student achievement. The Board shall be responsible for establishing, maintaining and evaluating the educational programs in district schools, and for enforcing mandatory laws and regulations.

SC 407 **Pol. 000**	The Board, in accordance with its statutory mandate, shall adopt Board procedures for its own operation, and policies for the guidance of the Superintendent in the operation of the school district. Board procedures and policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed towards the maintenance and support of a thorough and efficient system of public education in this district.
SC 301	The powers of the Board of School Directors are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's authorized powers, except for those acts stated in law. References: Pennsylvania Constitution – PA Const. Art. III Sec. 14 School Code – 24 P.S. Sec. 211, 301, 407, 501, 502, 503, 507, 510, 511, 801, 803, 1411 State Board of Education Regulations – 22 PA Code Sec. 4.13 Board Policy – 000, 100, 102

SECTION: LOCAL BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: November 8, 2017

REVISED:

FREEPORT AREA SCHOOL DISTRICT

	003. FUNCTIONS
	Section 1. Legislative
SC 301, 407, 510, 511 **Pol. 000**	The Board shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the school district. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected.
SC 407	Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.
SC 407	The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend.
Pol. 006	Board procedures shall be adopted, amended, or repealed by a two-thirds vote of the Board.
Pol. 006	Board policies shall be adopted, amended or repealed by a majority vote of the Board.
Pol. 007	The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.

	Section 2. Executive
SC 508, 1001, 1081	The Board shall exercise its executive power by the appointment of a district Superintendent, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.
SC 510 **Pol. 000**	The Superintendent shall be responsible for implementing Board policies and establishing administrative regulations for the operation of the school district that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on district employees and students when issued; and shall be submitted to the Board for review. The Board reserves the right to alter or rescind any such administrative regulation. The Board reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Board policy or district practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the Superintendent. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies. The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such action. The Superintendent's decision may be subject to review by the Board.
65 Pa. C.S.A. Sec. 1101 et seq	The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law. Whenever responsibility is delegated to the Superintendent or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.
	Section 3. Review
SC 510	The Board may assume jurisdiction over controversies or disputes arising within this school district concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies.
2 Pa. C.S.A. Sec. 551 et seq	In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

2 Pa. C.S.A. Sec. 551 et seq	Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district. Section 4. Evaluation Of Board Procedures The Board shall plan an annual evaluation of its functions as a Board. The Board may evaluate Board procedures, relationships, or activities, or focus on a particular area or issue. The Board President, working with the Superintendent, shall develop an annual plan. References: School Code – 24 P.S. Sec. 301, 407, 508, 510, 511, 1001, 1081 Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq. Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq. Board Policy – 000, 006, 007

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: MEMBERSHIP

ADOPTED: November 8, 2017

REVISED: September 11, 2019

004. MEMBERSHIP

Number

The Board shall consist of nine (9) members.[1]

The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.[2]

Qualifications

Each school director shall meet the following qualifications:

1. Be of good moral character, be at least eighteen (18) years of age, have been a resident of the district for at least one (1) year prior to the date of election or appointment, and not be a holder of any office or position as specified in Section 322 of the School Code; nor shall the individual be a member of the municipal council.[3]

2. Shall not have been removed from any office of trust under federal, state or local laws for any malfeasance in such office.[4]

3. Shall not be engaged in a business transaction with the school district, be employed by the school district, or receive pay for services from the school district, except as provided by law.[5][6]

4. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.[7]

5. Shall file a statement of financial interests with the Board Secretary or designee at the following times:[8][9][10][11][12]

    a. Before taking the oath of office or entering upon duties.

    b. Annually by May 1 while serving on the Board.

    c. By May 1 of the year after leaving the Board.

<u>Election</u>

Election of members of the Board shall be in accordance with law.[13]

<u>Vacancies</u>

A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise. Such vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the vacancy.[14][15][16][17][18][19]

If a vacancy occurs during the last two (2) years of the former school director's term, the individual appointed to fill that vacancy shall serve for the remainder of the term. If a vacancy occurs during the first two (2) years of the term, the new appointee shall serve only until the first Monday in December following the first municipal election that is scheduled for more than sixty (60) days after the vacancy occurred.[14]

When a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Armstrong County or the Court of Common Pleas of Butler County.[15][16]

Temporary Vacancy – Active Military Service –

A temporary vacancy shall be declared when a school director is ordered to active duty in the military forces of the United States for a period of more than thirty (30) days. The temporary vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the temporary vacancy. The school director so appointed shall serve either until the school director returns from active duty or until expiration of the term for which s/he was elected, whichever occurs first.[14][19][20]

	Term In election years, the term of office for all newly elected and re-elected school directors shall begin on the first Monday in December. The term of office of each school director shall be four (4) years, expiring on the first Monday of December of the fourth year of service.[1][14] The term of office for an individual appointed or elected to fill a Board vacancy shall be determined by the number of years remaining on the term the school director was appointed or elected to fill, as stated above under Vacancies.[14] Removal Whenever a school director is no longer a resident of Freeport Area School District or the region s/he represents, eligibility to serve on the Board shall cease.[14][21] If a school director shall neglect or refuse to attend two (2) successive regular meetings of the Board, unless detained by sickness or prevented by necessary absence from the district, or if in attendance at any meeting s/he shall neglect or refuse to act in an official capacity as a school director, the remaining members of the Board may declare such office vacant on the affirmative vote of a majority of the remaining members of the Board.[18][22] If a person elected or appointed as a school director, having been notified, shall refuse or neglect to qualify as such director, the remaining members may, within ten (10) days following the beginning of the school director's term of office, declare said office vacant on the affirmative vote of a majority of the remaining members of the Board.[18][22] Orientation The Board believes that the preparation of each school director for the performance of duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new school director to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and review Board procedures and policies.

Accordingly, each new school director shall, no later than the first regular meeting, be provided access to the following items during the school director's term on the Board:

1. The Board Policy Manual.

2. The current budget statement, audit report and related fiscal materials.

3. District information on comprehensive planning, curriculum, assessments, facilities planning and district programs.

4. The Board's adopted Principles for Governance and Leadership.[23]

Each new school director shall be invited to meet with the Board President, Superintendent, and Board Secretary to discuss Board functions, procedures and policy.

Inservice Educational Opportunities and Required Training Programs

The Board places a high priority on the importance of a planned and continuing program of education and training for its members. The purpose of the planned program shall be to enhance the quality and effectiveness of the Board's governance and leadership by providing both inservice educational opportunities and required school director training by an approved provider.

Inservice Education -

The Board, in conjunction with the Superintendent, shall plan specific inservice education programs and activities designed to assist school directors to improve their skills as policy-making leaders; expand their knowledge about issues, programs, and initiatives affecting the district's educational programs and student achievement; and deepen their insights into the nature of leadership, governance and community engagement.

The Board shall annually budget funds to support its planned program of inservice education and training.

The Board establishes the following activities as the basis for its planned program of inservice education and training:

1. Participation in School Board conferences, workshops and conventions.[25]

2. District-sponsored inservice education and training programs designed to meet Board needs.

3. Subscriptions to publications addressing school directors' concerns.

4. Maintenance of current resources and reference materials accessible to school directors.

Required Training Program: Newly Elected or Appointed School Directors [26]

Each newly elected or appointed school director shall complete a training program consisting of at least five (5) hours of instruction, including, at a minimum, information regarding:

1. Instruction and academic programs, to include, but not be limited to, a minimum of one (1) hour of instruction on best practices related to trauma-informed approaches.
2. Personnel.

3. Fiscal management.

4. Operations.

5. Governance.

6. Ethics and open meetings, to include accountability requirements.

Required Training Program: Re-elected or Re-appointed School Directors [26]

Each re-elected or re-appointed school director shall, within one (1) year after such re-election or re-appointment, complete an advanced training program consisting of at least three (3) hours of instruction, including:

1. Information on relevant changes to federal and state public school law and regulations.

2. Fiscal management.

3. Trauma-informed approaches.

4. Other information deemed appropriate by the PA Department of Education to enable school directors to serve effectively.

	Expenses [7] Funds for school director education and training shall be budgeted on an annual basis. Each school director shall receive Board approval prior to attending a conference, workshop or convention at Board expense. When attendance has been authorized by the Board, school directors, a nonmember Board Secretary, and solicitor(s) shall be reimbursed for actual and necessary expenses incurred as delegates to any state convention or association of school directors' convention held within the state, or for attendance at any other meeting held within the state or at an educational convention out-of-state. All such expenses shall be itemized and made available for public inspection at the next succeeding Board meeting. Expenses shall be reimbursed by the Treasurer in the usual manner, upon presentation of an itemized, verified statement.[27] Advance payments may be made upon presentation of estimated expenses to be incurred, to be followed by a final itemized, verified statement of such expenses actually incurred, and a refund shall be made to the district of such funds remaining, or an additional payment shall be made by the district to meet the verified expenses actually incurred.[27] No school director shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual school directors.[7] Student Representation The Board authorizes student representation on the Board in order to facilitate effective communication and to provide an opportunity for students to participate in school governance.

	Legal References 1. 24 P.S. 303 2. 24 P.S. 1081 3. 24 P.S. 322 4. 24 P.S. 323 5. 24 P.S. 324 6. 65 Pa. C.S.A. 1101 *et seq.* 7. 24 P.S. 321 8. 51 PA Code 15.2 9. 51 PA Code 15.3 10. 65 Pa. C.S.A. 1102 11. 65 Pa. C.S.A. 1104 12. 65 Pa. C.S.A. 1105 13. 24 P.S. 301 *et seq.* 14. 24 P.S. 315 15. 24 P.S. 316 16. 24 P.S. 317 17. 24 P.S. 318 18. 24 P.S. 319 19. 65 Pa. C.S.A. 701 *et seq.* 20. 24 P.S. 407 21. 65 P.S. 91 22. Pol. 006 23. Pol. 011 24. Pol. 901 25. 24 P.S. 516 26. 24 P.S. 328 27. 24 P.S. 516.1 24 P.S. 519 Pol. 331

FREEPORT AREA SCHOOL DISTRICT	SECTION: LOCAL BOARD PROCEDURES TITLE: STUDENT BOARD MEMBERSHIP ADOPTED: November 8, 2017 REVISED: February 10, 2022

004.1 STUDENT BOARD MEMBERSHIP

Section 1. Purpose

The Board recognizes that the students attending the Freeport Area School District are the most important concern of the school district. The Board establishes the position of student representative to the Board of School Directors to establish a communications link between itself and the student body and to present the students' viewpoints and concerns.

Section 2. Authority

Since the Board has the right to appoint people as it may deem proper and to define their duties, six (6) students from the High School will be appointed to serve as nonvoting student Board members each year.

Section 3. Qualifications

There will be six (6) students, preferably three (3) seniors and three (3) juniors on the Board.

Each student representative to the Board shall meet the following qualifications:

S/He shall be a citizen of the Commonwealth of Pennsylvania and a resident of the Freeport Area School District.

S/He must be a senior or junior during the year that they will serve as a student representative to the Freeport Area School District.

S/He must be willing to give his/her time and effort to attend all public meetings and others deemed appropriate by the Board President, and be prepared to discuss items presented on the agenda.

S/He must be nonpartisan in dealing with school matters and not subordinate the education of children and youth to any partisan principle, group interest, or personal ambition.

S/He shall demonstrate prior accomplishments in school and throughout the community.

Section 4. Selection

Students shall submit an essay to the building principal. The principal, along with his/her designee or committee, will screen candidates according to the performance responsibilities and the essay for its quality and merits. A list of the top five (5) candidates shall be submitted to the Board President on or before April 7 of each year. Individual interviews will be conducted with each nominee on a specified date and time. Formal action will be taken by the Board at the next regular or special meeting to select the six (6) students to serve.

Section 5. Term

The term of office shall last one (1) year, commencing on July 1 and terminating the following June 30.

Section 6. Performance Responsibilities

Serving as a member of a functioning Board of School Directors can be vital and rewarding work; therefore, the student Board members should be among the most competent, unselfish and devoted members of the student school community, and shall:

Assume the role of Student Board Representative for all youth comprising the student body and not just a particular segment.

Become thoroughly knowledgeable about the district, Board policies, operations, and functions of the Board.

Be cognizant of the role of the Board being a policy-making body rather than an administrative body.

Act for the Board only when authorized by the Board to perform a specific task.

Be prepared to study all matters presented to the Board in light of needs that exist rather than through preconceived notions.

Participate in discussions with individuals or groups on a general basis and suggest that requests for action should be referred to the appropriate administrator.

Be sworn in and seated by or at the September meeting of the Board.

Be invited to attend the meetings of the Board held during the summer recess of the Senior High School on a voluntary basis.

	Attend meetings with the same obligation as required of elected Board members under the Pennsylvania School Code.[1] S/He must maintain a minimum 2.0 Grade Point Average. The average must be maintained during their tenure. If the 2.0 GPA is not maintained as evidenced by the interim report or at the end of the report period, the student will be placed on a four and one-half (4½) week probation. If at the end of the probationary period the student has not obtained a 2.0 GPA, the student will be removed from the Board. Any infraction of the Discipline Code could be cause for removal after investigation and further review by a committee of the Board. Section 7. Credit In recognition of service, student Board members may qualify for one-half credit for completing an independent study.[1] Section 8. Guidelines for Awarding Credit Student Board members wishing to earn credit for service should inform the Board President and building principal of their decision by October 20 of the school year. While serving on the Board, the student must attend no less than two-thirds of all regularly scheduled open meetings of the Freeport Area School District School Board held during the school term for normal business. **Legal References:** 1. Board Policy – 004, 118

FREEPORT AREA SCHOOL DISTRICT	SECTION: LOCAL BOARD PROCEDURES TITLE: ORGANIZATION ADOPTED: November 8, 2017 REVISED: December 11, 2024

005. ORGANIZATION

Organization Meeting

The school directors shall meet and organize annually during the first week of December. Notice of the time and place of the organization meeting shall be given to all school directors by mail at least five (5) days before the meeting by the Board Secretary. The organization meeting shall be a regular meeting.[1][2][3][4]

Order

The organization meeting shall be called to order by the current President or Vice-President of the outgoing Board, or any hold-over member of the Board. A temporary President shall be elected from among the hold-over members of the Board. The Board Secretary shall be secretary of the meeting. In an election year, the certificates of election or appointment of all new school directors shall be read, and a list shall be prepared of the legally elected or appointed and qualified school directors.[2][5]

At the organization meeting, the temporary President may administer the oath or affirmation of office to those Board members who have not previously taken and subscribed to the same.[2][6]

Officers

Election of officers shall be by a majority vote of those present and voting. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two (2) candidates who received the greatest number of votes.

1. The school directors shall annually, during the first week of December, elect from their members a President, First Vice President, and Second Vice President, who shall serve for one (1) year.[3]

2. The school directors shall annually, during the month of May, elect a Treasurer who shall serve for one (1) year beginning the first day of July after such election. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and may be a member of the Board.[3]

   The Treasurer shall not enter upon official duties until furnishing bond in accordance with law and with Board approval. The Treasurer shall be compensated in the manner and at the rate determined by the Board.[7][8][9]

3. The school directors shall, during the month of May in every fourth year, elect a Secretary who shall serve a term of four (4) years beginning the first day of July following such election, and may be a member of the Board.[3]

   The Secretary shall not enter upon official duties until furnishing bond in accordance with law and with Board approval. The Secretary shall be compensated in the manner and at the rate determined by the Board.[9][10][11]

Vacancies in any office shall be filled by Board election; such officers shall serve for the remainder of the unexpired term.

The same school director may not hold more than one (1) office of the Board. No commissioned officer or professional employee of the Board shall serve, temporarily or permanently, as an officer of the Board.[3][12]

Officers of the Board may only be removed from such office, during the designated term of office, after receiving notification of the reason for removal and the opportunity for a hearing before the Board, in accordance with applicable law.[13][14][15]

Appointments

The Board shall have the authority to appoint:

1. A tax collector, where a tax collector is not elected to collect taxes, there is a vacancy or an elected tax collector refuses to qualify.[16][17]

2. Solicitor.[12][18]

3. Independent auditor.[20]

4. Delegates to a state convention or association of school directors.[21]

5. Other appointments the Board deems necessary.

Appointees of the Board may be removed from such appointment in accordance with the terms of a contract or provisions of applicable law.[15]

Elected Representatives

The Board shall elect:

A representative to sit on the ARIN Intermediate Unit No. 28 Board of Directors and shall be bound by the following provisions:

This position shall have a term of three (3) years, commencing July 1 and expiring automatically on June 30, three (3) years thereafter.

A majority vote of the full Board shall be necessary for election.

Another member of the Board may be elected to fill any unexpired term should the position become vacant due to resignation or removal from the Board.

Attendance at regularly scheduled monthly meetings and the annual convention are required of the elected representative. Monthly reports from the elected representative are expected to inform the Board of any business that should be of concern to the Freeport Area School District and to inquire periodically for feedback regarding decisions under consideration.

Two (2) representatives to sit on the Joint Operating Committee for Lenape Area Vocational-Technical School and shall be bound by the following provisions:

Each position shall have a term of three (3) years, commencing at the regular meeting of the Joint Operating Committee in December and expiring automatically in December three (3) years thereafter.

A majority vote of the full Board shall be necessary for election, and the specific position must be specified.

Another member of the Board may be elected to fill any unexpired term should either position become vacant due to resignation or removal from the Board.

Attendance at regularly scheduled monthly meetings is required of both elected representatives. Monthly reports from the elected representatives are expected to keep the Board advised of any business that should be of concern to the Freeport Area School District and to inquire periodically for feedback regarding decisions under consideration.

Resolutions

The Board may at the organization meeting, but shall prior to July 1 next following, designate:

1. Depositories for school funds.[22]
2. Newspaper(s) of general circulation as defined in law.[23]
3. Normal day, place and time for regular meetings.[4]
4. Normal day, place and time for open committee meetings.
5. Normal day, place and time for executive sessions of the Board.

Board Committees

The Board has the authority to approve Board committees. Board committees authorized to take official action or render advice on district business shall operate in accordance with the provisions of the Sunshine Act.[15][24]

Committees shall not include a majority of the membership of the Board.

Members shall be appointed by the President who shall serve as an ex-officio member on all committees and who may appoint the Superintendent as an ex-officio member of all committees.

A member may request or refuse appointment to a committee.

Refusal to serve on any one (1) committee shall not be grounds for failure to appoint a member to another committee.

Each Board committee shall be convened by a chairperson, who shall report for the committee and be appointed by the President.

The President may appoint members of the Board to standing committees, where they shall serve a term of one (1) year.

Ad hoc committees may be created, charged and assigned a fixed termination date, which may be extended by the President.

Members of committees shall serve until the committee is discharged.

The Board shall develop Board Operations Guidelines that describe the duties and establish procedures for the operation of standing committees.

Consultants

The Board may appoint, employ or retain consultants to provide the district with specialized services not normally required on a continuing basis. Compensation shall be determined and approved by the Board.

The function of a consultant shall be to make studies and present recommendations to the Board. A consultant shall not be charged with the implementation of a report.

A consultant has no administrative authority over any facet of district schools, but shall act solely as advisor to the Board, officers and employees.

The use of consultants from outside the district who promote a particular commercial product is discouraged.

Legal References:

1. 24 P.S. 401
2. 24 P.S. 402
3. 24 P.S. 404
4. 24 P.S. 421
5. 24 P.S. 426
6. 24 P.S. 321
7. 24 P.S. 436
8. 24 P.S. 438
9. Pol. 811
10. 24 P.S. 431
11. 24 P.S. 432
12. 24 P.S. 324
13. 24 P.S. 514
14. Montemuro v. Jim Thorpe Area School District, No. 22-1866 (3d Cir. 2024)
15. Pol. 006
16. 24 P.S. 508
17. 24 P.S. 683
18. 24 P.S. 406
19. 24 P.S. 434
20. 24 P.S. 2401
21. 24 P.S. 516
22. 24 P.S. 621
23. 24 P.S. 106
24. 65 Pa. C.S.A. 701, et seq.

PA Const. Art. VI Sec. 7

FREEPORT AREA SCHOOL DISTRICT	SECTION: LOCAL BOARD PROCEDURES TITLE: MEETINGS ADOPTED: November 8, 2017 REVISED: October 10, 2018 September 9, 2021 October 14, 2021 September 13, 2023

006. MEETINGS

Parliamentary Authority

All Board meetings shall be conducted in an orderly and business-like manner. Robert's Rules of Order, Newly Revised, shall govern the Board in its deliberations in all cases in which it is not inconsistent with law, state regulations or Board procedures.[1][2]

Quorum

A quorum shall consist of a majority of the members of the Board. No business shall be transacted at a meeting without a quorum, but the school directors present at such a meeting may adjourn to another time.[3]

Presiding Officer

The President shall preside at all Board meetings. In the absence, disability or disqualification of the President, the First Vice-President shall act instead. In the absence, disability or disqualification of the First Vice President, the Second Vice President shall act instead. If none of those persons is present, a school director shall be elected President pro tempore by a majority of those present and voting to preside at that meeting only. Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.[4][5][6][7]

Meeting Notifications

Notice of all open Board meetings, including committee meetings and work sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board and posting of such notice at the administrative offices of the Board.[8][9]

1. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the calendar year at least three (3) days prior to the time of the first regular meeting.[8][9]

2. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.[8][9]

3. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.[8][9]

4. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the meeting and sending copies of such notice to interested parties.[8]

5. Notice of all open meetings shall be given to any newspaper(s) circulating in Armstrong County or Butler County and any radio or television station which so requests. Notice of all open meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.[9]

Notice of all rescheduled meetings and special meetings shall be given to each school director no later than twenty-four (24) hours prior to the time of the meeting.[9][10]

Agenda Notifications

The agenda, together with all relevant reports, shall be provided to each school director at least three (3) days before the meeting.

If the agenda includes an item of business related to removal of an officer of the Board, the agenda shall be provided to each school director at least seven (7) days before the meeting.

The district shall publicly post the agenda for all open meetings of the Board or Board committees at which deliberation or official action may take place no later than twenty-four (24) hours prior to the time of the meeting, as follows:[9]

1. On the district's website.

2. At the location of the meeting.

3. At the district's administrative office.

The posted agenda shall list each matter of agency business that will or may be the subject of deliberation or official action at the meeting.[9]

Agenda Preparation

It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business anticipated to come before the Board at each open meeting.

Order of Business

The order of business for regular meetings and special meetings called for general purposes shall be as follows, unless altered by the President or a majority of those present and voting:

Call to order by the President
Reports
Personnel
Curriculum and Technology
Athletics and Activities
Policy
Other Business
Finance
Next Meetings
Adjournment

The order of business for other special meetings shall be determined according to the stated purpose of the special meeting.

Additions to the Agenda

The Board may deliberate or take official action on matters not included in a posted agenda only under the following circumstances:[11]

Emergencies – The matter of business relates to a real or potential emergency involving a clear and present danger to life or property.[8][11]

Business Arising Within Twenty-Four (24) Hours Prior to the Meeting – The matter of business has arisen within twenty-four (24) hours prior to the meeting, is de minimis (minor) in nature, and does not involve the expenditure of funds or entering into a contract or agreement.[11]

Business Raised by Residents or Taxpayers During the Meeting – When a matter of Board business is raised by a resident or taxpayer during a meeting:[11][12]

1. The Board may take official action to refer the matter to staff, if applicable, to conduct research and include on a future Board meeting agenda; or

2. If the matter is de minimis (minor) in nature and does not involve the expenditure of funds or entering into a contract or agreement, the Board may take official action on the matter.

Majority Vote – During a meeting, the Board may add a matter of business to the posted agenda by a majority vote of the school directors present and voting. The reason for adding an item to the posted agenda must be announced at the meeting before conducting the vote. Once announced and approved by majority vote, the Board may take official action on the item of business. The agenda shall be amended to reflect the new item of business and the amended agenda shall be posted to the district's website and at the administrative office no later than the first business day following the meeting at which the agenda was amended. The unanimous consent procedure may not be used in place of majority vote for this purpose.[11]

The public posting of agenda requirements and rules for adding items to a posted agenda apply to both regular and special open meetings of the Board. These requirements and rules do not apply to:[9][11][13]

1. Conference sessions.

2. Executive sessions.

Regular Meetings

Regular Board meetings shall be open, and shall be held at specified places, and shall during the school term be held at least once every two (2) months.[2][14]

Special Meetings

Special meetings may be called for special or general purposes and shall be open except when conducted as an executive session for purposes authorized by law.[2][5][10][15]

The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) school directors. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the school directors.[5]

No business shall be transacted at any special meeting except that named in the call sent to school directors for such special meeting.[10]

Public Participation

At each open Board meeting, prior to official action by the Board, an opportunity shall be provided for public comment in accordance with law and Board procedures and policy.[2][12]

Voting

All motions shall require for adoption a majority vote of those school directors present and voting, except as provided by statute or Board procedures.

All votes on motions and resolutions shall be by voice vote unless an oral roll call vote is requested by the President or another school director.

Special Voting Requirements –

**Indicates actions for which the minutes must reflect how each school director voted.*

1. Actions requiring the unanimous affirmative vote of all members of the Board remaining in office:

    a. Appoint as Board Secretary a former school director who has resigned, before the expiration of the term for which the member was elected.*[16][17]

    b. Appoint as solicitor a former school director who has resigned, before the expiration of the term for which the director was elected.*[16][17]

2. Actions requiring the affirmative votes of two-thirds of the full membership of the Board:

    a. Transferring, during the first three (3) months of the fiscal year, budgeted funds set apart or appropriated to a particular item of expenditure.*[17][18][19]

    b. Adding or increasing appropriations to meet an emergency or catastrophe.*[17][19]

    c. Hiring as a teacher a former school director who has resigned, before the expiration of the term for which the director was elected.*[16][17]

    d. Conveying land or buildings to certain charities or other public agencies without following prescribed valuation procedures or with more favorable financing.*[17][20]

    e. Fixing the fiscal year to begin on the first day of January. (2nd class school districts only) [21]

    f. Incurring temporary debt.*[17][19][22]

    g. Dismissing a tenured professional employee after a hearing.*[17][23]

h. Borrowing in anticipation of current revenue.*[17][24]

i. Adopting or changing textbooks without the recommendation of the Superintendent.*[17][25]

3. Actions requiring the affirmative votes of a majority of the full membership of the Board:

a. Fixing the length of the school term.*[17]

b. Adopting textbooks recommended by the Superintendent.*[17][26]

c. Appointing the district Superintendent and Assistant Superintendent(s).*[17][27][28]

d. Appointing teachers and principals.*[17]

e. Adopting the annual budget.*[17][29]

f. Appointing tax collectors and other appointees.*[17][30][31]

g. Levying and assessing taxes.*[17][32]

h. Purchasing, selling, or condemning land.*[17]

i. Locating new buildings or changing the location of old ones.*[17]

j. Creating or increasing any indebtedness.*[17]

k. Adopting planned instruction.[17][33]

l. Establishing additional schools or departments.*[17]

m. Designating depositories for school funds.*[17][34][35]

n. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year.*[17][19]

o. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds $100 (including items subject to bid requirements).*[17][36]

p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.*[17]

q. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.*[17]

r. Dismissing, after a hearing, a Superintendent, Assistant Superintendent or non-tenured teacher.*[17][37][38]

s. Determining the location and amount of any real estate required by the school district for school purposes.*[17][39]

t. Vacating and abandoning property to which the Board has title.*[17][40]

u. Appointing a school director to fill a vacancy on the Board.*[17][41]

v. Calling a special meeting when the President has failed to do so after written request of three (3) members of the Board.[5]

w. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[42]

x. Adopting, amending or repealing Board procedures and policy.[43]

y. Approving or denying a charter school application.*[44]

z. Approving or denying a multiple charter school organization application.*[45]

aa. Establishing joint schools or departments.*[46]

Abstention from Voting

A school director shall be required to abstain from voting when the issue involves either one of the following:

1. Conflict of interest under the Ethics Act.[47][48][49]

   Prior to the vote being taken, the school director shall verbally disclose the nature of the conflict in public, and shall also provide the Board Secretary with a written memorandum stating the nature of the conflict, which shall be attached to the Board minutes as a public record.

Conflict of interest - use by a public official of the authority of their office or any confidential information received through holding public office for the private pecuniary benefit of the public official, a member of their immediate family or a business with which the public official or a member of their immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official, a member of their immediate family or a business with which the public official or a member of their immediate family is associated.[47]

De minimis economic impact – an economic consequence which has an insignificant effect.[47]

Immediate family – parent, spouse, child, brother or sister.[47]

Business with which associated – any business in which the person or a member of the person's immediate family is a director, officer, owner, employee or has a financial interest.[47]

2. Relative recommended for appointment to or dismissal from a teaching position.[23][50]

   Relative – father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, uncle, or aunt.

The Board is encouraged to seek the guidance of the district solicitor or the State Ethics Commission for questions related to conflict of interest.[48][49]

Minutes

The Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all open Board meetings. Said minutes shall be comprehensible and complete and shall show:[51][52]

1. Date, place, and time of the meeting.
2. Names of school directors present.
3. Presiding officer.
4. Substance of all official actions.
5. Actions taken.

6. Recorded votes and a record by individual members of all roll call votes taken.[53]

7. Names of all residents who appeared officially and the subject of their testimony.

8. Any matter added to a posted agenda, including the substance of the matter, the announced reason and the recorded vote, where applicable.[9][11]

The Board Secretary shall provide each school director with a copy of the minutes of the last meeting prior to the next regular meeting.[1]

The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary.[54]

Notations and any tape or audiovisual recordings shall not be the official record of an open Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the district's records retention schedule.[1][55][56]

Recess/Reconvene

The Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall immediately take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given as provided in Board policy.[8][9][57]

Executive Session

The Board may hold an executive session, which is not an open meeting, before; during; at the conclusion of an open meeting; or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the open meeting prior to or after the executive session.[13][15][58]

The Board may discuss the following matters in executive session:

1. Employment issues.

2. Labor relations.

3. Purchase or lease of real estate.

4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.

5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.

6. School safety and security, of a nature that if conducted in public, would:[15]

    a. Be reasonably likely to impair the effectiveness of school safety measures.

    b. Create a reasonable likelihood of jeopardizing the safety or security of an individual or a school, including a building, public utility, resource, infrastructure, facility or information storage system.

Official actions based on discussions held in executive session shall be taken at an open meeting.

Work Sessions

The Board may meet as a Committee of the Whole in an open meeting to vote on or to discuss issues. Public notice of such meetings shall be made in accordance with Board procedures.[2][57]

A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the President; the President shall call such a meeting when requested to do so by school directors. Public notice of the meeting shall be made in accordance with Board procedures.

The Board Secretary shall provide notice of a meeting of the Committee of the Whole in accordance with Board procedures.[8][9][57]

Committee Meetings

Standing committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by three (3) members of the committee.[8][9][57]

A majority of the total membership of a committee shall constitute a quorum.

Unless held as an executive session, standing committee meetings shall be open to the public, other school directors, and the Superintendent.[2]

A majority of the committee or the chairperson may invite Board employees, consultants or other persons who have special knowledge of an area under discussion.

Legal References
1. 24 P.S. 407
2. 65 Pa. C.S.A. 701 et seq.
3. 24 P.S. 422

	4. 24 P.S. 405 5. 24 P.S. 426 6. 24 P.S. 427 7. 24 P.S. 428 8. 65 Pa. C.S.A. 703 9. 65 Pa. C.S.A. 709 10. 24 P.S. 423 11. 65 Pa. C.S.A. 712.1 12. Pol. 903 13. 65 Pa. C.S.A. 707 14. 24 P.S. 421 15. 24 P.S. 425 16. 24 P.S. 324 17. 24 P.S. 508 18. 24 P.S. 609 19. 24 P.S. 687 20. 24 P.S. 707 21. 24 P.S. 671 22. 24 P.S. 634 23. 24 P.S. 1129 24. 24 P.S. 640 25. 24 P.S. 803 26. Pol. 108 27. 24 P.S. 1071 28. 24 P.S. 1076 29. Pol. 604 30. Pol. 005 31. Pol. 606 32. Pol. 605 33. Pol. 107 34. 24 P.S. 621 35. Pol. 608 36. Pol. 610 37. 24 P.S. 1080 38. 24 P.S. 514 39. 24 P.S. 702 40. 24 P.S. 708 41. 24 P.S. 315 42. Pol. 004 43. Pol. 003 44. 24 P.S. 1717-A 45. 24 P.S. 1729.1-A 46. 24 P.S. 1701 47. 65 Pa. C.S.A. 1102 48. 65 Pa. C.S.A. 1103 49. Pol. 827

	50. 24 P.S. 1111 51. 24 P.S. 518 52. 65 Pa. C.S.A. 706 53. 65 Pa. C.S.A. 705 54. 24 P.S. 433 55. Pol. 800 56. Pol. 801 57. Pol. 006 58. 65 Pa. C.S.A. 708 24 P.S. 224 24 P.S. 408 24 P.S. 1075 24 P.S. 1077 65 Pa. C.S.A. 1101 et seq. Pol. 612

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: ATTENDANCE AT MEETINGS VIA ELECTRONIC COMMUNICATIONS

ADOPTED: November 8, 2017

REVISED: April 29, 2020

006.1. ATTENDANCE AT MEETINGS VIA ELECTRONIC COMMUNICATIONS

Authority

The Board recognizes that factors such as illness, travel, schedule conflicts, weather conditions and other emergency situations can make impossible the physical presence of a school director or other necessary participants at a Board meeting and that electronic communications can enable a school director or other necessary participants to participate in a meeting electronically from a remote location.

A school director shall be able to attend a Board meeting, and participate in Board deliberations and voting, through electronic communications, but only under extraordinary circumstances. The Board President may permit other necessary participants to participate in meetings via electronic communications as the Board President deems appropriate.[1]

The Board authorizes the administration to provide the equipment and facilities required to implement this Board procedure.

Guidelines

A school director who attends a meeting through electronic communications shall be considered present only if the school director can hear everything said at the meeting and all those attending the meeting can hear everything said by that school director and other participants addressing the Board. If the Board President determines either condition is not occurring, the Board President shall terminate the school director's attendance through electronic communications.

A majority of school directors shall be physically present at a Board meeting when a school director attends through electronic communications.

To attend a Board meeting through electronic communications, a school director shall comply with the following:

1. Submit such request to the Board President at least three (3) days prior to the meeting.

2. Ensure that the remote location is quiet and free from background noise and interruptions.

Emergency Conditions

In the event that the county, state or federal public health authorities, the Governor, or any similar authority with appropriate jurisdiction declares an emergency condition that prevents or discourages public gatherings due to a public health or safety concern, the Board shall be authorized to conduct meetings primarily or entirely via electronic communications to enable all school directors and other necessary participants to fully participate in the conduct of official Board business through electronic communications.[2]

Meetings held primarily or entirely via electronic communications shall be conducted in a manner that assures compliance with the public access and public comment requirements of the Sunshine Act. All rules normally applicable to in-person meetings of the Board shall be observed in meetings held primarily or entirely via electronic means to the extent practicable and appropriate to the nature and features of the technology used.[3][4]

The requirement for school directors to submit a request to participate in meetings through electronic communications shall be waived during such emergency conditions.

The Board authorizes the administration to utilize available technical resources to permit the public to attend and submit public comment during open meetings via electronic communications, in accordance with law and Board procedures and policy.[3][4]

Legal References:
1. 24 P.S. 407
2. Pol. 805
3. 65 Pa. C.S.A. 701, *et seq.*
4. Pol. 903
Pol. 006

SECTION: LOCAL BOARD PROCEDURES

TITLE: POLICY MANUAL ACCESS

ADOPTED: November 8, 2017

REVISED:

FREEPORT AREA SCHOOL DISTRICT

	007. POLICY MANUAL ACCESS
	Section 1. Authority
SC 407, 510 **Pol. 003**	The Board adopts the procedures and policies contained in the Policy Manual as a governance tool for the Board and as a resource for district administrators and employees, students, parents/guardians, residents and community members.
	The Board Policy Manual shall be published and maintained on the district's publicly accessible website.
65 P.S. **Sec. 67.701** **Pol. 801**	The Board Policy Manual shall be considered a public record. A copy of the Policy Manual shall be available in the administration office during regular office hours.
	Section 2. Delegation of Responsibility
	The Superintendent or designee shall maintain an orderly plan for the promulgation of policies to students, parents/guardians and staff who are affected by them and shall provide easy accessibility to an up-to-date Policy Manual.
Pol. 003	The Superintendent or designee shall be responsible to review existing policy in light of Board actions and revisions to state and federal statutes and regulations, and to recommend to the Board the changes necessary to maintain a current and compliant Board Policy Manual.

	References: School Code – 24 P.S. Sec. 407, 510, 510.2 Right-to-Know Law – 65 P.S. Sec. 67.101 et seq. Board Policy – 003, 801

SECTION: LOCAL BOARD PROCEDURES

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

	008. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	009. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	010. RESERVED

FREEPORT AREA SCHOOL DISTRICT	SECTION: LOCAL BOARD PROCEDURES TITLE: PRINCIPLES FOR GOVERNANCE AND LEADERSHIP ADOPTED: November 8, 2017 REVISED: January 18, 2023

011. PRINCIPLES FOR GOVERNANCE AND LEADERSHIP

Pennsylvania school boards are committed to providing every student the opportunity to grow and achieve. Our actions, as elected and appointed board members, ultimately have both short and long-term impact in the classroom. Therefore, we pledge that we will . . .

Lead Responsibly

- Prepare for, attend, and actively participate in board meetings
- Work together with civility and cooperation, respecting that individuals hold differing opinions and ideas
- Participate in professional development, training, and board retreats
- Collaborate with the Superintendent, acknowledging their role as the 10th member of the board and commissioned officer of the Commonwealth

Act Ethically

- Never use the position for improper benefit to self or others
- Avoid actual or perceived conflicts of interest
- Recognize school directors do not possess any authority outside of the collective board
- Accept that when a board has made a decision, it is time to move forward collectively and constructively

Plan Thoughtfully

- Implement a collaborative strategic planning process
- Set annual goals that are aligned with comprehensive plans, recognizing the need to adapt as situations change

- Develop a comprehensive financial plan and master facilities plan that anticipates short and long-term needs
- Allocate resources to effectively impact student success

Evaluate Continuously

- Make data-informed decisions
- Evaluate the Superintendent annually
- Conduct a board self-assessment on a recurring basis
- Focus on student growth and achievement
- Review effectiveness of all comprehensive and strategic plans

Communicate Clearly

- Promote open, honest, and respectful dialogue among the board, staff, and community
- Acknowledge and listen to varied input from all stakeholders
- Promote transparency while protecting necessary confidential matters
- Set expectations and guidelines for individual board member communication

Advocate Earnestly

- Promote public education as a keystone of our Commonwealth
- Engage the community by seeking input, building support networks, and generating action
- Champion public education by engaging local, state, and federal officials

Govern Effectively

- Establish and adhere to rules and procedures for board operations
- Develop, adopt, revise, and review policy routinely
- Align board decisions to policy ensuring compliance with the PA School Code and other local, state, and federal laws
- Remain focused on the role of governance, effectively delegating management tasks to the administration

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: **COMPREHENSIVE PLANNING**

ADOPTED: May 13, 2015

REVISED:

100. COMPREHENSIVE PLANNING

1. Purpose

The Board recognizes the importance of establishing a comprehensive plan for achieving the district's vision, goals and beliefs for its schools and to guide the educational program and operation of the district. Participation by all segments of the school community is a critical element of such planning.

2. Authority
Title 22
Sec. 4.4, 4.13, 12.1 et seq., 16.4

The Board shall provide guidance in the district's comprehensive planning process. The plan shall be formulated in accordance with state regulations.

As part of the comprehensive planning process, the Board directs that the district develop and implement individual plans and components as required by law, regulations, and funding and program requirements.

Professional Education

SC 1205.1
Title 22
Sec. 4.13, 49.17
Pol. 433

The district shall develop and submit a professional education plan to the Secretary of Education for approval every three (3) years, as required by law and regulations. Prior to approval by the Board and submission to the Secretary of Education, the professional education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.

Induction

Title 22
Sec. 4.13, 49.16
Pol. 433

The district shall develop and submit an induction plan to the Department of Education for approval every six (6) years, as required by law and regulations. Prior to approval by the Board and submission to the Department of Education, the induction plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.

	Student Services
Title 22 **Sec. 4.13, 12.41** **Pol. 146**	The district shall develop and implement a written plan every six (6) years for providing a comprehensive and integrated K-12 program of student services, as required by law and regulations. Prior to approval by the Board, the student services plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.
	Special Education
Title 22 **Sec. 4.13, 14.104** **Pol. 113**	The district 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. Prior to approval by the Board and submission to the Department of Education, the special education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.
	Gifted Education
Title 22 **Sec. 4.13, 16.4** **Pol. 114**	The district shall develop and implement a gifted education plan every six (6) years, as required by law and regulations. Prior to approval by the Board, the gifted education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.
3. Delegation of Responsibility **Title 22** **Sec. 4.13**	The Superintendent shall be responsible for recommending each plan to the Board and for submitting each plan to the Department of Education, as required.
	References: State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.13, 12.1 et seq., 12.41, 14.104, 16.4, 49.16, 49.17 Board Policy – 002, 101, 102, 105, 107, 109, 113, 114, 115, 127, 138, 146, 215, 217, 246, 333, 433, 701

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: MISSION STATEMENT

ADOPTED: May 13, 2015

REVISED:

101. MISSION STATEMENT

1. Authority

Title 22
Sec. 4.13
Pol. 100

District Mission Statement

The mission statement of the Freeport Area School District is to serve as a "learning community dedicated to the success of all."

References:

State Board of Education Regulations – 22 PA Code Sec. 4.13

Board Policy – 100

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ACADEMIC STANDARDS

ADOPTED: May 13, 2015

REVISED: October 8, 2025

102. ACADEMIC STANDARDS

Purpose

The Board recognizes the importance of developing, assessing and expanding academic standards to challenge students to achieve at their highest level possible. To this end, the district shall establish rigorous academic standards in accordance with, and may expand upon, those adopted by the State Board of Education.[1][2]

Definition

Academic standards means what a student should know and be able to do at a specified grade level. For purposes of this policy, the term academic standards encompasses Pennsylvania Core Standards, state academic standards and local academic standards.[3]

Authority

The Board shall approve academic standards for district students to attain, in the following content areas:[2]

1. English Language Arts (reading, writing, speaking and listening).
2. Mathematics.
3. Science, Environment, Ecology, Technology and Engineering (Grades K-5).
4. Science, Environment and Ecology (Grades 6-12).
5. Technology and Engineering (Grades 6-12).
6. Social Studies (history, geography, civics and government, economics) - to include reading in history and social studies, and writing for history and social studies.
7. Arts and Humanities.
8. Career Education and Work.
9. Health, Safety and Physical Education.
10. Family and Consumer Sciences.

Guidelines

The district's curriculum shall be designed to provide students with the planned instruction needed to attain established academic standards.[2][4][5]

	The district shall assess individual student attainment of established academic standards and provide assistance for students having difficulty attaining academic standards.[2][6][7] Students with disabilities may attain academic standards by completion of their Individualized Education Programs in accordance with law, regulations and Board policy.[2][8] Legal References: 1. 22 PA Code 4.11 2. 22 PA Code 4.12 3. 22 PA Code 4.3 4. Pol. 105 5. Pol. 107 6. Pol. 127 7. Pol. 212 8. Pol. 113 22 PA Code 4.4

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: DISCRIMINATION/ HARASSMENT AFFECTING STUDENTS

ADOPTED: May 13, 2015

REVISED: November 8, 2017; February 13, 2019; August 13, 2020; January 14, 2021; October 9, 2024; December 11, 2024; March 12, 2025

103. DISCRIMINATION/HARASSMENT AFFECTING STUDENTS

Authority

The Board declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs and activities offered in the schools without discrimination on the basis of race, color, age, religious 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]

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Office for Civil Rights of the U.S. Department of Education, or both.

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students admission, course offerings, counseling, assistance, services, employment, athletics and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the district and is prohibited at, or in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.[19][20][21][22]

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

The student's parents/guardians or any other 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 may have 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 law enforcement or child protective services reports required by law.[23][24]

If the building principal is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or the individual making the report may use the designated district report form attached to this policy for purposes of reporting an incident or incidents in writing; however, oral reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

When an emergency removal, as described in Attachment 3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable.[19][21][25][26]

When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.[19][20][21][25]

Discipline/Placement of Student Convicted or Adjudicated of Sexual Assault

Upon notification of a conviction or adjudication of a student in this district for sexual assault against another student enrolled in this district, the district shall comply with the disciplinary or placement requirements established by state law and Board policy.[27][28]

	Confidentiality Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, the attachments and the district's legal and investigative obligations.[29][30][31][32][33] Retaliation The Board prohibits retaliation by the district or any other person against any person for:[32] 1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment. 2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing. 3. Acting in opposition to practices the person reasonably believes to be discriminatory. The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.
Definitions	**Complainant** shall mean an individual who is alleged to be the victim. **Pregnancy** – the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.[34] **Race** includes all of the following:[34][35] 1. Ancestry, national origin or ethnic characteristics. 2. Interracial marriage or association. 3. Traits associated with race, which includes but is not limited to, hair texture and protective hairstyles, such as braids, locks and twists. 4. Hispanic ancestry, national origin or ethnic characteristics. 5. Persons of any other national origin or ancestry as specified by a complainant or in a complaint. **Religious creed** includes all aspects of religious observance, practice or belief.[36]

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, religious creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting 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 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.

Definitions Related to Title IX Sexual Harassment

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[31][37]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[37]

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[37]

1. Counseling.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Changes in work or housing locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy. The Title IX Coordinator shall consult with the Director of Special Education in the implementation of supportive measures for students with an IEP or Section 504 Service Agreement.[18][19][25][26][38]

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[37]

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

3. Sexual assault, dating violence, domestic violence or stalking.

    a. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[39]

        i. Length of relationship.

        ii. Type of relationship.

        iii. Frequency of interaction between the persons involved in the relationship.

    b. **Domestic violence** includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.[39]

    c. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.[40]

    d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:[39]

        i. Fear for their safety or the safety of others.

        ii. Suffer substantial emotional distress.

	Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.[30][31][37]
Delegation of Responsibility	In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Program Director as the district's Compliance Officer and Title IX Coordinator. The Compliance Officer/Title IX Coordinator can be contacted at: [41] Address: Administration Office Freeport Area School District PO Box C Freeport, PA 16229 Email: robb@freeport.k12.pa.us Phone Number: 724-295-5141 The Compliance Officer and Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate: 1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias. 2. Training - Provide training for students and staff to prevent, identify and alleviate conduct which may constitute discrimination. 3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to law enforcement, and available supportive measures such as 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. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.[42] 6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination. 7. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.
Guidelines	Title IX Sexual Harassment Training Requirements The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role: 1. Definition of sexual harassment. 2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations. 3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable. 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. 5. Use of relevant technology. 6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. 7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence. 8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy. All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the district's website.

Disciplinary Consequences

A student who is determined to be responsible for a violation of this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to:[19][20][21]

1. Loss of school privileges.
2. Permanent transfer to another school building, classroom or school bus.
3. Exclusion from school-sponsored activities.
4. Detention.
5. Suspension.
6. Expulsion.
7. Referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[22][43]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, religious creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

Legal References:
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. 1301

	6. 24 P.S. 1310 7. 24 P.S. 1601-C *et seq.* 8. 24 P.S. 5004 9. 43 P.S. 951 *et seq.* 10. 16 PA Code 41.201 *et seq.* 11. 20 U.S.C. 1681 *et seq.* 12. 34 CFR Part 106 13. 29 U.S.C. 794 14. 42 U.S.C. 12101 *et seq.* 15. 42 U.S.C. 1981 *et seq.* 16. 42 U.S.C. 2000d *et seq.* 17. U.S. Const. Amend. XIV, Equal Protection Clause 18. Pol. 103.1 19. Pol. 113.1 20. Pol. 218 21. Pol. 233 22. Pol. 317 23. Pol. 806 24. Pol. 805.1 25. Pol. 113.2 26. Pol. 113.3 27. Pol. 218.3 28. 24 P.S. 1318.1 29. 20 U.S.C. 1232g 30. 34 CFR 106.44 31. 34 CFR 106.45 32. 34 CFR 106.71 33. 34 CFR Part 99 34. 16 PA Code 41.204 35. 16 PA Code 41.207 36. 16 PA Code 41.205 37. 34 CFR 106.30 38. Pol. 113 39. 34 U.S.C. 12291 40. 20 U.S.C. 1092 41. 34 CFR 106.8 42. Pol. 150 43. Pol. 317.1 18 Pa. C.S.A. 2709 20 U.S.C. 1400 *et seq.* 28 CFR Part 41 28 CFR Part 35 34 CFR Part 100 34 CFR Part 104 34 CFR Part 110 U.S. Const. Amend. I

	Davis v. Monroe County Board of Education, 526 U.S. 629 (1999) Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992) Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998) Office for Civil Rights - Resources for Addressing Racial Harassment Office for Civil Rights - Fact Sheet: Harassment Based on Race, Color, or National Origin on School Campuses (July 2024) Pol. 122 Pol. 123 Pol. 138 Pol. 216 Pol. 220 Pol. 247 Pol. 249 Pol. 251 Pol. 252 Pol. 320 Pol. 324 Pol. 701 Pol. 800 Pol. 801 Pol. 815

DISCRIMINATION/HARASSMENT/BULLYING/
HAZING/DATING VIOLENCE/RETALIATION
REPORT FORM

***Note**: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Your Child ☐ Another Student ☐ A District Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Conduct, Hazing, Harassing or Other Discrimination You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

_____	_____
Signature of Person Making the Report	Date
_____	_____
Received By	Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under the Code of Student Conduct and/or other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the student or district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Reporter's Child ☐ Another Student ☐ Another Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Bullying

☐ Hazing ☐ Dating Violence ☐ Other _____

Nature of the Report (check all that apply):

☐ Race
☐ Color
☐ Religion
☐ Sexual Orientation
☐ National Origin
☐ Marital Status
☐ Handicap/Disability
☐ Hazing
☐ Age
☐ Religious Creed
☐ Sex
☐ Sexual Harassment (Title IX)
☐ Ancestry
☐ Pregnancy or Related Conditions
☐ Bullying
☐ Dating Violence

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

VI. Safety Concerns

Are there safety concerns that may require emergency removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students
☐ Policy 104. Discrimination/Harassment Affecting Staff
☐ Policy 234. Pregnant/Parenting/Married Students
☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

□ A district employee implicitly or explicitly conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

□ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

□ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Policy 317.1. Educator Midconduct
☐ Policy 806. Child Abuse
☐ Other _____

☐ Policy 103 Discrimination/Harassment Affecting Students: Attachment 2

Discrimination Complaint Procedures

□ Policy 104 Discrimination/Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures

□ Policy 103. Discrimination/Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
□ Policy 104. Discrimination/Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

   If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals including the Superintendent and upon advice of legal counsel and upon the request of law enforcement or child welfare agency, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.

5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

☐ Yes ☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

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DISCRIMINATION
COMPLAINT PROCEDURES

The Discrimination Complaint Procedures prescribed in this Attachment apply to reports of retaliation or discrimination on the basis of race, color, age, religious creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or related conditions, or handicap/disability that do not constitute Title IX sexual harassment as defined in Policy 103.

All reports of discrimination will be reviewed by the Title IX Coordinator/Compliance Officer upon receipt to determine if the allegations meet the definition and parameters of sexual harassment under Title IX. If the result of this review determines that the allegations fall within the scope of Title IX sexual harassment, then the process set forth in Policy 103 Attachment 3 for Title IX Sexual Harassment will be followed.

All reports of discrimination and retaliation brought pursuant to the district's discrimination policy will also be reviewed for conduct which may not be proven discriminatory under Policy 103 but merits review and possible action under the Code of Student Conduct and other Board policies. (Pol. 103.1, 113.1, 218, 233, 247, 249, 252)

Reasonable Accommodations

Throughout the discrimination complaint procedures, the district will make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for all parties, and address barriers being experienced by disadvantaged students such as English learners, homeless students and other students experiencing educational instability, consistent with the requirements of federal and state laws and regulations and Board policy.
(Pol. 103.1, 113, 138, 251, 906)

Required Reporting Under Other Policies

In addition to implementing the disciplinary complaint procedures, the building principal or Title IX Coordinator/Compliance Officer will ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents involving school safety, reports of educator misconduct, bullying, threats, or reports of suspected child abuse. (Pol. 218, 218.1, 218.2, 249, 317.1, 806, 824)

Timeframes

Reasonably prompt timeframes will be established for completing each step of the discrimination complaint procedures, including timeframes for filing and resolving appeals.

The established timeframes included in these procedures may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action will be provided to the complainant and the respondent, and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party or a witness.

2. Request from law enforcement or child welfare agency.

3. Need for language assistance or accommodation of disabilities.

PROCEDURES FOR COMPLAINTS OF DISCRIMINATION

Step 1 – Reporting

A student or individual who believes they have been subject to discrimination by any student, employee or third party is encouraged to immediately report the incident to the building principal using the designated district report form or by making a general report orally or in writing to the building principal.

Parents/Guardians of students have the right to act on behalf of the complainant, the respondent, or other individual at any time.

Any person with knowledge of discrimination in violation of Board policy or this procedure 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 discrimination will immediately report the incident to the building principal. Additionally, employees who have reasonable cause to suspect that a child is the victim of child abuse, will immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy. (Pol. 806)

The building principal will immediately notify the Title IX Coordinator/Compliance Officer of the reported discrimination.

If the building principal is the subject of a complaint, the student, third party or employee will report the incident directly to the Title IX Coordinator/Compliance Officer.

If the Title IX Coordinator/Compliance Officer is the subject of a complaint, the student, third party or employee will report the incident directly to the Superintendent or designee.

The complainant or reporting individual will be encouraged to use the designated district report form, however, complaints will be accepted in person, by phone, by mail or email, or by any other means that results in the appropriate individual receiving the individual's oral or written report. Oral reports will be documented using the designated district report form, and these procedures will be implemented.

The Title IX Coordinator/Compliance Officer will review reports and complaints, and may gather additional information from the individual submitting the report and other parties identified in the report using the designated district report form. The Title IX Coordinator/Compliance Officer will promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator/Compliance Officer will consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator/Compliance Officer will conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in this Attachment 2, or if the reported circumstances meet the definition and parameters of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other applicable Board policies.

If the Title IX Coordinator/Compliance Officer determines that the report should be addressed through the discrimination complaint procedures, the complaint procedures in this Attachment 2 will be implemented.

When any party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator/Compliance Officer will notify the Special Services Coordinator and coordinate to determine whether additional steps must be taken for the party, while the discrimination complaint procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, functional behavioral assessment (FBA) or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Step 2 – Initial Communications/Supports

The complainant will be informed about the Board's policy on discrimination, including the right to an investigation of both verbal and written reports of discrimination.

The building principal or designee, in consultation with the Title IX Coordinator/Compliance Officer and other appropriate individuals, will promptly implement appropriate measures to protect the complainant and others as necessary from violation of the policy throughout the

course of the investigation.

The building principal or designee may provide to the complainant factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the opportunity to report the incident(s) to law enforcement. The person accepting the complaint will handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or respondent.

The building principal or designee will seek to obtain consent from parents/guardians to initiate an investigation where the complainant is under age eighteen (18), and inform parents/guardians of the complainant that the complainant may be accompanied by a parent/guardian during all steps of the complaint procedure. When a parent/guardian requests confidentiality and will not consent to the complainant's participation in an investigation, the building principal or designee will explain that the school will take all reasonable steps to investigate and respond to the complaint consistent with that request for confidentiality as long as doing so does not preclude the school from responding effectively to the discrimination and preventing discrimination that affects other students.

The building principal or Title IX Coordinator/Compliance Officer will provide relevant information on resources available in addition to the discrimination complaint procedure, such as making reports to law enforcement, available assistance from domestic violence or rape crisis programs and community health resources, including counseling resources.

Informal Remedies -

At any time after a complaint has been reported, if the Title IX Coordinator/Compliance Officer believes the circumstances are appropriate, the Title IX Coordinator/Compliance Officer may offer the parties involved in the complaint the opportunity to participate in informal remedies to address the reported conduct. Informal remedies can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, restorative practices, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services, or other measures to support the parties.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal remedies will document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation to indicate agreement with the resolution and receive a copy, and forward it to the Title IX Coordinator/Compliance Officer.

The Title IX Coordinator/Compliance Officer will contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies, and will document all appropriate actions.

*If the informal remedies result in the final resolution of the complaint, the following steps are not applicable.

Step 3 – Investigation

The Title IX Coordinator/Compliance Officer will assess whether the investigation should be conducted by the building principal, another district employee, the Title IX Coordinator/Compliance Officer or an attorney and will promptly assign the investigation to that individual. When a parent/guardian has requested confidentiality and will not consent to the complainant's participation in an investigation, the Title IX Coordinator/Compliance Officer will provide the parent/guardian with a letter containing information related to the district's legal obligations to conduct an investigation and address violations of Board policy, and any other information appropriate to the specific complaint.

The Title IX Coordinator/Compliance Officer will ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination and retaliation issues and Board policy, and how to conduct investigations and draft an investigative report.

The investigator will work with the Title IX Coordinator/Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation.

The investigator will conduct an adequate, reliable and impartial investigation. The complainant and the respondent may suggest additional witnesses and provide 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 respondent, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians and witnesses will be informed of the prohibition against retaliation for anyone's 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 will 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 will promptly notify the Title IX Coordinator/Compliance Officer, who will promptly inform law enforcement authorities about the allegations.

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

child protective services investigation, and the reason for any such delay will be documented by the investigator.

Step 4 – Investigative Report

The investigator will prepare and submit a written report to the Title IX Coordinator/Compliance Officer within twenty (20) school days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Title IX Coordinator/Compliance Officer to establish a different due date. The parties will 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 investigative report will include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated Board Policy 103 and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discrimination or harassment will consider the record as a whole and the totality of circumstances in determining whether a violation of Board 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 respondent will be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written investigative report, to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The respondent will not be notified of the individual remedies offered or provided to the complainant.

Step 5 – District Action

If the investigation results in a finding that some or all of the allegations of the discrimination complaint are founded and constitute a violation of Board policy, the district will take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district will 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 district education program or activity. District staff will document the corrective action taken and, where not prohibited by law, inform the complainant. The Title IX Coordinator/Compliance Officer will 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 Policy 103 or these procedures, or that there are circumstances warranting further action, such matters will be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary. (Pol. 113.1, 218, 233, 247, 249, 317.1, 806, 824)

Disciplinary actions will be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations. (Pol. 103, 104, 113.1, 218, 233, 317, 317.1)

Appeal Procedure

If the complainant or the respondent is not satisfied with a finding made pursuant to these procedures or with recommended corrective action, they may submit a written appeal to the Title IX Coordinator/Compliance Officer within fifteen (15) school days of receiving notification of the outcome of the investigation. If the Title IX Coordinator/Compliance Officer investigated the complaint, such appeal will be made to the Superintendent.

The individual receiving the appeal will 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.

The person handling the appeal will prepare a written response to the appeal within twenty (20) school days.

Copies of the response will be provided to the complainant, the respondent and the investigator who conducted the initial investigation.

TITLE IX SEXUAL HARASSMENT PROCEDURES AND GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

The Title IX sexual harassment procedures and grievance process for formal complaints prescribed in this attachment apply only when a report includes allegations of sexual harassment subject to Title IX regulations. (34 CFR 106.44, 106.45)

All other reports or complaints of discrimination or retaliation will follow the complaint procedures established in Policy 103 Attachment 2 regarding discrimination.

Definitions

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the district's Title IX Coordinator or any district official who has the authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school, other than the respondent.

Exculpatory evidence means evidence tending to exonerate the accused or helps to establish their innocence.

Inculpatory evidence means evidence tending to incriminate the accused or indicate their guilt.

Retaliation will mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report conduct that may constitute discrimination or harassment, including Title IX sexual harassment, in accordance with Board policy and procedures, participate in an investigation or other process addressing discrimination or Title IX sexual harassment, or act in opposition to discriminatory practices.

The following actions will not constitute retaliation:

1. An individual exercising free speech under the rights protected by the First Amendment.

2. The assignment of consequences consistent with Board policy and the Code of Student Conduct when an individual knowingly makes a materially false statement in bad faith in an investigation. The fact that the charges of discrimination were unfounded or unsubstantiated will not be the sole reason to conclude that any party made a materially false statement in bad faith.

TITLE IX SEXUAL HARASSMENT
PROCEDURES

General Response – (with or without a formal complaint)

Any person, whether the alleged victim or not, may report Title IX sexual harassment using the designated district report form or by making a general report orally or in writing to the building principal, or by using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Upon receipt of a report, school staff will immediately notify the building principal.

A report may be made at any time, including during nonbusiness hours. Oral reports will be documented by the Title IX Coordinator or employee receiving the report using the designated district report form, and these procedures will be implemented appropriately.

A school employee who suspects or is notified that a student may have been subject to conduct that constitutes a violation of Board Policy 103 will immediately report the incident to the building principal.

If the building principal is the subject of the complaint, reports should be made directly to the Title IX Coordinator.

Parents/Guardians of students have the right to act on behalf of the complainant, the respondent, or other individual at any time.

When the district has actual knowledge of Title IX sexual harassment, the district is required to respond promptly and in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances.

All sexual harassment reports and complaints received by the building principal will be promptly directed to the Title IX Coordinator, in accordance with Board policy. The Title IX Coordinator will use the designated district report form to gather additional information from the reporter and/or other parties identified in the report, to determine if the allegations meet the definition and parameters for Title IX sexual harassment.

The Title IX Coordinator will promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator will consider the complainant’s wishes with respect to supportive measures.

The Title IX Coordinator will initially assess whether the reported conduct:

1. Meets the definition of Title IX sexual harassment.

2. Occurred in a district program or activity under the control of the district and against a person in the United States.

3. Involves other Board policies or the Code of Student Conduct.

4. Indicates, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of an individual.

5. Involves a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. (Pol. 103.1, 113, 113.1, 113.2, 113.3)

If the result of this initial assessment determines that none of the allegations fall within the scope of Title IX sexual harassment, but the matter merits review and possible action under the Code of Student Conduct and other Board policies or Attachment 2 addressing Discrimination Complaints, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations. (Pol. 103, 103.1, 113.1, 150, 218, 247, 249, 252, 317, 317.1)

If the result of the initial assessment determines that the allegations may constitute Title IX sexual harassment, the Title IX Coordinator will promptly explain to the complainant the process for filing a formal complaint and inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

The Title IX Coordinator will contact the parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals including the Superintendent, and upon advice of legal counsel, and upon request of law enforcement or child welfare agency, whether to withhold or delay notification of the report from the complainant's parents/guardians.

The Title IX Coordinator will also determine what supportive measures may be offered to the respondent.

If either party is an identified student with a disability, or thought to be disabled, the Title IX Coordinator will contact the Director of Special Education to coordinate the required actions in accordance with Board policy. (Pol. 113, 113.1, 113.2, 113.3)

Confidentiality regarding the supportive measures offered and the identity of the following individuals will be maintained, except as may be permitted by law or regulations relating to the conduct of any investigation: (20 U.S.C. Sec. 1232g; 34 CFR Parts 99, 106; Pol. 113.4, 216)

1. Individuals making a report or formal complaint.

2. Complainant(s).

3. Respondent(s).

4. Witnesses.

The district will treat complainants and respondents equitably by:

1. Offering supportive measures to the complainant and may offer such measures to the respondent.

2. Following the grievance process for formal complaints before imposing disciplinary sanctions or other actions that are not supportive measures on the respondent.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment -

When reports allege Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints. The district will presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

When an emergency removal, as described below, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion will be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable. (Pol. 113.1, 113.2, 113.3, 233)

When an emergency removal is not required, disciplinary sanctions will be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision will be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable. (Pol. 113.1, 113.2, 218, 233)

Supportive Measures -

All supportive measures provided by the district will remain confidential, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. (34 CFR 106.44)

When any party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator will notify the Director of Special Education and coordinate to determine whether additional steps must be taken as supportive measures for the party while the Title IX procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, FBA or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior

violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Reasonable Accommodations –

Throughout the Title IX sexual harassment procedures, the district will make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for any party, and address barriers being experienced by disadvantaged students such as English learners, students experiencing educational instability, and homeless students, consistent with the requirements of federal and state laws and regulations and Board policy. (Pol. 103.1, 113, 138, 251)

Emergency Removal –

If the district has determined, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of any student or other individual due to the allegations of Title IX sexual harassment, the respondent may be removed from the district's education program or activity or moved to an alternative setting, consistent with all rights under federal and state laws and regulations, and Board policy, including but not limited to the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. If the respondent is an identified student with a disability, or thought to be disabled, the Title IX Coordinator will contact the Director of Special Education to coordinate the required actions in accordance with Board policy.

The respondent will be provided with notice and provided an opportunity for due process, in accordance with law, regulations and Board policy. When expulsion is necessary because continuation of educational services is not feasible, the Board's written adjudication of expulsion will address the pending Title IX process and the impact of the outcome of the Title IX process on a student's emergency removal status. (20 U.S.C. Sec. 1400 et seq.; 29 U.S.C. Sec. 794; 42 U.S.C. Sec. 12101 et seq.; 34 CFR 106.44; Pol. 103.1, 113.1, 233)

Administrative Leave -

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis. The employee will be provided with a notice and an opportunity to challenge the emergency removal immediately following removal.

An accused nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract. (29 U.S.C. Sec. 794, 42 U.S.C. Sec. 12101 et seq., 34 CFR 106.44, Pol. 317)

Required Reporting Under Other Policies -

In addition to implementing the Title IX sexual harassment procedures, the Title IX Coordinator will ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents under the school safety and security provisions of the PA School Code, reports of educator misconduct, threats, or reports of suspected child abuse. (Pol. 218, 218.3, 236.1, 317.1, 805.1, 806, 824)

Timeframes

Reasonably prompt timeframes will be established for the conclusion of the grievance process for formal complaints, including timeframes for the informal resolution process and timeframes for filing and resolving appeals.

The established timeframes may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action will be provided to the complainant and the respondent and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party, a party's advisor or a witness.

2. Request from law enforcement or child welfare agency.

3. Need for language assistance or accommodation of disabilities.

Redirection or Dismissal of Title IX Formal Complaints

Formal complaints may be dismissed, if at any time during the investigation or written determination steps described below:

1. A complainant provides written notification of withdrawal of any allegations or of the formal complaint.

2. The respondent is no longer enrolled or employed by the district in a district program or activity.

3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Only alleged conduct that occurred in the district's education program or activity, and against a person in the United States, may qualify as Title IX sexual harassment within the district's jurisdiction. If it is determined during the investigation or written determination steps below that none of the allegations, if true, would meet the definition and parameters of Title IX sexual harassment within the district's jurisdiction, the Title IX Coordinator will dismiss the formal complaint under Title IX. If the matter merits review and possible action under the Code of

Student Conduct and other Board policies or the Attachment 2 addressing Discrimination Complaints, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations.

Written notification will be promptly issued to the parties simultaneously of any allegations found not to qualify or that are dismissed in compliance with Title IX. Written notification will state whether the allegations will continue to be addressed pursuant to the Code of Student Conduct and other Board policies or Attachment 2 addressing Discrimination Complaints.

A dismissal may be appealed via the appeal procedures set forth in this Attachment.

Consolidation of Title IX Formal Complaints

The district may consolidate formal complaints against more than one (1) respondent, or by more than one (1) complainant against one or more respondents, or by one (1) individual against another individual, where the allegations of sexual harassment arise out of the same facts or circumstances.

GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

Step 1 – Formal Complaint

The district is required to initiate the grievance process for formal complaints when a complainant or the complainant's parent/guardian files a formal complaint. The Title IX Coordinator is also authorized to initiate this process despite a complainant's wishes when actions limited to supportive measures are not a sufficient response to alleged behavior, or when a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. Only the Title IX Coordinator is authorized to initiate the formal complaint process despite a complainant's wishes, but the Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

The complainant or the Title IX Coordinator will use the applicable section of the designated district report form to file or sign a formal complaint.

The Title IX Coordinator will assess whether the investigation should be conducted by the building principal, another district employee, the Title IX Coordinator or an attorney and will promptly assign the investigation to that individual.

The Title IX Coordinator, investigator, decision-maker, or any individual designated to facilitate the informal resolution process, each must have completed the required training for such roles as designated in Board policy and will not have a conflict of interest or bias for or against an individual complainant or respondent, or for or against complainants or respondents in general.

The respondent will be presumed not responsible for the alleged conduct until a written determination regarding responsibility has been made at the conclusion of the grievance process for formal complaints.

Notice Requirements -

Upon receipt of a formal complaint, or when the Title IX Coordinator signs a formal complaint to initiate the grievance process for formal complaints, the Title IX Coordinator will provide written notice to all known parties, and the parents/guardians of known parties, where applicable, providing the following information:

1. Notice of the district's grievance process for formal complaints and any informal resolution process that may be available.

2. Notice of the allegations potentially constituting Title IX sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:

    a. The identity of the parties involved, if known.

    b. The conduct allegedly constituting sexual harassment.

    c. The date and location of the alleged incident(s), if known.

3. A statement that a written determination regarding responsibility will be made at the conclusion of the grievance process for formal complaints and, until that time, the respondent is presumed not responsible for the alleged conduct.

4. Notice that parties may have an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may inspect and review evidence.

5. Notice that Board policy and the district's Code of Student Conduct prohibits knowingly making false statements or knowingly submitting false information to school officials in connection with reports of misconduct or discrimination complaints.

6. Notice to all known parties of any additional allegations that the district decides to investigate during the course of the investigation.

Step 2 – Informal Resolution Process

[Note: The informal resolution process cannot be offered or used to facilitate a resolution for any formal complaint where the allegations state that an employee sexually harassed a student, or if the process would conflict with federal, state or local law.]

At any time after a formal complaint has been filed, but prior to reaching a determination of responsibility, if the Title IX Coordinator believes the circumstances are appropriate, the Title IX

Coordinator may offer the parties the opportunity to participate in an informal resolution process, which does not involve a full investigation and adjudication of the Title IX sexual harassment complaint.

The district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal Title IX sexual harassment complaints. Similarly, a district may not require or pressure the parties to participate in an informal resolution process.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, restorative practices, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services, or supportive measures.

When offering an informal resolution process, the Title IX Coordinator will:

1. Provide the parties a written notice disclosing the following:

    a. The allegations.

    b. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process for formal complaints.

    c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtain the parties' voluntary, written consent to the informal resolution process. As part of the consent process, all parties will be informed of the rights being waived by agreeing to the informal resolution process, and will acknowledge such agreement in writing.

3. The informal resolution process will be conducted within twenty (20) school days of the parties' signed agreement for the informal resolution process.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal resolution process will document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within twenty (20) after the complaint is resolved in this manner, the Title IX Coordinator will contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies. The Title IX Coordinator will document the informal resolution process, responses from all parties, and an explanation of why the district's response was not deliberately indifferent to the reported complaint of sexual harassment.

**If Step 2 Informal Resolution Process results in the final resolution of the complaint, the following steps are not required.*

Step 3 – Investigation

The designated investigator, if other than the Title IX Coordinator, will work with the Title IX Coordinator to assess the scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation and to document the evidence throughout each stage of the investigation.

The investigation stage will be concluded within twenty (20) school days.

When investigating a formal complaint, the investigator will:

1. Bear the burden of proof and gather evidence and conduct interviews sufficient to reach a written determination. During the process of gathering evidence, unless the district obtains the voluntary, written consent of the party, or the party's parent/guardian or other legal representative when legally required, the district cannot access, consider, disclose or otherwise use a party's records which are protected by legal privilege, such as those records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with providing treatment to the party. (Pol. 113.4, 207, 209, 216, Safe2Say Something Procedures)

2. Objectively evaluate all available evidence gathered through the investigation, including inculpatory and exculpatory evidence.

3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. However the district may request a nondisclosure agreement be signed by the parties and their advisor(s), if any, stating that they will not disseminate or disclose evidence and documents exchanged in the investigation.

5. Provide the parties with the same opportunities to have others present during any interview or other meeting, including an advisor of the party's choice. The district may establish restrictions, applicable to both parties, regarding the extent to which the advisor may participate.

6. Provide written notice to any party whose participation is invited or expected during the investigation process with the following information, in sufficient time for the party to prepare to participate:

    a. Date.

b. Time.

c. Location.

d. Participants.

e. Purpose of all investigative interviews or other meetings.

7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including evidence the district does not intend to rely on to reach a determination regarding responsibility and any inculpatory and exculpatory evidence, whether obtained from a party or other source.

If at any point the investigation expands to include additional allegations that were not included in the initial notice of allegations provided upon initiation of the grievance process for formal complaints, the investigator will alert the Title IX Coordinator. The Title IX Coordinator will provide written notice of the new allegations to the known parties.

Prior to the completion of the investigative report, the investigator will:

1. Send to each party and the party's advisor, if any, the evidence subject to inspection and review in electronic or hard copy format.

2. Provide the parties at least ten (10) school days following receipt of the evidence to submit a written response.

3. Consider the written response prior to drafting the investigative report.

The investigator will draft an investigative report that fairly summarizes relevant evidence and will provide the investigative report to all parties and to the designated decision-maker.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator will promptly notify the Title IX Coordinator, who will promptly inform law enforcement authorities about the allegations and make any additional required reports, in accordance with law, regulations and Board policy. (Pol. 218, 317.1, 805.1, 806)

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

In the course of an investigation, it is possible that conduct other than, or in addition to, Title IX sexual harassment may be identified as part of the same incident or set of circumstances. The fact that there may be Title IX sexual harassment involved does not preclude the district from addressing other identified violations of the Code of Student Conduct or Board policy. If such other conduct is being investigated and addressed together with Title IX sexual harassment as part of the Title IX grievance process for formal complaints, disciplinary action normally should not be imposed until the completion of the Title IX grievance process for formal complaints. A decision whether and when to take such action should be made in consultation with the school solicitor.

Step 4 – Written Determination and District Action

Designation of Decision-Maker -

To avoid any conflict of interest or bias, the decision-maker cannot be the same person as the Title IX Coordinator or the investigator. The responsibility as the decision-maker for complaints of Title IX sexual harassment will generally be designated to the Superintendent.

If the Superintendent has a conflict of interest or is a party in the formal complaint process, they will disclose the conflict and the Title IX Coordinator will designate another individual to serve as the decision-maker.

Written Determination Submissions -

A written determination of responsibility (written determination) must not be finalized less than ten (10) days after the investigator completes the investigative report and provides it to all parties. Before the decision-maker reaches a determination regarding responsibility, the decision-maker will afford each party the opportunity to submit written, relevant questions that a party wants to be asked of any party or witness, will provide each party with the answers, and will allow for additional, limited follow-up questions from each party.

Relevant questions for a party or witness must be submitted by each party within five (5) school days following receipt of the investigative report. Follow-up questions must be submitted by each party within five (5) school days of being provided the answers to the initial questions.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as part of the follow-up questions and responses, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The decision-maker will explain to the party proposing the questions about any decision to exclude a question as not relevant.

Written Determination -

The decision-maker must issue a written determination for the conduct alleged in formal complaints. To reach this determination, the decision-maker will apply the preponderance of the evidence standard, meaning that the party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party or which shows that the fact to be proven is more probable than not.

In considering evidence, the decision-maker will ensure credibility determinations are not based on an individual's status as a complainant, respondent or witness.

After considering all relevant evidence, the decision-maker will issue a written determination that includes:

1. Identification of the allegations potentially constituting Title IX sexual harassment.

2. A description of the procedural steps taken from the receipt or signing of the formal complaint through the written determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.

3. Findings of fact supporting the determination.

4. Conclusions regarding the application of the district's Code of Student Conduct or Board policies to the facts.

5. A statement of, and rationale for, the result as to each allegation, including:

    a. Determination regarding responsibility.

    b. Disciplinary sanctions.

    c. Remedies designed to restore or preserve equal access to the district's education program or activity that will be provided by the district to the complainant. Such remedies may be punitive or disciplinary and need not avoid burdening the respondent.

6. The procedures, deadline and permissible bases for the complainant and respondent to appeal.

The written determination will be provided to the parties simultaneously. The determination becomes final either:

1. On the date that the district provides the parties with the written decision of the result of the appeal, if an appeal is filed;

2. Or, if an appeal is not filed, on the date on which an appeal would no longer be considered timely, in accordance with the timeframe established for appeals in this Attachment.

The Title IX Coordinator will be responsible to ensure that any remedies are implemented by the appropriate district officials and for following up as needed to assess the effectiveness of such remedies. Disciplinary actions will be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations, including specific requirements and provisions for students with disabilities. (Pol. 113.1, 218, 233, 317, 317.1)

Appeal Process

Districts must offer both parties the right to appeal a determination of responsibility and the right to appeal the district's dismissal of a Title IX formal complaint or any allegation in the Title IX formal complaint. The scope of appeals related to Title IX sexual harassment are limited to the following reasons for appeal as stated in the Title IX regulations:

1. A procedural irregularity that affected the outcome of the matter.

2. New evidence that that could affect the outcome was not reasonably available at the time the decision to dismiss or determination of responsibility was made.

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

Written notice of a party's appeal will be submitted to the Title IX Coordinator within ten (10 school days after the date of the written determination. Notice of appeal will include a brief statement describing the basis for the appeal.

The Title IX Coordinator will ensure that the designated appeal authority is not the same person as the decision-maker that reached the determination, the investigator, or the Title IX Coordinator. The designated appeal authority will be the District solicitor or outside counsel.

For all appeals, the designated appeal authority will:

1. Provide written notice to the other party when notice of an appeal is filed and implement appeal procedures equally for both parties.

2. Provide both parties a reasonable, equal opportunity to submit a written statement in support of or challenging the stated basis for the appeal. Supporting statements will describe in detail as applicable the procedural irregularities asserted to have affected the outcome of the determination, the nature of any new evidence asserted to have affected the outcome, and the nature of any bias asserted to have affected the outcome, with an explanation of how the outcome was affected by such factors. If evidence exists supporting the basis for appeal, it will accompany the supporting statement, or it will identify where such evidence may be found.

Supporting statements must be submitted to the appeal authority and provided to the other party within ten (10) school days of the written notice of appeal.

Statements in opposition to the appeal will be submitted within five (5) school days of the submission of supporting statements. If a statement in opposition to an appeal refers to any evidence beyond what is described in a supporting statement, it will accompany the statement in opposition, or it will identify where such evidence may be found.

The appeal authority may accept and consider evidence in support of or in opposition to an appeal in making any conclusions necessary to deciding the appeal. Alternatively, when the appeal authority determines that factors exist making it necessary for the decision-maker to further develop the evidentiary record relevant to the basis for appeal, the appeal authority may return the matter to the decision-maker for that limited purpose.

3. Determine whether the appeal meets the grounds for permitted reasons for appeal and justifies modifying the written determination.

4. Issue a written decision setting forth the respects, if any, in which the written determination is modified and the rationale for the result within ten (10) school days.

5. Provide the written decision simultaneously to both parties. A copy of the written decision will also be provided to the Title IX Coordinator.

Recordkeeping

The district must maintain the following records for a minimum of seven (7) years after conclusion of procedures and implementation of disciplinary sanctions and/or remedies, or in the case of a complainant or respondent who is a minor, until the expiration of the longest statute of limitations for filing a civil suit applicable to any allegation:

1. Each Title IX sexual harassment investigation, including any written determination and any audio or audiovisual recording or transcript, and disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity.

2. Any appeal and the result.

3. Any informal resolution and the result.

4. All materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process.

5. Records of any district actions, including any supportive measures, taken in response to a report or formal complaint of Title IX sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the

district's education program or activity. If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

Template for Letter Documenting Parental Objection to Child's Participation in an Investigation

NOTE: THIS DOCUMENT SERVES AS A TEMPLATE ONLY AND HAS TO BE MODIFIED BY THE SCHOOL ENTITY PRIOR TO USE. THE DOCUMENT CANNOT BE USED IN ITS CURRENT FORM.

[DISTRICT LETTERHEAD]

ADDRESSED TO: **Complainant's Parents/Guardians or Other Authorized Legal Representative**

RE: Report of discrimination/harassment made on **[DATE]** on behalf of **[STUDENT]**

Dear _____:

On **[DATE]** you met with **[NAME OF: BUILDING PRINCIPAL, COMPLIANCE OFFICER, TITLE IX COORDINATOR]** to discuss an alleged violation of **[SCHOOL DISTRICT'S]** Policy No. 103, prohibiting discrimination and harassment affecting students. The allegations involved ***[VERY BRIEF DESCRIPTION OF INCIDENT OR GENERAL INCIDENTS WITHOUT NAMING NAMES, e.g. that a fellow student reported a teacher in the high school inappropriately texted your child suggesting they have dinner together; that your student reported a classmate in math class has been touching their thigh every day and talking about how cute they are, making them uncomfortable; that a custodian reported hearing an identified group of students use racial slurs against your child; that your child reported to you that a teacher criticized your family's religion as being terroristic, etc.]*.**

In this discussion, you stated that you do not consent to **[STUDENT'S]** participation in an investigation. Because the district has a legal obligation to address potential violations of Policy 103, the district will conduct an investigation and maintain confidentiality to the extent this is consistent with the district's obligations to address and prevent violations of this policy. Any violations of policy which may be uncovered through this investigation will be addressed. The **[SCHOOL DISTRICT]** prohibits retaliation against any individual who has made a complaint, and alleged victims or individuals who participate in related investigations. If at any time you wish to have your child participate in the investigation, please notify me immediately. If at any time your child believes there have been additional violations of Policy 103, including any retaliatory behavior, please contact me at your earliest convenience to permit the district to properly address such matters. This will be treated as a new complaint with a new opportunity to determine your child's participation.

The district may offer supportive measures as appropriate regardless of participation in an investigation.

Feel free to contact me with any questions. My contact information is:

Sincerely,

_____

Title IX Coordinator

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: NONDISCRIMINATION – QUALIFIED STUDENTS WITH DISABILITIES ADOPTED: May 13, 2015 REVISED: November 8, 2017 February 13, 2019 October 9, 2024

103.1. NONDISCRIMINATION – QUALIFIED STUDENTS WITH DISABILITIES

Authority

The Board declares it to be the policy of this district to provide all district programs and practices free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.[1][2][3][4][5][6][7][8][9][10]

The district shall provide to each qualified student with a disability enrolled in the district, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees, in accordance with Board policy.[10]

The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective or preventative action be taken for substantiated allegations.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be maintained, consistent with the district's legal and investigative obligations.

	Retaliation The district and its employees are prohibited from intimidating, threatening, coercing, discriminating or retaliating against any individual for the purpose of interfering with any right or privilege secured by this policy.
Definitions	**Qualified student with a disability** - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities.[11][12] **Section 504 Team** - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians.[4][9] **Section 504 Service Agreement (Service Agreement)** - an individualized plan for a qualified student with a disability which sets forth the specific related aids, services or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services and extracurricular activities.[13] **Disability harassment** - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services or opportunities in the school's educational programs, nonacademic services or extracurricular activities.[10]
Delegation of Responsibility	In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Special Services Coordinator as the district's Section 504 Coordinator.[14] In addition, each school within the district shall have a Section 504 building administrator. The district shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the district's website and in the student handbook. The district shall notify parents/guardians of students residing in the district of the district's responsibilities under applicable law and regulations, and that the district does not discriminate against qualified individuals with disabilities.[15][16]

Guidelines	Identification and Evaluation The district shall conduct an annual child find campaign to locate and identify every district student with a disability thought to be eligible for Section 504 services and protections. The district may combine this search with the district's Individuals with Disabilities Education Act (IDEA) child find efforts, in order to not duplicate efforts.[16][17] If a parent/guardian or the district has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the district shall provide the other party with written notice.[18][19][20] The district shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.[20] The district shall specifically identify the procedures and types of tests used to evaluate a student and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[20] The district shall establish procedures for evaluation and placement that assure tests and other evaluation materials: 1. Have been validated and are administered by trained personnel. 2. Are tailored to assess educational need and are not based solely on IQ scores. 3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured). Service Agreement If a student is determined to be a qualified student with a disability, the district shall develop a written Service Agreement for the delivery of all appropriate aids, services or accommodations necessary to provide the student with FAPE.[13] The district shall not implement a Service Agreement until the written agreement is executed by a representative of the district and a parent/guardian.[13] The district shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[18]

Educational Programs/Nonacademic Services/Extracurricular Activities

The district shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the district determines that educating the student in the regular educational environment with the use of related aids, services or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home.[21][22]

The district shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.[21][22][23][24][25][26][27]

Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child and give or withhold their written consent to the evaluation and/or the provision of services.[13][19][20][28]

Confidentiality of Student Records

All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations and Board policy.[29][30][31][32]

Discipline

When necessary, the district shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.[33][34]

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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[35][36][37]

The Superintendent 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 qualified student with a disability, including a student for whom an evaluation is pending, to the law enforcement agency 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 law enforcement and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.[11][13][21][31][33][35][38][39][40][41][42][43][44][45][46][47][48]

In making a determination of whether to notify the law enforcement agency of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or designee shall use the same criteria used for students who do not have a disability.[10][40][48][49]

For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.[13][41]

In accordance with state law, the Superintendent shall annually, by July 31, report to the PA Department of Education on the required form all new incidents committed by qualified 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.[35][38][48]

PROCEDURAL SAFEGUARDS

The district shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student's parent/guardian and a review procedure.[28][50]

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating action in federal court under Section 504.[19]

Parental Request for Assistance

Parents/Guardians may file a written request for assistance with the PA Department of Education if one (1) or both of the following apply:[28]

1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.

2. The district has failed to comply with the procedures and state regulations.

The PA Department of Education shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and district a written response to the request. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.[28]

Informal Conference

At any time, parents/guardians may file a written request with the district for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services or accommodations. Within ten (10) school days of receipt of the request, the district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[28]

Formal Due Process Hearing

If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[28][51]

Judicial Appeals

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[28]

COMPLAINT PROCEDURE

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[10]

Step 1 – Reporting

A student or parent/guardian who believes the student has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.

	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 Section 504 building administrator, as well as properly making any mandatory law enforcement or child protective services reports required by law.[48][52] If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district's Section 504 Coordinator. The complainant or reporting employee may be encouraged to use the district's report form, available from the Section 504 building administrator or Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the oral or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. 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. <u>Step 2 – Investigation</u> The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations. The Section 504 building administrator or Section 504 Coordinator and other appropriate individuals will promptly implement appropriate measures to protect the complainant and others as necessary from violation of the policy throughout the course of the investigation. The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation. The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused may suggest additional witnesses and provide 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 person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's 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 Section 504 Coordinator, who shall promptly inform law enforcement authorities about the allegations.[10][48][52][53][54] The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations 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 district'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, and the reason for such delay shall be documented. <u>Step 3 – Investigative Report</u> The investigator shall prepare and submit a written report to the Section 504 Coordinator within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Section 504 Coordinator 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 complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into disability 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.[10]

The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report, to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.[29][30][31][32]

Step 4 – District Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district 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. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

If the 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, district procedures, applicable collective bargaining agreements and state and federal laws.[33][34][55][56]

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, they may submit a written appeal to the district's Section 504 Coordinator within fifteen (15) days.

2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.

3. The Section 504 Coordinator 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 References: 1. 22 PA Code 4.4 2. 22 PA Code 12.1 3. 22 PA Code 12.4 4. 22 PA Code 15.1 et seq 5. 29 U.S.C. 794 6. 42 U.S.C. 12101 et seq 7. 28 CFR Part 35 8. 28 CFR Part 36 9. 34 CFR Part 104 10. Pol. 103 11. 22 PA Code 15.2 12. 42 U.S.C. 12102 13. 22 PA Code 15.7 14. 34 CFR 104.7 15. 22 PA Code 15.4 16. 34 CFR 104.32 17. Pol. 113 18. 22 PA Code 15.5 19. 22 PA Code 15.6 20. 34 CFR 104.35 21. 22 PA Code 15.3 22. 34 CFR 104.34 23. 34 CFR 104.37 24. Pol. 112 25. Pol. 122 26. Pol. 123 27. Pol. 810 28. 22 PA Code 15.8 29. 20 U.S.C. 1232g 30. 34 CFR Part 99 31. 22 PA Code 15.9 32. Pol. 216 33. Pol. 218 34. Pol. 233 35. 24 P.S. 1319-B 36. 22 PA Code 10.2 37. 35 P.S. 780-102 38. 24 P.S. 1306.2-B 39. 22 PA Code 10.21 40. 22 PA Code 10.22 41. 22 PA Code 10.23 42. 22 PA Code 10.25 43. Pol. 113.2 44. Pol. 218.1 45. Pol. 218.2

	46. Pol. 222 47. Pol. 227 48. Pol. 805.1 49. 22 PA Code 15.1 50. 34 CFR 104.36 51. 22 PA Code 14.162 52. Pol. 806 53. 18 Pa. C.S.A. 2709 54. Pol. 815 55. Pol. 113.1 56. Pol. 317

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION/DISABILITY HARASSMENT

Complainant: _____
Home Address: _____
Home Phone: _____
School Building: _____
Date of Alleged Incident(s): _____

Alleged discrimination was based on: _____

Name of person you believe violated the district's nondiscrimination policy:
_____

If the alleged discrimination was directed against another person, identify the other person:
_____

Describe the incident(s) as clearly as possible, including any graphic, written, electronic, verbal or nonverbal acts (i.e., 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. Attach additional pages if necessary: _____
_____
_____
_____
_____

When and where incident(s) occurred: _____

List any witnesses who were present: _____
_____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge. **I understand that any false information provided herein is subject to penalties contained in 18 Pa. C.S.A. Sec. 4904, relating to unsworn falsification to authorities.**

_____ _____
Complainant's Signature Date

_____ _____
Received By Date

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PROCEDURAL SAFEGUARDS NOTIFICATION

Dear Parent/Guardian:

As part of the protections available to you if we cannot agree as to what related aids, services, or accommodations should or should no longer be provided to your child, one or more options available through the procedural safeguard system may be used to resolve the dispute.

Parental Request For Assistance –

Parents/Guardians may file a written request for assistance with the Department of Education if you believe the school district is not providing the related aids, services, and accommodations specified in the Service Agreement and/or the school district has failed to comply with Chapter 15 of the State Board of Education Regulations.

The Department of Education will investigate and respond to requests for assistance and, unless exceptional circumstances exist, will, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and school district a written response to the request.

Written requests should be addressed to:

Pennsylvania Department of Education
Bureau of Special Education
333 Market Street
Harrisburg, PA 17126
717-783-6913

Informal Conference –

Parents/Guardians may file a written request with the school district for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services, or accommodations. Within ten (10) school days of receipt of the request, the school district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.

Formal Due Process Hearing –

Parents/Guardians may file a written request with the school district for an impartial due process hearing.

1. The hearing shall be held before an impartial hearing officer.

2. The hearing shall be held in the local school district at a place reasonably convenient to the parents/guardians. At the request of the parents/guardians, the hearing may be held in the evening.

3. The hearing shall be an oral, personal hearing and shall be open to the public unless the parents/guardians request a closed hearing.

4. If the hearing is open, the decision issued in the case, and only the decision, shall be available to the public.

5. If the hearing is closed, the decision shall be treated as an educational record of the student and may not be available to the public.

6. The decision of the hearing officer shall include findings of fact, discussion and conclusions of law. The decision shall be based solely upon the substantial evidence presented at the hearing. The hearing officer shall have the authority to order that additional evidence be presented.

7. A written transcript of the hearing shall, upon request, be made and provided to parents/guardians at no cost.

8. Parents/Guardians may be represented by legal counsel.

9. A parent/guardian or a parent's/guardian's representative shall be given reasonable access to all educational records, including any tests or reports upon which the proposed action is based.

10. Any party may prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five (5) days before the hearing.

11. A parent/guardian or a parent's/guardian's representative has the right to compel the attendance of and question witnesses of the school entity or agency who may have evidence upon which the proposed action might be based.

12. Any party has the right to present evidence and testimony, including expert medical, psychological or educational testimony.

The following timeline applies to due process hearings:

1. A hearing shall be held within thirty (30) calendar days after a parent's/guardian's initial request for a hearing.

2. The hearing officer's decision shall be issued within forty-five (45) calendar days after the parent's/guardian's request for a hearing.

Judicial Appeals –

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction. Under some circumstances, you may raise these claims directly under Section 504 without going through the due process hearing.

If, within sixty (60) calendar days of the completion of the administrative due process proceedings under this chapter, an appeal or original jurisdiction action is filed in state or federal court, the administrative order shall be stayed pending the completion of the judicial proceedings, unless the parents/guardians and school district agree otherwise.

Please indicate the type of procedural safeguard you are requesting:

☐ Informal Conference ☐ Formal Due Process Hearing

_____ _____

Parent(s)/Guardian(s) Signature Date

_____ _____

Section 504 Building Administrator Signature Date

NOTICE OF DISTRICT-INITIATED EVALUATION AND PROVISION OF SERVICES FOR QUALIFIED STUDENTS WITH DISABILITIES

Dear _____:
(Parent/Guardian)

The school district believes that _____:

1. _____ should be identified as a qualified student with a disability.
2. _____ should no longer be identified as a qualified student with a disability.
3. _____ requires a change or modification of his/her Service Agreement.

The basis for the belief that the student is or is no longer a qualified student with a disability is:
_____
_____

The procedures and types of tests that will be used in the evaluation are:
_____
_____

The proposed change or modification in the Service Agreement is:
_____
_____

If you have any additional information or medical records which will assist in this evaluation, please forward them to me or call me at _____ to discuss this information.

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.

Directions: Please check the applicable option and sign the form.

Evaluation *– complete this section if the district checked item 1 above.*
_____ I give my permission to proceed with the evaluation.
_____ I do not give my permission to proceed with the evaluation.
My reason for disapproval is: _____
_____ I request an informal conference to discuss the evaluation.

Termination *– complete this section if the district checked item 2 above.*
_____ I give my permission to proceed with the termination of services.
_____ I do not give my permission to proceed with the termination of services.
My reason for disapproval is: _____
_____ I request an informal conference to discuss the termination of services.

Modification *– complete this section if the district checked item 3 above.*
_____ I give my permission to proceed with the modification of the Service Agreement.
_____ I do not give my permission to proceed with the modification of the Service Agreement.
My reason for disapproval is: _____
_____ I request an informal conference to discuss the modification of the Service Agreement.

_____ _____
Parent(s)/Guardian(s) Signature Date

_____ _____
Section 504 Building Administrator Signature Date

PARENT/GUARDIAN REQUEST FOR EVALUATION, TERMINATION, OR MODIFICATION UNDER SECTION 504

Student Information

Last Name: _____ First Name: _____ Middle Initial: _____
Male: _____ Female: _____ Birth Date: _____
School: _____ Grade: _____ Class: _____

Parent/Guardian Information

Last Name: _____ First Name: _____ Middle Initial: _____
Home Address: _____
Home Phone: _____ Work Phone: _____

Referral Information

The parent/guardian believes that the above named student:

1. _____ should be identified as a qualified student with a disability.

The basis for the belief that the student is a qualified student with a disability is:

_____
_____

Describe how the disability affects the student's access to or benefit from the school's educational programs, nonacademic services, or extracurricular activities:

_____
_____

Describe the requested aids, services, or accommodations:

_____
_____

2. _____ should no longer be identified as a qualified student with a disability.

The basis for the belief that the student is no longer a qualified student with a disability is:

_____
_____

3. _____ requires a change or modification of his/her Service Agreement.

The proposed change or modification of the Service Agreement is:

_____
_____

If you have any additional information or medical records which will assist in this process, please forward them to the Section 504 Building Administrator.

Notice Of Rights

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.

Verification

By submitting this request, I am requesting that the district review the referral information above, and any additional information I attached. I understand that the district, its agents, and its employees are relying on the accuracy of the information that I have provided in this form, and any information attached thereto, to determine whether and to what extent my child will be provided with accommodations under Section 504.

_____ _____
Parent(s)/Guardian(s) Signature Date Submitted

DO NOT WRITE BELOW
(FOR DISTRICT USE ONLY)

Reviewed by: _____ _____
Name (Please Print) Title

Student's Last Name: _____ First Name: _____ Middle Initial: _____

School: _____ Grade: _____ Class: _____

The Parent/Guardian Request for Evaluation, Termination, or Modification is:

Approved _____ Denied _____ Referred for Further Review _____

Reason Request Approved or Denied:

_____
_____
_____
_____
_____
_____
_____

_____ _____
Signature - Reviewer **Date**

_____ _____
Signature - Section 504 Building Administrator **Date**

Notice Of Rights

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold consent to the evaluation and/or provision of services.

Procedural Safeguards

Parents/Guardians may also use one or more of the procedural safeguard options, listed in Board policy, to resolve a dispute related to the identification or evaluation of a student as a qualified student with a disability, or the student's need for related aids, services, or accommodations.

PERMISSION TO EVALUATE – CONSENT FORM

Student's Name: _____

Name and Address of Parent/Guardian:

_____

_____

_____

Dear _____:

The district received a Section 504 referral, and we would like to conduct an initial evaluation to determine if your child is a qualified student with a disability.

The first step in the process is to conduct an individual evaluation of your child, which will consist of a variety of tests and assessments. We must have your consent before we can begin.

The procedures and types of tests that will be used in the evaluation are:

_____

_____

A Section 504 Team will conduct the proposed evaluation. Any information you can provide is important to us. Please send your ideas and concerns to us in writing or contact the person listed below if you prefer to discuss your concerns in person. If a team meeting is held, you will be notified. Information from all team members will be considered during the evaluation process.

If your child *is* determined to be a qualified student with a disability, you will be invited to participate in developing a Section 504 Service Agreement (Service Agreement) that will set forth the specific related aids, services, or accommodations needed by the individual student.

Giving your consent for evaluation does not mean you give consent to placement or services. If your child is eligible for a Section 504 Service Agreement, you will be asked to give written consent for services to begin.

Please read the enclosed *Procedural Safeguards Notice* that explains your rights, and **keep a copy of both forms for your records.**

If you have any questions, please contact the Section 504 Building Administrator.

Name: _____ Phone: _____

DIRECTIONS: Please check one (1) of the options and sign the form.

1. ☐ I give consent to start an initial evaluation as you propose.
2. ☐ I do not give consent to the proposed initial evaluation.
3. ☐ I would like to schedule an informal meeting with school personnel to discuss this request.

_____	_____	_____
Parent/Guardian Signature	Date	Daytime Phone

PLEASE RETURN THIS ENTIRE FORM TO:

Name: _____

Address: _____

_____

FREEPORT AREA SCHOOL DISTRICT
FREEPORT

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: DISCRIMINATION/HARASSMENT AFFECTING STAFF ADOPTED: May 13, 2015 REVISED: November 8, 2017; February 13, 2019; August 13, 2020; October 9, 2024; December 11, 2024; March 12, 2025

104. DISCRIMINATION/HARASSMENT AFFECTING STAFF

Authority

The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, religious creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, handicap/disability or pregnancy, childbirth or pregnancy-related medical conditions. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, as well as pregnancy, childbirth and pregnancy-related conditions, consistent with the requirements of federal and state laws and regulations.[1][2][3][4][5][6][7][8][9][10][11][12][13][14][15]

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Office for Civil Rights of the U.S. Department of Education, or both.

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages employees, applicants and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal or Title IX Coordinator. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

An employee serving in a supervisory position who suspects or is notified that a district employee may have been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Title IX Coordinator.

If the building principal is the subject of a complaint, the complainant or the individual making the report shall direct the report of the incident to the Title IX Coordinator.

If the Title IX Coordinator is the subject of a complaint, the complainant or building principal shall direct the report of the incident to the Superintendent or designee.

The complainant or the individual making the report may use the designated district report form attached to this policy for purposes of reporting an incident or incidents in writing; however, oral reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported conduct is most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported conduct meets the definition of Title IX sexual harassment and is most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

Disciplinary Procedures when Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

	Administrative Leave – When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis. An accused, nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract. <u>Confidentiality</u> Confidentiality of all parties, witnesses, the allegations, the filing of a report, and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, Board policy, the attachments and the district's legal and investigative obligations.[16][17][18][19][20] <u>Retaliation</u> The Board prohibits retaliation by the district or any other person against any person for:[19] Reporting or making a formal complaint of conduct that may constitute discrimination or retaliation, including Title IX sexual harassment. Testifying, assisting, participating in any manner or refusing to participate in a related investigation, process or other proceeding or hearing. Acting in opposition to practices the person reasonably believes to be discriminatory. The district, its employees and others are prohibited from intimidating, threatening, harassing, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if they believe retaliation has occurred.
Definitions	**Complainant** shall mean an individual who is alleged to be the victim.

Pregnancy, childbirth and pregnancy-related medical conditions, as defined in federal law, refers to the pregnancy or childbirth of the specific employee and includes, but is not limited to, current pregnancy; past pregnancy or recovery; termination of pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment and the use of contraception); labor; childbirth; and lactation. Related medical conditions are medical conditions relating to the pregnancy, termination of pregnancy, childbirth or lactation of the specific employee.[21]

Pregnancy, as defined in state regulation, shall include the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.[22]

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, religious creed, religion, sex, sexual orientation, genetic information, ancestry, national origin, marital status, pregnancy or handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy, or association with an individual who has a protected classification, consisting of objectively and subjectively hostile conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes or comments, slurs, stereotypes, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, ostracism, or other conduct that affects a term, condition or privilege of employment, and may be harmful or humiliating or interfere with a person's school or school-related work performance, including when:[10]

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or

2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or

3. 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 at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

Examples of harassment based on race, color, ancestry or national origin may include but not be limited to harassment regarding traits or characteristics related to an individual's name, cultural dress or diet, accent, linguistic characteristics or manner of speech, or physical characteristics, such as hairstyles or hair texture.

Harassment based on religion, religious creed, sex, pregnancy or related conditions, or handicap/disability may include harassment based on a request for or receipt of a reasonable accommodation.

Discrimination or harassment based on handicap/disability may also include harassment based on how an individual speaks, looks or moves, as well as discrimination or harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability; has a record or history of a disability, even if the individual does not currently have a disability; or is associated with an individual who has a disability.

Religious creed includes all aspects of religious observance, practice or belief.[23]

Race includes all of the following:[24]

1. Ancestry, national origin or ethnic characteristics.
2. Interracial marriage or association.
3. Traits associated with race, which includes but is not limited to, hair texture and protective hairstyles, such as braids, locks and twists.
4. Hispanic ancestry, national origin or ethnic characteristics.[22]
5. Persons of any other national origin or ancestry as specified by a complainant or in a complaint.

<u>Definitions Related to Title IX Sexual Harassment</u>

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[18][25]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[25]

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[25]

1. Counseling or Employee Assistance Program.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Changes in work locations or other activities.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[25]

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

3. Sexual assault, dating violence, domestic violence or stalking.

    a. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[26]

        i. Length of relationship.

        ii. Type of relationship.

        iii. Frequency of interaction between the persons involved in the relationship.

    b. **Domestic violence** includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.[26]

    c. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.[27]

    d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:[26]

        i. Fear for their safety or the safety of others.

        ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.[17][18][25]

Delegation of Responsibility	In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Program Director as the district's Compliance Officer and Title IX Coordinator. The Compliance Officer/Title IX Coordinator can be contacted at:[28] Address: Administration Office Freeport Area School District PO Box C Freeport, PA 16229 Email: robb@freeport.k12.pa.us Phone Number: 724-295-5141 The Compliance Officer and Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate: 1. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination. 2. Training - Provide training for supervisors and staff to prevent, identify and alleviate problems of employment discrimination. 3. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, and available supportive measures such as assistance from domestic violence or rape crisis programs, and community health resources including counseling resources. 4. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Guidelines	Title IX Sexual Harassment Training Requirements The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role: 1. Definition of sexual harassment. 2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations. 3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable. 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. 5. Use of relevant technology. *6.* Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. 7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence. 8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy. All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes. All training materials shall be posted on the district's website. Disciplinary Consequences An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[29][30][31][32]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, genetic information, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

Legal References:
1. 43 P.S. 336.3
2. 43 P.S. 951 *et seq.*
3. 34 CFR Part 106
4. 20 U.S.C. 1681 *et seq.*
5. 29 U.S.C. 206
6. 29 U.S.C. 621 *et seq.*
7. 29 U.S.C. 794
8. 29 CFR Part 1636
9. 42 U.S.C. 1981 *et seq.*
10. 42 U.S.C. 2000e *et seq.*
11. 42 U.S.C. 2000ff *et seq.*
12. 42 U.S.C. 2000gg *et seq.*
13. 42 U.S.C. 12101 *et seq.*
14. U.S. Const. Amend. XIV, Equal Protection Clause
15. 29 U.S.C. 218d
16. 20 U.S.C. 1232g
17. 34 CFR 106.44
18. 34 CFR 106.45
19. 34 CFR 106.71
20. 34 CFR Part 99
21. 29 CFR 1636.3
22. 16 PA Code 41.204
23. 16 PA Code 41.205
24. 16 PA Code 41.207
25. 34 CFR 106.30
26. 34 U.S.C. 12291
27. 20 U.S.C. 1092
28. 34 CFR 106.8
29. Pol. 317
30. Pol. 317.1
31. Pol. 806
32. Pol. 824

	16 PA Code 41.201 *et seq.* 16 PA Code 44.1 *et seq.* 18 Pa. C.S.A. 2709 28 CFR 35.140 28 CFR Part 41 29 CFR Parts 1600-1691 EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993 EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999 EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990 U.S. Equal Employment Opportunity Commission - Questions and Answers on Religious Discrimination in the Workplace U.S. Equal Employment Opportunity Commission (EEOC) Enforcement Guidance on Harassment in the Workplace (2024) Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020) Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998) Faragher v. City of Boca Raton, 524 U.S. 775 (1998) Groff v. DeJoy, 600 U.S. 447 (2023) Pol. 320 Pol. 324 Pol. 335 Pol. 336 Pol. 339 Pol. 800 Pol. 801 Pol. 815

DISCRIMINATION/HARASSMENT/RETALIATION
REPORT FORM

Note: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from discrimination and harassment, including sex-based harassment and retaliation. If you have experienced, or if you have knowledge of any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position:

Address:

Email:

Phone Number:

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing or discriminating against you for making this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with Board policy, procedures and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality, as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

Assigned School Building(s):

I am a(n):

☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district education program or activity)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is:

☐ Another Employee ☐ Student

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Conduct You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Employee(s)

☐ Student(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐ Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

_____ _____

Signature of Person Making the Report Date

_____ _____

Received By Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment, other forms of discrimination or harassment, or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, the Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 104 and the Formal Complaint Process. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

Assigned School Building(s):

Reporter is a(n):

☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is:

☐ Another Employee ☐ Student

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please provide the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment
☐ Discrimination
☐ Retaliation
☐ Other _____

Nature of the Report (check all that apply):

☐ Race
☐ Color
☐ Religion
☐ Sexual Orientation
☐ National Origin
☐ Marital Status
☐ Handicap/Disability
☐ Age
☐ Religious Creed
☐ Sex
☐ Pregnancy or Related Conditions
☐ Ancestry
☐ Genetic Information
☐ Sexual Harassment

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's programs or activities in the course of school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

VI. Safety Concerns

Are there reasonable safety concerns that may require Emergency Removal or Administrative Leave of a respondent? (This requires an individualized safety and risk analysis as to whether there is an imminent and serious threat to the physical health or safety of an individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to law enforcement or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students
☐ Policy 104. Discrimination/Harassment Affecting Staff
☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

☐ A district employee conditioning the provision of the aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo harassment.

☐ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

☐ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 104 Discrimination/Harassment Affecting Staff: Discrimination Complaint Procedures

☐ Policy 104. Discrimination/Harassment Affecting Staff: Grievance Process for Formal Complaints

☐ Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. Determine what supportive measures may be offered to the respondent.
4. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date:

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint of sexual harassment pursuant to Title IX.

☐ Yes ☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether instead a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is a supervisor, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the initiation of the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

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DISCRIMINATION
COMPLAINT PROCEDURES

The Discrimination Complaint Procedures prescribed in this Attachment apply to reports of retaliation or discrimination on the basis of race, color, age, religious creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or related conditions, or handicap/disability that do not constitute Title IX sexual harassment as defined in Policy 104.

All reports of discrimination shall be reviewed by the Title IX Coordinator/Compliance Officer upon receipt to determine if the allegations meet the definition and parameters of sexual harassment under Title IX. If the result of this review determines that the allegations fall within the scope of Title IX sexual harassment, then the process set forth in Policy 104 Attachment 3 for Title IX Sexual Harassment shall be followed.

All reports of discrimination and retaliation brought pursuant to the district's discrimination policy will also be reviewed for conduct which may not be proven discriminatory under Policy 104 but merits review and possible action under other Board policies or the Code of Student Conduct for students. (Pol. 103.1, 113.1, 218, 233, 317)

Reasonable Accommodations

Throughout the discrimination complaint procedures, the district will make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for all parties, as well as reasonable accommodations for pregnancy and pregnancy-related conditions, consistent with the requirements of federal and state laws and regulations and Board policy. (Pol. 103.1, 104, 113, 234, 906)

Required Reporting Under Other Policies

In addition to implementing the complaint procedures, the building principal or Title IX Coordinator/Compliance Officer will ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents involving school safety, reports of educator misconduct, threats or reports of suspected child abuse. (Pol. 218, 317.1, 805.1, 806, 824)

Timeframes

Reasonably prompt timeframes shall be established for completing each step of the discrimination complaint procedures, including timeframes for filing and resolving appeals.

The established timeframes included in these procedures may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action will be provided to the complainant and the respondent, and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party or a witness.
2. Concurrent law enforcement or child welfare agency.
3. Need for language assistance or accommodation**s.**

PROCEDURES FOR COMPLAINTS OF DISCRIMINATION

Step 1 – Reporting

An employee or individual who believes they have been subject to discrimination by any district student, employee or third party is encouraged to immediately report the incident to the building principal or Title IX Coordinator/Compliance Officer using the designated district report form or by making a general report orally or in writing to the building principal. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

An employee serving in a supervisory position who suspects or is notified that a district employee may have been subject to conduct that constitutes a violation of this policy, will immediately report the incident to the Title IX Coordinator/Compliance Officer.

If a student is identified as a party in the report, parents/guardians have the right to act on behalf of the student at any time. (Pol. 103)

Any person with knowledge of discrimination in violation of Board policy or this procedure is encouraged to immediately report the matter to the building principal or Title IX Coordinator/Compliance Officer.

The building principal will immediately notify the Title IX Coordinator/Compliance Officer of the reported discrimination.

If the building principal or Title IX Coordinator/Compliance Officer is the subject of a complaint, the person making the report will report the incident directly to the Superintendent or designee.

The complainant or reporting individual shall be encouraged to use the designated district report form, however, complaints shall be accepted in person, by phone, by mail or email, or by any other means that results in the appropriate individual receiving the individual's oral or written report. Oral reports will be documented using the designated district report form, and these procedures shall be implemented.

The Title IX Coordinator/Compliance Officer shall review reports and complaints, and may gather additional information from the individual submitting the report and other parties identified in the report using the designated district report form. The Title IX Coordinator/Compliance Officer will promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator/Compliance Officer shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator/Compliance Officer will conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in this document, or if the reported circumstances meet the definition and parameters of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other applicable Board policies.

If the Title IX Coordinator/Compliance Officer determines that the report should be addressed through the discrimination complaint procedures, the complaint procedures in this document shall be implemented.

When a party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator/Compliance Officer will notify the Special Services Coordinator and coordinate to determine whether additional steps must be taken for the party, while the discrimination complaint procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, functional behavioral assessment (FBA) or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Step 2 – Initial Communications/Supports

The complainant shall be informed about the Board's policy on discrimination, including the right to an investigation of both oral and written reports of discrimination.

The building principal or designee, in consultation with Title IX Coordinator/Compliance Officer and other appropriate individuals, shall promptly implement appropriate measures to protect the complainant and others as necessary from violation of the policy throughout the course of the investigation.

The building principal or designee may provide to the complainant factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the opportunity to report incident(s) to law enforcement. 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 respondent.

The building principal or Title IX Coordinator/Compliance Officer will provide relevant information on resources available in addition to the discrimination complaint procedure, such as making reports to law enforcement, available assistance from domestic violence or rape crisis programs and community health resources, including counseling resources.

Informal Remedies -

At any time after a complaint has been reported, if the Title IX Coordinator/Compliance Officer believes the circumstances are appropriate, the Title IX Coordinator/Compliance Officer may offer the parties involved in the complaint the opportunity to participate in informal remedies to address the reported conduct. Informal remedies can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services such as an Employee Assistance Program, or other measures to support the parties.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal remedies will document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation to indicate agreement with the resolution and receive a copy, and forward it to the Title IX Coordinator/Compliance Officer.

The Title IX Coordinator/Compliance Officer will contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies, and will document all appropriate actions.

*If the informal remedies result in the final resolution of the complaint, the following steps are not applicable.

Step 3 – Investigation

The Title IX Coordinator/Compliance Officer will assess whether the investigation should be conducted by the building principal, another district employee, the Title IX Coordinator/Compliance Officer or an attorney and will promptly assign the investigation to that individual. The individual assigned to investigate the complaint must not be an employee supervised by the respondent or the complainant.

The Title IX Coordinator/Compliance Officer will ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination and retaliation issues and Board policy. The individual must have received training on how to conduct investigations, including interviewing witnesses and evaluating credibility, and how to draft an investigative report.

The investigator will work with the Title IX Coordinator/Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the respondent may suggest additional witnesses and provide 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 respondent and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians, if applicable, and witnesses shall be informed of the prohibition against retaliation for anyone's 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 will 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 will promptly notify the Title IX Coordinator/Compliance Officer, who will promptly inform law enforcement authorities about the allegations.

The obligation to conduct this investigation will not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a delay in fulfilling the district'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, and the reason for such delay shall be documented by the investigator.

Step 4 – Investigative Report

The investigator will prepare and submit a written report to the Title IX Coordinator/Compliance Officer within twenty (20) school days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Title IX Coordinator/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 investigative report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated Board Policy 104 and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discrimination or harassment will consider the record as a whole and the totality of circumstances in determining whether a violation of Board 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 respondent shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written investigative report, to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The respondent will not be notified of the individual remedies offered or provided to the complainant.

Step 5 – District Action

If the investigation results in a finding that some or all of the allegations of the discrimination complaint are founded and constitute a violation of Board policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district will 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 district education program or activity. District staff will document the corrective action taken and, where not prohibited by law, inform the complainant. The Title IX Coordinator/Compliance Officer will 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 Policy 104 or these procedures, or that there are circumstances warranting further action, such matters will be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary. (Pol. 113.1, 218, 233,317, 317.1, 806, 824)

Disciplinary actions shall be consistent with Board policies and administrative regulations, the Code of Student Conduct for students, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations. (Pol. 103, 104, 113.1, 218, 233, 317, 317.1)

Appeal Procedure

If the complainant or the respondent is not satisfied with a finding made pursuant to these procedures or with recommended corrective action, they may submit a written appeal to the Title IX Coordinator/Compliance Officer within fifteen (15) school days of receiving notification of the outcome of the investigation. If the Title IX Coordinator/Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.

The individual receiving the appeal will 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.

The person handling the appeal will prepare a written response to the appeal within twenty (20) school days.

Copies of the response shall be provided to the complainant, the respondent and the investigator who conducted the initial investigation.

TITLE IX SEXUAL HARASSMENT PROCEDURES AND GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

The Title IX sexual harassment procedures and grievance process for formal complaints prescribed in this attachment apply only when a report includes allegations of sexual harassment subject to Title IX regulations. (34 CFR 106.44, 106.45)

All other reports or complaints of discrimination or retaliation will follow the complaint procedures established in Policy 104 Attachment 2 regarding discrimination.

Definitions

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the district's Title IX Coordinator or any district official who has the authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school, other than the respondent.

Exculpatory evidence means evidence tending to exonerate the accused or helps to establish their innocence.

Inculpatory evidence means evidence tending to incriminate the accused or indicate their guilt.

Retaliation will mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report conduct that may constitute discrimination or harassment, including Title IX sexual harassment, in accordance with Board policy and procedures, participate in an investigation or other process addressing discrimination or Title IX sexual harassment, or act in opposition to discriminatory practices.

The following actions will not constitute retaliation:

1. An individual exercising free speech under the rights protected by the First Amendment.

2. The assignment of consequences consistent with Board policy when an individual knowingly makes a materially false statement in bad faith in an investigation. The fact that the charges of discrimination were unfounded or unsubstantiated will not be the sole reason to conclude that any party made a materially false statement in bad faith.

TITLE IX SEXUAL HARASSMENT
PROCEDURES

General Response – (with or without a formal complaint)

Any person, whether the alleged victim or not, may report Title IX sexual harassment using the designated district report form or by making a general report orally or in writing to the building principal, or by using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Upon receipt of a report, school staff will immediately notify the building principal.

A report may be made at any time, including during nonbusiness hours. Oral reports will be documented by the Title IX Coordinator or employee receiving the report using the designated district report form, and these procedures will be implemented appropriately.

District staff who become aware of harassment or other discrimination affecting a staff member shall promptly report it to the building principal.

An employee serving in a supervisory position who suspects or is notified that a district employee may have been subject to conduct that constitutes a violation of this policy will immediately report the incident to the Title IX Coordinator.

If a student is identified as a party in the report, parents/guardians have the right to act on behalf of the student at any time.

When the district has actual knowledge of Title IX sexual harassment, the district is required to respond promptly and in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances.

All sexual harassment reports and complaints received by the building principal will be promptly directed to the Title IX Coordinator, in accordance with Board policy. The Title IX Coordinator will use the designated district report form to gather additional information from the reporter and/or other parties identified in the report, to determine if the allegations meet the definition and parameters for Title IX sexual harassment.

The Title IX Coordinator will promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator will consider the complainant’s wishes with respect to supportive measures.

The Title IX Coordinator will initially assess whether the reported conduct:

1. Meets the definition of Title IX sexual harassment.

2. Occurred in a district program or activity under the control of the district and against a person in the United States.

3. Involves other Board policies or the Code of Student Conduct.

4. Indicates, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of an individual.

5. Involves a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. (Pol. 103.1, 113, 113.1, 113.2, 113.3)

If the result of this initial assessment determines that none of the allegations fall within the scope of Title IX sexual harassment, but the matter merits review and possible action under other Board policies, the Code of Student Conduct or the Attachment addressing Discrimination Complaint Procedures, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations. (Pol. 103, 103.1, 113.1, 218, 317, 317.1)

If the result of the initial assessment determines that the allegations may constitute Title IX sexual harassment, the Title IX Coordinator will promptly explain to the complainant the process for filing a formal complaint and inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

The Title IX Coordinator will also determine what supportive measures may be offered to the respondent.

If any party is an identified student with a disability, or thought to be disabled, the Title IX Coordinator will contact the Director of Special Education to coordinate the required actions in accordance with Board policy. (Pol. 113, 113.1, 113.2, 113.3)

Confidentiality regarding the supportive measures offered and the identity of the following individuals will be maintained, except as may be permitted by law or regulations relating to the conduct of any investigation: (20 U.S.C. Sec. 1232g; 34 CFR Parts 99, 106; Pol. 113.4, 216, 324)

1. Individuals making a report or formal complaint.

2. Complainant(s).

3. Respondent(s).

4. Witnesses.

The district will treat complainants and respondents equitably by:

1. Offering supportive measures to the complainant and may offer such measures to the respondent.

2. Following the grievance process for formal complaints before imposing disciplinary sanctions or other actions that are not supportive measures on the respondent.

Supportive Measures -

All supportive measures provided by the district will remain confidential, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. (34 CFR 106.44)

When a party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator will notify the Director of Special Education and coordinate to determine whether additional steps must be taken as supportive measures for the party while the Title IX procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, functional behavioral assessment (FBA) or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Reasonable Accommodations –

Throughout the Title IX sexual harassment procedures, the district will make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for any party, consistent with the requirements of federal and state laws and regulations and Board policy. (Pol. 103.1, 104, 113, 906)

Employee Disciplinary Procedures When Reports Allege Title IX Sexual Harassment -

When reports allege Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints. The district will presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

Administrative Leave –

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis. The employee will be provided notice, and an opportunity to challenge the emergency removal immediately following the removal.

An accused, nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract.

Required Reporting Under Other Policies -

In addition to implementing the Title IX sexual harassment procedures, the Title IX Coordinator will ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents under the school safety and security provisions of the PA School Code, reports of educator misconduct, threats, or reports of suspected child abuse. (Pol. 317.1, 805.1, 806, 824)

Timeframes

Reasonably prompt timeframes will be established for the conclusion of the grievance process for formal complaints, including timeframes for the informal resolution process and timeframes for filing and resolving appeals.

The established timeframes may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action will be provided to the complainant and the respondent, and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party, a party's advisor or a witness.

2. Request from law enforcement or child welfare agency activity.

3. Need for language assistance or accommodation of disabilities, including pregnancy, childbirth or pregnancy-related conditions.

Redirection or Dismissal of Title IX Formal Complaints

Formal complaints may be dismissed, if at any time during the investigation or written determination steps described below:

1. A complainant provides written notification of withdrawal of any allegations or of the formal complaint.

2. The respondent is no longer enrolled or employed by the district in a district program or activity.

3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Only alleged conduct that occurred in the district's education program or activity, and against a person in the United States, may qualify as Title IX sexual harassment within the district's jurisdiction. If it is determined during the investigation or written determination steps below that none of the allegations, if true, would meet the definition and parameters of Title IX sexual harassment within the district's jurisdiction, the Title IX Coordinator will dismiss the formal complaint under Title IX. If the matter merits review and possible action under other Board policies, the Code of Student Conduct or Attachment 2 addressing Discrimination Complaints, then the Title IX Coordinator will redirect the report to the appropriate administrator to address the allegations.

Written notification will be promptly issued to the parties simultaneously of any allegations found not to qualify or that are dismissed in compliance with Title IX. Written notification will state whether the allegations will continue to be addressed pursuant to other Board policies, the Code of Student Conduct or Attachment 2 addressing Discrimination Complaints.

A dismissal may be appealed via the appeal procedures set forth in this Attachment.

Consolidation of Title IX Formal Complaints

The district may consolidate formal complaints against more than one (1) respondent, or by more than one (1) complainant against one or more respondents, or by one (1) individual against another individual, where the allegations of sexual harassment arise out of the same facts or circumstances.

GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

Step 1 – Formal Complaint

The district is required to initiate the grievance process for formal complaints when a complainant files a formal complaint. The Title IX Coordinator is also authorized to initiate this process despite a complainant's wishes when actions limited to supportive measures are not a sufficient response to alleged behavior, or when a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is a supervisor, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. Only the Title IX Coordinator is authorized to initiate the formal complaint process despite a complainant's wishes, but the Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

The complainant or the Title IX Coordinator will use the applicable section of the designated district report form to file or sign a formal complaint.

The Title IX Coordinator will assess whether the investigation should be conducted by the building principal, another district employee, the Title IX Coordinator or an attorney and will promptly assign the investigation to that individual.

The Title IX Coordinator, investigator, decision-maker, or any individual designated to facilitate the informal resolution process, each must have completed the required training for such roles as designated in Board policy and will not have a conflict of interest or bias for or against an individual complainant or respondent, or for or against complainants or respondents in general.

The respondent will be presumed not responsible for the alleged conduct until a written determination regarding responsibility has been made at the conclusion of the grievance process for formal complaints.

Notice Requirements -

Upon receipt of a formal complaint, or when the Title IX Coordinator signs a formal complaint to initiate the grievance process for formal complaints, the Title IX Coordinator will provide written notice to all known parties, and the parents/guardians of known parties, if applicable, providing the following information:

1. Notice of the district's grievance process for formal complaints and any informal resolution process that may be available.

2. Notice of the allegations potentially constituting Title IX sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:

    a. The identity of the parties involved, if known.

    b. The conduct allegedly constituting sexual harassment.

    c. The date and location of the alleged incident(s), if known.

3. A statement that a written determination regarding responsibility will be made at the conclusion of the grievance process for formal complaints and, until that time, the respondent is presumed not responsible for the alleged conduct.

4. Notice that parties may have an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may inspect and review evidence.

5. Notice that Board policy and the district's Code of Student Conduct prohibits knowingly making false statements or knowingly submitting false information to school officials in connection with reports of misconduct or discrimination complaints.

6. Notice to all known parties of any additional allegations that the district decides to investigate during the course of the investigation.

Step 2 – Informal Resolution Process

[Note: The informal resolution process cannot be offered or used to facilitate a resolution for any formal complaint where the allegations state that an employee sexually harassed a student, or if the process would conflict with federal, state or local law.]

At any time after a formal complaint has been filed, but prior to reaching a determination of responsibility, if the Title IX Coordinator believes the circumstances are appropriate, the Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process, which does not involve a full investigation and adjudication of the Title IX sexual harassment complaint.

The district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal Title IX sexual harassment complaints. Similarly, a district may not require or pressure the parties to participate in an informal resolution process.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services such as an Employee Assistance Program, or supportive measures.

When offering an informal resolution process, the Title IX Coordinator will:

1. Provide the parties a written notice disclosing the following:

    a. The allegations.

    b. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process for formal complaints.

    c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtain the parties' voluntary, written consent to the informal resolution process. As part of the consent process, all parties will be informed of the rights being waived by agreeing to the informal resolution process, and will acknowledge such agreement in writing.

3. The informal resolution process will be conducted within twenty (20) school days of the parties' signed agreement for the informal resolution process.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal resolution process will document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within twenty (20) school days after the complaint is resolved in this manner, the Title IX Coordinator will contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies. The Title IX Coordinator will document the informal resolution process, responses from all parties, and an explanation of why the district's response was not deliberately indifferent to the reported complaint of sexual harassment.

**If Step 2 Informal Resolution Process results in the final resolution of the complaint, the following steps are not required.*

Step 3 – Investigation

The designated investigator, if other than the Title IX Coordinator, will work with the Title IX Coordinator to assess the scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation and to document the evidence throughout each stage of the investigation. The investigation stage will be concluded within twenty (20) school days.

When investigating a formal complaint, the investigator will:

1. Bear the burden of proof and gather evidence and conduct interviews sufficient to reach a written determination. During the process of gathering evidence, unless the district obtains the voluntary, written consent of the party, or the party's parent/guardian or other legal representative when legally required, the district cannot access, consider, disclose or otherwise use a party's records which are protected by legal privilege, such as those records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with providing treatment to the party. (For students - Pol. 113.4, 207, 209, 216; Safe2Say Something Procedures)

2. Objectively evaluate all available evidence gathered through the investigation, including inculpatory and exculpatory evidence.

3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. However the district may request a nondisclosure agreement be signed by the parties and their advisor(s), if any, stating that they will not disseminate or disclose evidence and documents exchanged in the investigation.

5. Provide the parties with the same opportunities to have others present during any interview or other meeting, including an advisor of the party's choice. The district may establish restrictions, applicable to both parties, regarding the extent to which the advisor may participate.

6. Provide written notice to any party whose participation is invited or expected during the investigation process with the following information, in sufficient time for the party to prepare to participate:

    a. Date.

    b. Time.

    c. Location.

    d. Participants.

    e. Purpose of all investigative interviews or other meetings.

7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including evidence the district does not intend to rely on to reach a determination regarding responsibility and any inculpatory and exculpatory evidence, whether obtained from a party or other source.

If at any point the investigation expands to include additional allegations that were not included in the initial notice of the allegations provided upon initiation of the grievance process for formal complaints, the investigator will alert the Title IX Coordinator. The Title IX Coordinator will provide written notice of the new allegations to the known parties.

Prior to the completion of the investigative report, the investigator will:

1. Send to each party and the party's advisor, if any, the evidence subject to inspection and review in electronic or hard copy format.

2. Provide the parties at least ten (10) school days following receipt of the evidence to submit a written response.

3. Consider the written response prior to drafting the investigative report.

The investigator will draft an investigative report that fairly summarizes relevant evidence and will provide the investigative report to all parties and to the designated decision-maker.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator will promptly notify the Title IX Coordinator, who will promptly inform law enforcement authorities about the allegations and make any additional required reports, in accordance with law, regulations and Board policy. (Pol. 218, 317.1, 805.1, 806)

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

In the course of an investigation, it is possible that conduct other than, or in addition to, Title IX sexual harassment may be identified as part of the same incident or set of circumstances, The fact that there may be Title IX sexual harassment involved does not preclude the district from addressing other identified violations of Board policy or the Code of Student Conduct. If such other conduct is being investigated and addressed together with Title IX sexual harassment as part of the Title IX grievance process for formal complaints, disciplinary action normally should not be imposed until the completion of the Title IX grievance process for formal complaints; however, an employee may be placed on administrative leave in accordance with the provisions of this Attachment. A decision whether and when to take disciplinary action should be made in consultation with the school solicitor.

Step 4 – Written Determination and District Action

Designation of Decision-Maker -

To avoid any conflict of interest or bias, the decision-maker cannot be the same person as the Title IX Coordinator or the investigator. The responsibility as the decision-maker for complaints of Title IX sexual harassment will generally be designated to the Superintendent.

If the Superintendent has a conflict of interest or is a party in the formal complaint process, they will disclose the conflict and the Title IX Coordinator will designate another individual to serve as the decision-maker.

Written Determination Submissions -

A written determination of responsibility (written determination) must not be finalized less than ten (10) days after the investigator completes the investigative report and provides it to all parties. Before the decision-maker reaches a determination regarding responsibility, the decision-maker will afford each party the opportunity to submit written, relevant questions that a party wants to be asked of any party or witness, will provide each party with the answers, and will allow for additional, limited follow-up questions from each party.

Relevant questions for a party or witness must be submitted by each party within five (5) school days following receipt of the investigative report. Follow-up questions must be submitted by each party within five (5) school days of being provided the answers to the initial questions.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as part of the follow-up questions and responses, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The decision-maker will explain to the party proposing the questions about any decision to exclude a question as not relevant.

Written Determination -

The decision-maker must issue a written determination for the conduct alleged in formal complaints. To reach this determination, the decision-maker will apply the preponderance of the evidence standard, meaning that the party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party or which shows that the fact to be proven is more probable than not.

In considering evidence, the decision-maker will ensure credibility determinations are not based on an individual's status as a complainant, respondent or witness.

After considering all relevant evidence, the decision-maker will issue a written determination that includes:

1. Identification of the allegations potentially constituting Title IX sexual harassment.

2. A description of the procedural steps taken from the receipt or signing of the formal complaint through the written determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.

3. Findings of fact supporting the determination.

4. Conclusions regarding the application of the district's Board policies or Code of Student Conduct to the facts.

5. A statement of, and rationale for, the result as to each allegation, including:

    a. Determination regarding responsibility.

    b. Disciplinary sanctions.

    c. Remedies designed to restore or preserve equal access to the district's education program or activity that will be provided by the district to the complainant. Such remedies may be punitive or disciplinary and need not avoid burdening the respondent.

6. The procedures, deadline and permissible bases for the complainant and respondent to appeal.

The written determination will be provided to the parties simultaneously. The determination becomes final either:

1. On the date that the district provides the parties with the written decision of the result of the appeal, if an appeal is filed;

2. Or, if an appeal is not filed, on the date on which an appeal would no longer be considered timely, in accordance with the timeframe established for appeals in this Attachment.

The Title IX Coordinator will be responsible to ensure that any remedies are implemented by the appropriate district officials and for following up as needed to assess the effectiveness of such remedies. Disciplinary actions will be consistent with Board policies and administrative regulations, the Code of Student Conduct, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations, including specific requirements and provisions for students with disabilities. (Pol. 113.1, 218, 233, 317, 317.1)

Appeal Process

Districts must offer both parties the right to appeal a determination of responsibility and the right to appeal the district's dismissal of a Title IX formal complaint or any allegation in the Title IX formal complaint. The scope of appeals related to Title IX sexual harassment are limited to the following reasons for appeal as stated in the Title IX regulations:

1. A procedural irregularity that affected the outcome of the matter.

2. New evidence that that could affect the outcome was not reasonably available at the time the decision to dismiss or determination of responsibility was made.

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

Written notice of a party's appeal will be submitted to the Title IX Coordinator within ten (10 school days after the date of the written determination. Notice of appeal will include a brief statement describing the basis for the appeal.

The Title IX Coordinator will ensure that the designated appeal authority is not the same person as the decision-maker that reached the determination, the investigator, or the Title IX Coordinator. The designated appeal authority will be the District solicitor or outside counsel.

For all appeals, the designated appeal authority will:

1. Provide written notice to the other party when notice of an appeal is filed and implement appeal procedures equally for both parties.

2. Provide both parties a reasonable, equal opportunity to submit a written statement in support of or challenging the stated basis for the appeal. Supporting statements will describe in detail as applicable the procedural irregularities asserted to have affected the outcome of the determination, the nature of any new evidence asserted to have affected the outcome, and the nature of any bias asserted to have affected the outcome, with an explanation of how the outcome was affected by such factors. If evidence exists supporting the basis for appeal, it will accompany the supporting statement, or it will identify where such evidence may be found.

   Supporting statements must be submitted to the appeal authority and provided to the other party within ten (10) school days of the written notice of appeal.

   Statements in opposition to the appeal will be submitted within five (5) school days of the submission of supporting statements. If a statement in opposition to an appeal refers to any evidence beyond what is described in a supporting statement, it will accompany the statement in opposition, or it will identify where such evidence may be found.

   The appeal authority may accept and consider evidence in support of or in opposition to an appeal in making any conclusions necessary to deciding the appeal. Alternatively, when the appeal authority determines that factors exist making it necessary for the decision-maker to further develop the evidentiary record relevant to the basis for appeal, the appeal authority may return the matter to the decision-maker for that limited purpose.

3. Determine whether the appeal meets the grounds for permitted reasons for appeal and justifies modifying the written determination.

4. Issue a written decision setting forth the respects, if any, in which the written determination is modified and the rationale for the result within ten (10) school days.

5. Provide the written decision simultaneously to both parties. A copy of the written decision will also be provided to the Title IX Coordinator.

<u>Recordkeeping</u>

The district must maintain the following records for a minimum of seven (7) years after conclusion of procedures and implementation of disciplinary sanctions and/or remedies, or in the case of a complainant or respondent who is a minor, until the expiration of the longest statute of limitations for filing a civil suit applicable to any allegation:

1. Each Title IX sexual harassment investigation, including any written determination and any audio or audiovisual recording or transcript, and disciplinary sanctions imposed on the

respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity.

2. Any appeal and the result.

3. Any informal resolution and the result.

4. All materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process.

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

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CURRICULUM

ADOPTED: May 13, 2015

REVISED: May 9, 2018
October 8, 2025

105. CURRICULUM

Purpose

The Board recognizes its responsibility for the development, assessment and improvement of the educational program of the schools. To this end, the curriculum shall be evaluated, developed and modified on a continuing basis and in accordance with a plan for curriculum improvement.[1]

Definition

For purposes of this policy, **curriculum** shall be defined as a series of planned instruction aligned with established academic standards in each subject that is coordinated, articulated and implemented in a manner designed to result in the achievement of academic standards at the proficient level by all students.[2][3][4]

Authority

The Board shall be responsible for the curriculum of the district's schools. The curriculum shall be designed to provide students the opportunity to achieve the academic standards established by the Board. Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge.[1][2][4]

In order to provide a quality educational program for district students, the Board shall adopt a curriculum plan that includes the requirements for courses to be taught; subjects to be taught in the English language; courses adapted to the age, development and needs of students; and strategies for assisting those students having difficulty attaining the academic standards.[1][2][5][6][7][8]

<u>Special Instruction/Observances</u>

The district's curriculum plan must also include provisions for special instruction and observances to comply with state and federal law including, but not limited to, Constitution Day and Citizenship Day, Arbor Day and the Bill of Rights Week.[9][10][11]

Guidelines

The district's curriculum shall provide the following:

1. Continuous learning through effective collaboration among the schools of this district.

	2. Continuous access for all students to sufficient programs and services of a library/media facility and classroom collection to support the educational program.[12] 3. Guidance and counseling services for all students to assist in career and academic planning.[13] 4. A continuum of educational programs and services for all students with disabilities, pursuant to law and regulation.[14] 5. Language Instruction Educational Program for English Learner students, pursuant to law, regulation and Board policy.[15][16] 6. Compensatory education programs for students, pursuant to law and regulation. 7. Equal educational opportunity for all students, pursuant to law and regulation.[17][18] 8. Career awareness and vocational education, pursuant to law and regulation.[19] 9. Educational opportunities for identified gifted students, pursuant to law and regulation.[20] 10. Regular and continuous instruction in required safety procedures.[21]
Delegation of Responsibility	As the educational leader of the district, the Superintendent shall be responsible to the Board for the district's curriculum. The Superintendent shall establish procedures for curriculum development, evaluation and modification, which ensure the utilization of available resources, and effective participation of teaching staff members.[1] A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and Board members.[1][22] With prior Board approval, the Superintendent may conduct pilot programs as deemed necessary to the continuing improvement of the instructional program. The Superintendent shall report periodically to the Board on the status of each pilot program, along with its objectives, evaluative criteria, and costs. The Board encourages, where it is feasible and in the best interest of district students, participation in state-initiated pilot programs of educational research. The Board directs the Superintendent to actively pursue state and federal aid in support of research activities.

	Legal References 1. 22 PA Code 4.4 2. 22 PA Code 4.12 3. 22 PA Code 4.3 4. Pol. 102 5. 24 P.S. 1511 6. 24 P.S. 1512 7. Pol. 107 8. Pol. 127 9. 36 U.S.C. 106 10. P.L. 108-447 11. 24 P.S. 1541-1555 12. Pol. 109 13. Pol. 112 14. Pol. 113 15. 22 PA Code 4.26 16. Pol. 138 17. Pol. 103 18. Pol. 103.1 19. Pol. 115 20. Pol. 114 21. Pol. 805 22. Pol. 105.1 22 PA Code 4.21 22 PA Code 4.22 22 PA Code 4.23 22 PA Code 4.25 22 PA Code 4.27 22 PA Code 4.29 22 PA Code 4.82 Pol. 100 Pol. 106 Pol. 116

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CURRICULUM REVIEW BY PARENTS/GUARDIANS AND STUDENTS

ADOPTED: May 13, 2015

REVISED:

105.1. CURRICULUM REVIEW BY PARENTS/GUARDIANS AND STUDENTS

1. Authority
Title 22
Sec. 4.4
20 U.S.C.
Sec. 1232h

The Board adopts **this policy to** ensure **that parents**/guardians **have** an opportunity to review instructional materials and have **access to information about the curriculum, including** academic standards to be achieved, **instructional materials and assessment techniques.**

2. Guidelines
20 U.S.C.
Sec. 1232h

The rights granted by this policy are granted to parents/guardians **of students enrolled in this school district where the students are under the age of eighteen (18) and to the students themselves when the student is age eighteen (18) or over.**

Pol. 102, 127

Upon request by a parent/guardian **or student, the district will make available existing information about the curriculum, including** academic standards to be achieved, **instructional materials and assessment techniques.**

The following conditions shall **apply to any request:**

1. **No more than one** (1) **request per semester may be made by any parent/**guardian **or** student for each **enrolled child.**
2. **To assist the school district in providing the correct records to meet the needs of the requesting party, the request must be in writing, setting forth the specific material being sought for review.**
3. **The written request** will **be sent to the building principal.**
4. **The district will respond to the parent/**guardian **or student within ten (10)** school **days by designating the time and location for the review.**
5. **The district may take** necessary **action to protect its materials from loss, damage or alteration** and **to ensure the integrity of the files, including the provision of a designated employee to** monitor **the review of the materials.**

	6. No parent/guardian or student shall be permitted to remove the material provided for review or photocopy the contents of such file. The taking of notes by parents/guardians and students is permitted.
3. Delegation of Responsibility	The Superintendent or designee shall **annually** notify **parents/guardians** and students regarding the contents of this **policy** and their rights.
	References: State Board of Education Regulations – 22 PA Code Sec. 4.4, 403.1 No Child Left Behind Act – 20 U.S.C. Sec. 1232h Board Policy – 102, 127

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: EXEMPTION FROM INSTRUCTION ADOPTED: May 13, 2015 REVISED: December 10, 2025

105.2. EXEMPTION FROM INSTRUCTION

Authority

The Board adopts this policy to ensure that parents/guardians have the right to have their children excused from specific instruction that conflicts with their sincerely held religious and/or moral beliefs.[1][2]

The rights granted by this policy are granted to parents/guardians of students enrolled in this district when the students are under the age of eighteen (18) and to the students themselves when the student is eighteen (18) or older.

Delegation of Responsibility

The Superintendent or designee shall notify parents/guardians of this policy at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.

Guidelines

The district shall excuse any student from specific instruction, subject to the following conditions:

1. To assist the school district in ensuring that the student is excused from the correct specific instruction, the request must be made in writing and must detail the specific instruction from which the student is to be excused, including the reason(s) for the request.

2. The written request to be excused shall be sent by the parent/guardian or student who is eighteen (18) or older to the building principal.

   One (1) copy of the request shall be retained in the student's permanent school records, one (1) copy kept by the school principal, and one (1) copy submitted to the teacher from whose instruction the student is to be excused.

3. The written request must contain a statement that the specific instruction described conflicts with the sincerely held religious and/or moral beliefs of the student or of the parents/guardians.

4. The parent/guardian and/or student may request suggested replacement educational activities. The only permissible educational activity for this purpose shall be substantially similar instruction that is consistent with the learning objectives set for the course.

5. The building principal shall determine where the student shall report during the time the student is excused.

6. All students excused from specific instruction shall be required to achieve the academic standards established by the district as necessary for graduation.[3][4]

Exemption from Dissection Activities

Students have the right to decline to participate in an education project involving dissection, vivisection, incubation, capture or other harm or destruction of an animal or any part of an animal.[5]

The district must notify students and parents/guardians of their right to decline participation in such activities at least three (3) weeks prior to the start of the education project. Students who do not participate in such activities will be assigned an alternative education project.[5]

Legal References:

1. 22 PA Code 11.7
2. 22 PA Code 4.4
3. Pol. 102
4. Pol. 217
5. 24 P.S. 1523
Mahmoud v. Taylor, 606 U.S. ___, 145 S.Ct. 2332 (2025).
Tatel v. Mt. Lebanon School District, 752 F.Supp.3d 512 (W.D. Pa. 2024).
Troxel v. Granville, 530 U.S. 57 (2000).

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: GUIDES FOR PLANNED INSTRUCTION

ADOPTED: May 13, 2015

REVISED:

106. GUIDES FOR PLANNED INSTRUCTION

1. Authority
Title 22
Sec. 4.4
Pol. 107

Guides **shall be prepared for all** planned instruction **adopted by the Board in order to direct and assist the professional staff toward the attainment of** academic standards established for a **course of study.**

2. Guidelines

Each guide may **contain**, as appropriate to that planned instruction:

1. **Objectives of the** instruction.
2. **Concepts and skills to be taught.**
3. **Appreciations to be developed.**
4. Suggested activities designed to achieve the objectives.
5. Suggested methods of instruction.
6. Assessment criteria and methods intended to evaluate the extent to which learning objectives have been achieved.
7. Reading **list of supplemental** titles for the guidance of **teachers.**

3. Delegation of Responsibility

Each guide **shall be construed as providing a basic framework for the** planned instruction. **Within this framework, each teacher shall use the** guide **in a selective manner best designed to meet the needs of students.**

The Superintendent or designee shall be responsible for development of administrative regulations **for preparation** of such guides which includes:

1. **Participation** by **appropriate staff members and resource personnel.**
2. **Continuing research in instructional methods, materials, activities and** assessment strategies.

3. **Systematic review of all** guides **to ensure their continuing** effectiveness **in achieving established** academic standards.

A system of **administrative review** shall be implemented **to ensure that** guides **are being followed by teaching staff members to the degree of conformity** required.

Copies of all current guides for planned instruction shall be kept on file **in the office of the Superintendent.**

Whenever new guides **are developed or existing ones revised, copies of these additions or changes will be made available to the Board for informational purposes.**

References:

School Code – 24 P.S. Sec. 1511, 1512

State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.11

Board Policy – 000, 100, 107

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ADOPTION OF PLANNED INSTRUCTION

ADOPTED: May 13, 2015

REVISED:

107. ADOPTION OF PLANNED INSTRUCTION

1. Purpose
   Title 22
   Sec. 4.11, 4.12, 4.13
   Pol. 100, 105

The Board shall provide a comprehensive program of planned instruction **to** enable **district** students to achieve **educational** objectives and attain academic standards required for student achievement. Planned instruction shall consist of at least the following:

1. Objectives to be achieved by all students.
2. Content, including materials, activities and instructional time.
3. Relationship between objectives of a planned course and established academic standards.
4. Procedure for measurement of attainment of objectives and academic standards.

2. Authority
   SC 508, 1511, 1512
   Pol. 006

No planned instruction **shall be taught in district schools unless it has been adopted by** a majority vote of **the** full **Board. The Board reserves the right to determine which units of the instructional program constitute** planned instruction **and are subject to adoption** by **the Board.**

3. Delegation of Responsibility

The Superintendent is responsible for continuous evaluation of the effectiveness of the district's planned instruction **and shall recommend to the Board new** and altered planned instruction deemed **to be in the best** interests of **district students.**

The Superintendent shall invite the participation of administrative and **professional staff members** at appropriate levels **in the formulation of recommendations.**

The Superintendent shall annually provide each Board member with a current list of all planned instruction.

	References: School Code – 24 P.S. Sec. 508, 1511, 1512, 1512.1 State Board of Education Regulations – 22 PA Code Sec. 4.11, 4.12, 4.13 Board Policy – 006, 100, 105

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ADOPTION OF TEXTBOOKS

ADOPTED: May 13, 2015

REVISED: October 10, 2018

108. ADOPTION OF TEXTBOOKS

Authority

The Board shall, by an affirmative vote of a majority of the full Board, adopt all textbooks used for instruction in the district's educational program. The Board shall establish a planned cycle of textbook review and replacement.[1][2][3][4]

Definition

Textbooks shall be defined as the books, in print or digital format, used as the basic source of information in the planned instruction.

Delegation of Responsibility

The Superintendent, after consultation with administrative and professional staff, shall be responsible for the selection and recommendation of textbooks for Board consideration. No adoption or change of textbooks shall be made without the Superintendent's recommendation, except by a two-thirds vote of the Board.[1][3][4]

The Superintendent or designee shall establish administrative regulations for reviewing, evaluating and selecting textbooks.

A list of all approved textbooks used in district schools shall be maintained by the Superintendent or designee and shall be available to Board members, district staff, students, parents/guardians and community members.[5]

Legal References:

1. 24 P.S. 508
2. 24 P.S. 801
3. 24 P.S. 803
4. Pol. 006
5. Pol. 105.1

22 PA Code 14.106
24 P.S. 807.1
Pol. 103.1
Pol. 610

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: RESOURCE MATERIALS

ADOPTED: May 13, 2015

REVISED:

109. RESOURCE MATERIALS

1. Authority
   SC 801, 803
   Title 22
   Sec. 4.13
   Pol. 100

The Board shall provide resource **materials** that **implement,** support and enrich the educational program **of district schools.**

2. Definition

Resource materials shall include nonfiction and fiction **books**, magazines, reference books, **supplementary titles**, multimedia **materials**, maps, software and **instructional** material.

3. Delegation of Responsibility
   SC 803

The Superintendent, after consultation with administrative and teaching staff, shall be responsible for the selection and recommendation of all resource materials. No adoption or change of materials shall be made without the Superintendent's **recommendation, except by a two-thirds vote of the Board.**

The Superintendent or designee shall establish administrative regulations for selecting resource materials **which:**

1. **Direct appropriate administrative and instructional staff to select resource materials, subject to the approval of the Superintendent.**

2. **Ensure that the Board's budgetary allotment for resource materials is efficiently spent and wisely distributed throughout the instructional program.**

3. **Evaluate the effectiveness of resource materials presently in use.**

4. Guidelines
   Pol. 105.1

A list of resource materials provided by the district shall be maintained by the Superintendent and shall be available to Board members, district staff, students, parents/guardians and community members.

	References: School Code – 24 P.S. Sec. 801, 803 State Board of Education Regulations – 22 PA Code Sec. 4.13 Board Policy – 000, 100, 105.1, 107

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: INSTRUCTIONAL SUPPLIES

ADOPTED: May 13, 2015

REVISED:

110. INSTRUCTIONAL SUPPLIES

1. Authority
SC 801

The **Board** shall **supply each staff member and student with the supplies and equipment** that are deemed **necessary for implementation of the approved** educational **program.**

The Board may require that students provide certain **supplies for participation in extracurricular activities.**

2. Guidelines
Title 22
Sec. 12.11

When **individualized and nonreusable clothing or equipment is** necessary **for reasons of safety or health, students** shall be required to **provide their own clothing or equipment, which shall meet standards set by the school. Such standards shall be reasonably related to considerations of safety, health and protection of property.**

When provision of instructional supplies imposes a financial hardship on a student, the school district will assume the cost.

When **students prepare useful items they are permitted to keep, they** shall **pay the district the cost of the materials used.**

3. Delegation of Responsibility

The Superintendent shall establish administrative regulations to ensure that no student is denied participation in the educational program for financial reasons and to guard the privacy of each student.

References:

School Code – 24 P.S. Sec. 801

State Board of Education Regulations – 22 PA Code Sec. 12.11

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: LESSON PLANS

ADOPTED: May 13, 2015

REVISED: November 12, 2020

111. LESSON PLANS

Authority

To ensure consistency and continuity of instruction, the Board requires professional staff members to develop and maintain daily lesson plans.[1]

Delegation of Responsibility

To facilitate more effective instruction, lesson plans must be prepared at least the Friday before in advance. Lesson plans shall be inspected and must conform to the guidelines established by the building principal.

Teachers shall make thorough preparation for all daily lessons and shall prepare plans reflecting such preparation.

Lesson plans shall be completed and submitted in the designated online platform(s) for review.

Teachers are to provide adequate directions for substitutes, the purpose of which shall be to continue the instructional program or provide a meaningful educational alternative that relates to the subject area.

Lesson plans must be available for immediate access by assigned substitute teachers.

Guidelines

Guidelines for implementation of this policy shall include:

1. Lesson plans may be prepared on master sheets or online templates.
2. The format for lesson plans shall be decided at the building level or grade level.
3. While teachers are required to be thoroughly prepared for each daily lesson, plans may be prepared for each lesson or on a long-term basis, i.e. unit of work, whichever is most appropriate.
4. Material to be used in a lesson, such as printed or digital material and audiovisual resources may serve as an integral part of the plan.
5. Lesson plans for individualized programs should reflect a general overview and purpose of the instructional program; individual student plans or records may serve as an integral part of the lesson plan.

	Legal References: 1. 24 P.S. 510 Pol. 113 Pol. 814 Pol. 815

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: GUIDANCE COUNSELING

ADOPTED: May 13, 2015

REVISED:

112. GUIDANCE COUNSELING

1. Purpose

A guidance counseling program is an integral part of the instructional **program of** district **schools. Such a program** can:

1. **Assist students in achieving their optimum** potential.
2. **Enable students to** significantly **benefit from the offerings of the instructional program.**
3. Identify intellectual, emotional, social and physical needs.
4. **Aid students in** recognizing **options and making choices** in **vocational** and **academic educational planning.**
5. **Assist students in** identifying **career** options consistent with their abilities and goals.
6. Help students learn to make their own decisions and to solve problems independently.

Title 22
Sec. 4.34

2. Authority

The Board directs that students shall be provided a program of guidance and counseling which involves the coordinated efforts of all staff members, under the professional leadership of certificated guidance and counseling personnel.

Title 22
Sec. 4.34, 12.41

3. Delegation of Responsibility

The Superintendent or designee is directed to implement and maintain **a guidance program** that serves the needs of students.

4. Guidelines

The district's program of guidance counseling shall:

1. Be an integral part of the instructional **program** at all levels of the school district.
2. Involve **staff members at** every **appropriate level.**

	3. Honor **the individuality of each student.**
Title 22 Sec. 12.16	4. Be coordinated with services provided by locally available social and human services agencies.
	5. Cooperate **with parents**/guardians and address **their concerns** regarding **the development of** their child.
Pol. 207	6. **Provide means for sharing information among appropriate staff members in the best interests of the student.**
Pol. 103, 103.1	7. Be **available equally to all students.**
	8. Establish **a referral system** that **utilizes** resources offered by the **school and community, guards the privacy of the student, and monitors the effectiveness of such referrals.**
	9. Establish **a process for systematically evaluating the effectiveness of the guidance program.**
	References: State Board of Education Regulations – 22 PA Code Sec. 4.34, 12.16, 12.41 Board Policy – 103, 103.1, 207

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION

ADOPTED: May 13, 2015

REVISED:

113. SPECIAL EDUCATION

1. Purpose Title 22 Sec. 4.28, 12.1, 12.4, 14.102, 14.10 Sec. 300.1	The district 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 district'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 nondisabled peers. The district shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.
2. Definitions SC 502 Title 22 Sec. 14.101 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8 Pol. 103.1	**Students with disabilities** - school-aged children within the jurisdiction of the district 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 district which serve students with disabilities pursuant to other law or Board policy.
Title 22 Sec. 14.131 34 CFR Sec. 300.320-300.324	**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.**

20 U.S.C. Sec. 1401 34 CFR Sec. 300.30	**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.
3. Authority SC 1372 Title 22 Sec. 4.28, 12.1, 12.41, 14.101 et seq 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 34 CFR Part 300	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 district shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its Special Education Plan.
Title 22 Sec. 4.13, 14.104 Pol. 100	The district's Special Education Plan shall include procedures for identifying and educating students with disabilities. The district shall develop and implement a special education plan every three (3) years, in compliance with regulations of the Pennsylvania Department of Education. The District shall make its Special Education Plan available for public inspection and comment for a minimum of 28 days prior to approval of the Plan by the school district's board of directors and submission of the Plan to the Pennsylvania Department of Education.
SC 1372 Title 22 Sec. 14.104	The Board shall determine the facilities, programs, services and staff that shall be provided by the district for the instruction of students with disabilities, based upon the identified needs of the district's special education population.
Title 22 Sec. 14.104	In order to maintain an effective Special Education Plan, the Board may participate in special education programs of ARIN Intermediate Unit No. 28.
4. Delegation of Responsibility	The Superintendent 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 Superintendent or designee shall develop procedures for evaluating the effectiveness of the district's Special Education Plan and shall periodically report to the Board the criteria and results of such evaluation.
5. Guidelines Title 22 Sec. 4.28, 14.145 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320- 300.327	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 regulations.
Pol. 103, 103.1	The district prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in district programs, services and activities as required by law.
Title 22 Sec. 14.104 34 CFR Sec. 300.201 et seq	The district's Special Education Plan shall comply with the requirements of state and federal law and regulations. The district shall establish procedures to ensure the plan is updated and implemented as necessary. The Special Education Plan shall address: 1. Educational plans. 2. Child find. 3. Identification of special education programs that operate in the district, those operated in the district by the Intermediate Unit, vocational schools and other agencies. 4. Staff and parent/guardian training. 5. Assessments. 6. Screening. 7. Criteria the district will use to identify specific learning disabilities.
Pol. 113.3	8. Evaluation. 9. Re-evaluation. 10. Individualized Education Programs (IEPs), including examples of supplementary aids and services provided by the district.

	11. Extended School Year services (ESY).
Pol. 113.2	12. Behavior support.
	13. A full continuum of educational placements and evidence that placements in other than regular education settings are not based on lack of resources, facilities, staff or for administrative convenience.
Pol. 113.1	14. Disciplinary placements.
	15. Facilities.
	16. Early intervening services, if provided by the district.
	17. Procedural safeguards.
Pol. 113.4	18. Confidentiality of information.
	19. Highly qualified staff.
	20. Maintenance of information concerning students with disabilities, services provided, performance and discipline data, and report information as required by the Secretary of the Department of Education.
Title 22 Sec. 14.104	If the district 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.
	<u>Fiscal And Program Compliance</u>
	The Superintendent or designee shall establish procedures to ensure that the district complies with all federal and state law and regulations and program requirements for special education-related funding and reimbursement.
	The district may coordinate with ARIN Intermediate Unit No. 28 to establish procedures, fulfill reporting requirements and participate in applicable programs.
	<u>Child Find/Outreach</u>
Title 22 Sec. 14.121 34 CFR Sec. 300.111	The Superintendent or designee shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach district residents including parents/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.

	The district's public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents 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 district handbooks and on the district 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. <u>Screening</u>
Title 22 Sec. 14.122 Pol. 209	The district 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. <u>Confidentiality</u>
Title 22 Sec. 15.9 34 CFR Sec. 300.611- 300.627 Pol. 113.4	The district 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. District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy. <u>Recording Of Meetings</u> Except as specifically provided for within this policy, the district prohibits audio, video and electronic recording of meetings between parents/guardians and district teachers, paraprofessionals, program specialists, consultants or administrators. An attempt to record a meeting by a parent/guardian after a verbal prohibition by district staff shall result in immediate termination of the meeting and may result in ejection from district property and possible prosecution. The district 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 district 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 district may permit videotaping of a meeting when written consent is given by all participants at the meeting.

References:

School Code – 24 P.S. Sec. 502, 1371, 1372

State Board of Education Regulations – 22 PA Code Sec. 4.13, 4.28, 12.1, 12.4, 12.41, 14.101 et seq., 15.9

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

Pennsylvania Training and Technical Assistance Network – www.pattan.net

Board Policy – 100, 103, 103.1, 113.1, 113.2, 113.3, 113.4, 209, 216, 914

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: DISCIPLINE OF STUDENTS WITH DISABILITIES ADOPTED: May 13, 2015 REVISED: November 12, 2020 October 9, 2024

113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES

Purpose

The district 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.[1][2][3]

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 Positive Behavior Support Plan.[1][4][5][6][7]

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district 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.[2]

Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.[7][8]

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.[7][8]

Interim alternative educational settings - removal of a student with a disability from the student's 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.[5][9]

Authority	The Board directs that the district 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 district 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 the student's 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.[4][5][9] 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 public education (FAPE), in accordance with law.[5][8][10] 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.[4][5][8][9][11] Changes in Educational Placement/Manifestation Determinations For disciplinary exclusions which constitute a change in educational placement, the district shall first determine whether the student's behavior is a manifestation of the student's 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.[4][5] A student with a disability whose behavior is not a manifestation of the student's disability may be disciplined in accordance with Board policy, district rules and regulations in the same manner and to the same extent as students without disabilities.[4][5][6][7]

Parent/Guardian Appeals From Disciplinary Actions/Request for Hearing by District 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 district if the district believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when the district requests a due process hearing, the hearing officer may return the student to the placement from which the student was removed or order the student's removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the student's current placement is substantially likely to result in an injury to the student or others.[9][12]

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 district and the parent/guardian agree otherwise.[9][13]

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 district 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.[9][14]

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

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:[5][9]

1. Carries a weapon to or possesses a weapon at school, on school property or at school functions under the jurisdiction of the district. 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.[5][9][15][16]

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 district.[5][9][17][18]

3. Has inflicted serious bodily injury upon another person while at school, on school property or at school functions under the jurisdiction of the district. 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.[5][9][19]

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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[20][21][22]

The Superintendent 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 law enforcement agency 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 law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.[1][2][3][6][9][16][18][20][21][23][24][25][26][27][28][29][30][31][32][33][34]

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policies.[1][3][26][31]

When reporting an incident committed by a student with a disability to the appropriate authorities, the district 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 district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[9][21][24][25][26][29][34][35][36][37][38]

	In accordance with state law, the Superintendent shall annually, by July 31, report to the PA Department of Education 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.[20][23][34] **Legal References** 1. 22 PA Code 14.133 2. Pol. 113 3. Pol. 113.2 4. 22 PA Code 14.143 5. 34 CFR 300.530 6. Pol. 218 7. Pol. 233 8. 22 PA Code 12.6 9. 20 U.S.C. 1415 10. 20 U.S.C. 1412 11. 34 CFR 300.536 12. 34 CFR 300.532 13. 34 CFR 300.533 14. 34 CFR 300.534 15. 18 U.S.C. 930 16. Pol. 218.1 17. 21 U.S.C. 812 18. Pol. 227 19. 18 U.S.C. 1365 20. 24 P.S. 1319-B 21. 22 PA Code 10.2 22. 35 P.S. 780-102 23. 24 P.S. 1306.2-B 24. 22 PA Code 10.21 25. 22 PA Code 10.22 26. 22 PA Code 10.23 27. 22 PA Code 10.25 28. 22 PA Code 14.104 29. 34 CFR 300.535 30. Pol. 103.1 31. Pol. 113.3 32. Pol. 218.2 33. Pol. 222 34. Pol. 805.1 35. 20 U.S.C. 1232g 36. 34 CFR Part 99 37. Pol. 113.4 38. Pol. 216 24 P.S. 510

	20 U.S.C. 1400 et seq 34 CFR Part 300

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: BEHAVIOR SUPPORT ADOPTED: May 13, 2015 REVISED: November 12, 2020 April 8, 2021 October 9, 2024

113.2. BEHAVIOR SUPPORT

Purpose

Students with disabilities shall be educated in the least restrictive environment (LRE) in accordance with their Individualized Education Program (IEP), and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily and cannot meet the needs of the student. The IEP team for a student with a disability shall develop a Positive Behavior Support Plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.[1][2][3][4][5]

Authority

The Board directs that the district's behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional behavioral assessment and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment.[1][3][5][6][7][8][9][10][11]

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise.[1]

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

	Positive Behavior Support Plan or Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment and become part of the individual student's IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education. **Positive techniques** - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards. **Restraints** - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following: 1. Briefly holding a student, without force, to calm or comfort the student. 2. Guiding a student to an appropriate activity. 3. Holding a student's hand to escort the student safely from one area to another. 4. Hand-over-hand assistance with feeding or task completion. 5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP. 6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses and functional positioning devices. **Seclusion** - confinement of a student in a room, with or without staff supervision in the same room at all times, in order to provide a safe environment to allow the student to regain self-control. **Students with disabilities** - school-aged children within the jurisdiction of the district 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.[9]
Delegation of Responsibility	The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations. The Superintendent or designee shall develop administrative regulations to implement this policy.

Guidelines	The Superintendent or designee shall provide regular training and retraining of staff in the use of specific procedures, methods and techniques, including de-escalation techniques, emergency responses, restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, Positive Behavior Support Plans and Board policy.[1] The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports to be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and career and technical schools.[1] Development of a separate Positive Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.[1][5] When an intervention is necessary to address problem behavior, the positive techniques and types of intervention chosen for a student shall be the least intrusive necessary. <u>Physical Restraints</u> Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.[1] The Special Services Coordinator or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan or a change of placement to address the inappropriate behavior.[1] The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment. Restraints may be included in an IEP with parental consent only if:[1] 1. The restraint is used with specific component elements of a Positive Behavior Support Plan. 2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors. 3. Staff are authorized to use the restraint and have received appropriate training.

4. Positive Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of a student when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.[1]

Mechanical restraints shall prevent a student from injuring the student or others, or promote normative body positioning and physical functioning.

Seclusion

The district permits involuntary seclusion of a student for a limited period of time in accordance with the student's IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. District staff shall provide continuous supervision of students in seclusion, which need not always involve presence of staff within the same room.

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.[1]

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:[1]

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.[12]
7. Treatment of a demeaning nature.
8. Electric shock.

9. Methods implemented by untrained personnel.

10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent 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 law enforcement agency 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 law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.[1][6][9][10][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27][28]

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, the district shall convene the student's IEP team and an updated functional behavioral assessment and Positive Behavior Support Plan shall be required.[1][11][18]

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Special Services Coordinator or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Positive Behavior Support Plan.[1]

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.[1][18]

Relations With Law Enforcement

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each law enforcement agency that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[9][18][20][28]

	The district shall invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[1][9][18][20][28] **Legal References** 1. 22 PA Code 14.133 2. 22 PA Code 14.145 3. 20 U.S.C. 1414 4. 34 CFR 300.114 5. 34 CFR 300.324 6. 20 U.S.C. 1415 7. 34 CFR 300.34 8. 34 CFR 300.530 9. Pol. 113 10. Pol. 113.1 11. Pol. 113.3 12. 22 PA Code 14.143 13. 24 P.S. 1306.2-B 14. 24 P.S. 1319-B 15. 22 PA Code 10.2 16. 22 PA Code 10.21 17. 22 PA Code 10.22 18. 22 PA Code 10.23 19. 22 PA Code 10.25 20. 22 PA Code 14.104 21. 34 CFR 300.535 22. Pol. 103.1 23. Pol. 218 24. Pol. 218.1 25. Pol. 218.2 26. Pol. 222 27. Pol. 227 28. Pol. 805.1 20 U.S.C. 1400 et seq 34 CFR Part 300 Pennsylvania Training and Technical Assistance Network, Question and Answer Compendium, January 2020

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SCREENING AND EVALUATIONS FOR STUDENTS WITH DISABILITIES

ADOPTED: May 13, 2015

REVISED:

113.3. SCREENING AND EVALUATIONS FOR STUDENTS WITH DISABILITIES

1. Purpose Title 22 Sec. 14.122, 14.123, 14.124, 14.125, 14.133 20 U.S.C. Sec. 1414 34 CFR Sec. 300.226, 300.301- 300.311, 300.502, 300.530 Pol. 113, 113.2	The Board adopts this policy to define the minimum requirements for screening; educational evaluations conducted to determine eligibility for special education services, instructional levels and programming requirements for students with disabilities, including functional behavioral assessments; and requirements for independent educational evaluations.
2. Authority Title 22 Sec. 14.122 34 CFR Sec. 300.226 Pol. 209	The Board shall adopt a system of screening that may include early intervening services and must be designed to accomplish identification and initial screening for students prior to district referral for a special education evaluation. The system shall provide support to staff to improve working effectively with students in the general education curriculum, identify students who may require special education services and programs, and must include hearing and vision screening and screening at reasonable intervals to determine whether students are performing at grade appropriate levels in core academic subjects.
34 CFR Sec. 300.226	Early intervening services shall comply with the requirements of state and federal law and regulations in order to address academic concerns or behaviors that may be impeding success, but which can be resolved through research-based intervention programs in the regular education setting.

Title 22 Sec. 14.133 34 CFR Sec. 300.530 Pol. 113, 113.1, 113.2	The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student's behaviors and to assist with developing a positive Behavior Support Plan. FBAs must be conducted when: 1. A student's behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming. 2. A student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. 3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses. 4. The school contacts law enforcement regarding a student who already has a positive Behavior Support Plan. FBAs may also constitute part of the initial evaluation to determine eligibility for special education.
Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300-300.311, 300.502, 300.503	The district shall comply with requirements of state and federal laws and regulations when conducting evaluations. An appropriate evaluation of a student, whether conducted by district staff or individuals not employed by the district, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by district staff, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum. A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
Title 22 Sec. 14.124 20 U.S.C. Sec. 1414 34 CFR Sec. 300.303-300.306, 300.503	A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations.

3. Guidelines Title 22 Sec. 14.122, 14.123	<u>Parent/Guardian Requests</u> Parents/Guardians may request an evaluation at any time. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request. The evaluation shall be completed and a copy of the evaluation report presented to parents/guardians no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term. <u>Appropriate Evaluations</u>
Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.301- 300.311, 300.502	An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student. An appropriate evaluation shall include: 1. Testing and assessment techniques required in light of information currently available from previous evaluations. 2. Information from parents/guardians and school staff familiar with the performance of the student. 3. The student's education records. The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation. To the extent that the results of such instructional assessments are inconsistent with the results of norm or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain the reason for the inconsistency in his/her report, if possible.
Title 22 Sec. 14.125 34 CFR Sec. 300.307- 300.311	When assessing the presence of a specific learning disability, the evaluation shall be consistent with procedures adopted by the district and comply with state and federal law and regulations.

	Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure and in compliance with applicable and authoritatively recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained. All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student. The evaluation shall include an observation of the student in an educational setting, unless the student is not currently in such a setting. The evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the student, unless s/he does not have a current teacher. The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law. The evaluator shall prepare and sign a full report of the evaluation containing: 1. Clear explanation of the testing and assessment results. 2. Complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores; domain or composite scores; and subtest scores reported in standard, scaled, or T-score format. 3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator. 4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student. 5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state law and regulations.

	Re-Evaluations
Title 22 Sec. 14.124 34 CFR Sec. 300.303 PARC v. Com. 343 F. Supp. 279	Re-evaluations shall be conducted within the timeframes required by state and federal laws and regulations unless the parent/guardian and the district agree in writing that a re-evaluation is unnecessary. For students with mental retardation, the re-evaluation cannot be waived. The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury. Copies of the re-evaluation report shall be disseminated to parents/guardians at least ten (10) days prior to the meeting of the IEP team unless this requirement is waived in writing.
	Independent Educational Evaluations
34 CFR Sec. 300.502	A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the district may request an independent educational evaluation at district expense. A parent/guardian is entitled to only one (1) independent educational evaluation at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. The independent educational evaluation must arise from parents'/guardians' disagreement with the district's most recent evaluations or re-evaluations of the student. The district shall be entitled to a copy of all results of independent educational evaluations conducted at public expense. If an oral request for an independent educational evaluation is made to a professional employee or administrator, that person shall inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable and, where feasible, in the native language of the parent/guardian. A written request for an independent educational evaluation at district expense shall be immediately forwarded to the Special Services Coordinator, who may, upon receipt of the written parent/guardian request, ask that the parent/guardian state his/her reasons for disagreement with the evaluation conducted or proposed by the district. The district cannot require the parent/guardian to do so, and the refusal of the parent/guardian shall not delay the process required by this policy.

	The criteria under which the independent educational evaluation at public expense is obtained must be the same as the criteria used by the district in conducting an appropriate evaluation, including the location of the evaluation and the qualifications of the examiner, to the extent those criteria are consistent with the parent's/guardian's right to an independent educational evaluation at public expense. The qualified examiners who conduct the independent educational evaluation may not be employed by the public agency responsible for the education of the student. Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the Special Services Coordinator shall either initiate a due process hearing to show that the district's evaluation is appropriate and notify the parent/guardian in writing that s/he has done so or issue to the parent/guardian correspondence containing: 1. Assurance that the district will pay for an independent educational evaluation as long as the evaluation meets all of the requirements of an appropriate evaluation and is in compliance with this policy. 2. Statement that the district will not pay for the evaluation until it receives directly from the evaluator a complete copy of a report of that evaluation and determines that the evaluation is in compliance with this policy. 3. Request that the parents/guardians consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent/guardian is not required to do so and that the district will pay any cost not covered by such sources. 4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contacts the Special Services Coordinator to arrange for payment of the evaluation. Upon request, the district shall provide to parents/guardians information about where an independent educational evaluation may be obtained. If the evaluation has already been conducted and paid for, the district shall issue correspondence advising the parent/guardian that the district will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation is in compliance with this policy. The district shall require documentation substantiating that the parents/guardians paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement.

	The Special Services Coordinator shall send the correspondence to the parent/guardian by certified mail or by other independently verifiable means of conveyance and enclose a copy of this policy. The Special Services Coordinator shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall promptly make that list available to any parent/guardian who requests it. References: State Board of Education Regulations – 22 PA Code Sec. 14.122, 14.123, 14.124, 14.125, 14.133 Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq. Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300 Pa. Ass'n for Retarded Children (PARC) v. Com. of Pa., 343 F. Supp. 279 (E.D. Pa. 1975) Pennsylvania Training and Technical Assistance Network – www.pattan.net Board Policy – 113, 113.1, 113.2, 209

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION ADOPTED: May 13, 2015 REVISED: November 12, 2020

113.4. CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION

Authority

The Board recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.[1][2]

The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.[2][3]

The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from the district or an outside program provided through the district.[4][5]

Definitions

Destruction shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.[6]

Disclosure shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.[7]

Education records, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.[2][7][8]

Personally identifiable information includes, but is not limited to:[7][9]

1. The name of a student, the student's parents/guardians or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's social security number, student number, or biometric record.

	4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name. 5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. 6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.
Guidelines	<u>Parental Access Rights</u> The district shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the district in connection with providing special education services to the student.[10][11] The district shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting. The district shall presume a parent/guardian has authority to inspect and review records relating to their child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.[10][12] The district shall comply with a parental request for review within forty-five (45) days following receipt of the request.[10][11] A parent's/guardian's right to inspect and review education records includes the right to: 1. A response from the district to reasonable requests for explanations and interpretations of the records; 2. Request that the district provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and 3. Have a representative inspect and review the records.

	If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record.[13][14] The district shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by the district.[15] <u>Fees</u> The district may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records.[16][17] The district shall not charge a fee to search for or to retrieve information in response to a parental request. <u>Record of Access</u> The district shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education and related services to students with disabilities, except access by parents/guardians and authorized district employees.[18] The district's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. <u>Amendment of Records Upon Parental Request</u> If a parent/guardian believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that the district amend the information.[19][20] The district shall decide whether to amend the information within a reasonable period of time from receipt of the request. If the district declines to amend the information in accordance with a parental request, the district shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.

Records Hearing

The district shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student's education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The district recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.[21][22][23]

Hearing Procedures

A hearing to challenge information in education records must meet the following requirements:[24][25]

1. The district shall hold the hearing within a reasonable time after receiving the request for a hearing.

2. The district shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.

3. The hearing may be conducted by any individual, including a district official, who does not have a direct interest in the outcome of the hearing.

4. The district shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at their own expense, be assisted or represented by one (1) or more individuals of their choice, including an attorney.

5. The district shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.

6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Result of Hearing

If, as a result of the hearing, the district decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the district shall amend the information accordingly and inform the parent/guardian in writing.[23][26]

If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the district shall inform the parent/guardian of the parent's/guardian's right to place in the student's records a statement commenting on the information and/or providing any reasons for disagreeing with the district's decision.

Any explanation placed in the student's records shall be:

1. Maintained by the district as part of the student's records as long as the record or contested portion is maintained by the district; and

2. Included with the record or contested portion if the record or contested portion are disclosed to any party.

Storage, Retention and Destruction of Information

The district shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention.[27]

The district shall maintain, for public inspection, a current listing of the names and positions of those district employees who have access to personally identifiable information.[27]

In order to comply with state compliance monitoring requirements, the district shall maintain education records for students receiving special education services for at least six (6) years.[2]

The district shall inform parents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.[28]

No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.[11]

The district shall maintain a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed.[28]

The district shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and the student's family.[27]

	Disclosure to Third Parties The district shall obtain parental consent before disclosing personally identifiable information to parties other than school district officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.[2][29][30][31][32][33][34] Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.[32] If a student is enrolled, or is going to enroll in a private school that is not located in the district of the parent's/guardian's residence, parental consent must be obtained before any personally identifiable information about the student is released between officials in the district where the private school is located and officials in the district of the parent's/guardian's residence.[32] Disclosure to Law Enforcement When reporting an incident committed by a student with a disability to the appropriate authorities, in accordance with applicable law, regulations and Board policy, the district shall provide the information required by state and federal laws and regulations and shall transmit copies of the special education and disciplinary records of the student only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[2][8][33][35][36][37][38][39][40][41][42]
Delegation of Responsibility	In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Special Services Coordinator to coordinate the district's efforts to comply with this policy and applicable laws and regulations.[27] All district employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, administrative regulations, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.[27] **Legal References** 1. Pol. 113 2. Pol. 216 3. 34 CFR 300.611-300.627 4. 34 CFR 300.520

	5. 34 CFR 300.625 6. 34 CFR 300.611 7. 34 CFR 99.3 8. 20 U.S.C. 1232g 9. 34 CFR 300.32 10. 34 CFR 300.613 11. 34 CFR 99.10 12. 34 CFR 99.4 13. 34 CFR 300.615 14. 34 CFR 99.12 15. 34 CFR 300.616 16. 34 CFR 300.617 17. 34 CFR 99.11 18. 34 CFR 300.614 19. 34 CFR 300.618 20. 34 CFR 99.20 21. 34 CFR 300.510-300.516 22. 34 CFR 300.619 23. 34 CFR 99.21 24. 34 CFR 300.621 25. 34 CFR 99.22 26. 34 CFR 300.620 27. 34 CFR 300.623 28. 34 CFR 300.624 29. 34 CFR 99.30 30. 34 CFR 99.31 31. 34 CFR 300.154 32. 34 CFR 300.622 33. Pol. 113.1 34. Pol. 113.2 35. 22 PA Code 10.2 36. 22 PA Code 10.21 37. 22 PA Code 10.22 38. 22 PA Code 10.23 39. 20 U.S.C. 1415 40. 34 CFR 300.535 41. 34 CFR Part 99 42. Pol. 805.1 20 U.S.C. 1400 et seq. 34 CFR Part 300 Bureau of Special Education Letter to School Entities on Retention of Records, Dated November 9, 2009 Pennsylvania Department of Education Individuals With Disabilities Education Act Part B LEA Policies and Procedures under 34 CFR §§300.101 - 300.176 (2018)

	Pol. 113.3

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: GIFTED EDUCATION

ADOPTED: May 13, 2015

REVISED:

114. GIFTED EDUCATION

1. Authority
SC 1371
Title 22
Sec. 4.28,
16.1 et seq

In accordance with the Board's philosophy to develop the special abilities of each student, the district shall provide **gifted** education services and programs designed **to meet the** individual educational **needs of** identified students.

Title 22
Sec. 4.13, 16.4
Pol. 100

The district shall develop and implement a gifted education plan every six (6) years, as required by law and regulations. Prior to approval by the Board, the gifted education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.

The district's gifted education plan shall address:

1. **The district's process for identifying gifted children in need of specially designed instruction.**
2. **The gifted special education programs offered by the district.**
3. **Reports of gifted students, personnel and program elements, and costs, as required by the Department of Education.**

Title 22
Sec. 16.2

The Board **may enter into a cooperative agreement with** ARIN **Intermediate Unit** No. 28 or other educational institutions to provide gifted education services and programs.

The Board directs that the district's gifted education program shall provide the following:

Title 22
Sec. 16.21

1. System to locate and identify all students within the district who are thought to be gifted and in need of specially designed instruction.

Title 22
Sec. 16.21

2. Screening and evaluation process that meets state requirements, to determine students' educational needs.

Title 22 Sec. 16.21	3. Procedures to determine whether a student is mentally gifted.
Title 22 Sec. 16.22, 16.23, 16.32	4. Gifted Individualized Education Plan (GIEP) developed, and subsequently modified, for each student based on his/her unique needs and the written report of the Gifted Multidisciplinary Team (GMDT).
Title 22 Sec. 16.63	5. Safeguards for the due process rights of gifted students. 6. Notification to teachers of their responsibilities to each of their identified gifted students, as provided in the student's Gifted Individualized Education Plan (GIEP). The district shall provide all required notices and information to parents/guardians of gifted students, document all consents and responses of parents/guardians, and adhere to all established timelines.
2. Guidelines Title 22 Sec. 16.21	The district shall make the Permission To Evaluate Gifted Student Form readily available to parents/guardians. If an oral request is made to an administrator or professional employee, s/he shall provide the form to the parents/guardians within ten (10) calendar days of the oral request. <u>Caseloads/Class Size</u> The Board directs the Superintendent and designated administrators to annually assess the district's delivery of gifted services and programs, in order to: 1. Ensure the ability of assigned staff to provide the services required in each identified student's GIEP. 2. Address the educational placements for gifted students within the district. 3. Limit the total number of gifted students that can be on an individual gifted teacher's caseload to a maximum of sixty-five (65) students. 4. Limit the total number of gifted students that can be on an individual gifted teacher's class roster to a maximum of twenty (20) students.
Title 22 Sec. 16.41	The district may make a written request to the Secretary of Education to waive the applicable caseload and class size maximums in extenuating circumstances.

	Confidentiality Of Student Records
Title 22 Sec. 16.65 Pol. 216	All personally identifiable information regarding a gifted student shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, State Board of Education regulations, and Board policy.
	Awareness Activities
Title 22 Sec. 16.21	The Superintendent or designee shall annually conduct awareness activities to inform parents/guardians of school-aged children residing within the district of its gifted education services and programs, and how to request these services and programs. Awareness activities may include providing written notice of the district's gifted education program through local newspapers, other media, student handbooks and the district website.
3. Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations to implement this policy.
	References: School Code – 24 P.S. Sec. 1371 State Board of Education Regulations – 22 PA Code Sec. **4.13**, 4.28, 11.12, 16.1 et seq. Board Policy – 000, **100**, 113, 216

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CAREER AND TECHNICAL EDUCATION

ADOPTED: May 13, 2015

REVISED:

115. CAREER AND TECHNICAL EDUCATION

1. Authority
SC 1806, 1807
Title 22
Sec. 4.31, 12.41, 339.2

The Board shall provide a program of career and technical **education** in order to:

1. **Prepare students for** employment as skilled workers or technicians in recognized, new and emerging occupations.

2. Prepare students for **enrollment in** postsecondary **education programs.**

3. **Assist students in** choosing career pathways.

All students participating in career and technical programs sponsored or supervised by the Board shall be considered regularly enrolled in district schools and shall be subject to Board policies and district administrative regulations and rules.

SC 1807, 1841
Title 22
Sec. 4.31, 339.2

The Board shall **support a program of** career and technical **education which** may **include** district students attending **Lenape** Tech for **participation in a cooperative program of** career **development.**

SC 1850.1
Title 22
Sec. 4.31, 12.41, 339.21

Students and parents/guardians shall be informed that admission to career and technical education programs is accessible to regularly enrolled district students, in accordance with established criteria for attendance.

References:

School Code – 24 P.S. Sec. 1806, 1807, 1841, 1850.1

State Board of Education Regulations – 22 PA Code Sec. 4.31, 12.41, 339.2, 339.21

Board Policy – 100

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: TUTORING

ADOPTED: May 13, 2015

REVISED:

116. TUTORING

1. Purpose

The Board recognizes that some students may require special help beyond the regular classroom program.

2. Guidelines
Title 22
Sec. 4.52

Wherever possible within the working day, each teaching staff member shall assist assigned students in the remediation of individual learning difficulties.

In cases where extra help is desirable and the parents/guardians request such assistance, the building principal or designee may recommend that the parents/guardians secure tutorial services for the student from a list of available tutors maintained by the school.

Excusal From School

Title 22
Sec. 11.22

Upon the written request of the parent/guardian, a student may be excused during school hours for tutoring in a field not offered in the district curriculum if such excusal does not interfere with the student's regular program of studies.

The tutor's qualifications must be approved by the Superintendent.

The district may establish reasonable conditions for excusal of a student for such tutoring.

Private Tutoring

SC 1327
Title 22
Sec. 11.31

The instructional program for students not enrolled in public schools due to private tutoring by a qualified tutor shall comply with state law and regulations.

The parent/guardian shall provide written assurance that all instructional requirements are being met.

Title 22 Sec. 11.31	When the Superintendent receives a complaint that a student is not being provided the required instruction or that a student is not making satisfactory progress, the Superintendent may request evidence of the student's academic progress and documentation that instruction is being provided for the required number of days and hours.
Title 22 Sec. 11.31	Evidence of satisfactory progress may include samples of student work, assignments, progress reports, report cards and evaluations. Documentation of instructional time may include logs maintained by the tutor or parent/guardian, attendance records, or other records indicating the dates and time instruction was provided.
	References: School Code – 24 P.S. Sec. 1327 State Board of Education Regulations – 22 PA Code Sec. 4.52, 11.22, 11.31

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: HOMEBOUND INSTRUCTION

ADOPTED: May 13, 2015

REVISED:

117. HOMEBOUND INSTRUCTION

1. Authority
SC 1329
Title 22
Sec. 11.25

The Board shall provide homebound **instruction to students confined to home or hospital** for **physical disability, illness, injury**, urgent reasons, **or when such confinement is recommended for psychological or psychiatric reasons.** The period of homebound instruction for an individual shall not exceed three (3) months.

2. Delegation of Responsibility
SC 1329
Title 22
Sec. 11.25

Application **for** homebound **instruction** shall **certify the nature of the illness or disability and state the probable duration of the confinement.**

The Superintendent may grant recommended requests for homebound **instruction** and shall report each to the Board at its next regular meeting.

Title 22
Sec. 11.25

The Superintendent or designee may request approval from the Department of Education to extend the period of homebound instruction for an individual, which shall be re-evaluated every three (3) months.

3. Guidelines

The Board shall **provide** homebound **instruction only for those confinements expected to last at least** ten (10) school days. **Exceptions may be** recommended by **the Superintendent.**

The program of homebound **instruction** provided to **each student shall be in accordance with the standards established by the** state.

The Board reserves the right to withhold homebound **instruction when** any one (1) of the following occurs:

1. **The instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher.**

2. **A parent**/guardian **or other adult in authority is not** present **with the student during the hours of instruction.**

	3. **The condition of the student** precludes any benefit **from such instruction.** References: School Code – 24 P.S. Sec. 1329 State Board of Education Regulations – 22 PA Code Sec. 11.25

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: INDEPENDENT STUDY

ADOPTED: May 13, 2015

REVISED:

118. INDEPENDENT STUDY

1. Purpose

The Board shall consider approval of a course of independent study for a properly qualified student, as recommended by the Superintendent, on the condition that the student shall demonstrate achievement of established educational goals and academic standards as a result of participation in the independent study.

2. Authority
Title 22
Sec. 4.4, 4.24

The Board **shall approve each course of independent study and** may **designate the number of credits toward graduation to be awarded upon successful completion of each course,** except that the Board reserves the right to assign no credit for an approved course.

Courses of independent study may **not be limited to participation by a single student but may involve a group of students, subject to** Board **approval.**

Each course of independent **study must meet the requirements** of **applicable** laws **and regulations.**

3. Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to implement independent study programs which:

1. **Provide for the counseling of students who apply for independent study.**
2. **Develop specified, measurable, instructional objectives for each individually planned course of independent study.**
3. **Assure that each student conducts his/her study under appropriate staff guidance and supervision.**
4. **Monitor the progress of each student.**
5. **Certify the completion of each course of independent study based upon the original specified objective.**

	The Superintendent shall prepare recommendations for Board approval of courses of independent study, based on the recommendation of the building principal.
4. Guidelines	**The Board directs that only those students shall be admitted to courses of independent study who have demonstrated the following traits:** 1. **Academic proficiency sufficient for participation.** 2. **Maturity of judgment of the level required to enter into developing a plan with demonstrated insight to identify future ambitions.** 3. **A strong motivation to learn and benefit from the experience.** 4. **Self-reliance to follow through and faithfully execute** the **approved plan on an independent basis.** References: State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.12, 4.24 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CURRENT EVENTS

ADOPTED: May 13, 2015

REVISED:

119. CURRENT EVENTS

1. Purpose	The Board believes that consideration of current events has a legitimate place in the educational program of the schools. Properly introduced and conducted, discussion of such events can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop skills for formulating and evaluating positions and opinions.
2. Definition	A **current event** is defined as a topic on which opposing points of view have been promulgated by responsible opinion and is not expressly enumerated in the course guide as content of the course of study.
3. Authority Title 22 Sec. 4.4	The Board shall permit the introduction and proper educational use of current events, provided that their use in the instructional program: 1. Is related to the course's educational goals and the students' level of maturity. 2. Does not tend to indoctrinate or persuade students to a particular point of view. 3. Encourages balanced presentations and open-mindedness. 4. Is conducted in a spirit of scholarly inquiry.
4. Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations for the management of current events that do not stifle the spirit of free and scholarly inquiry.

	References: School Code – 24 P.S. Sec. 510 State Board of Education Regulations – 22 PA Code Sec. 4.4 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	120. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: FIELD TRIPS

ADOPTED: May 13, 2015

REVISED:

121. FIELD TRIPS

1. Purpose

The Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important component of the instructional program of the schools. Properly planned and executed field trips can:

1. Supplement and enrich classroom learning by providing educational experiences in an environment outside the schools.
2. Arouse new interests among students.
3. Help students relate academic learning to the reality of the world outside of school.
4. Introduce community resources, such as natural, cultural, industrial, commercial, governmental, and educational.
5. Afford students the opportunity to study real things and real processes in their actual environment.

2. Definition

For purposes of this policy, a **field trip** shall be defined as any planned travel activity that supplements or enriches the classroom curriculum.

3. Authority

The Board shall approve only those field trips that are planned to keep students out of the district overnight or longer. This would apply to all planned trips by any student group whose activities are covered completely or in part by Board policy, School Code, Curriculum Regulations, or past practice.

Approval by the Superintendent shall be required for all other field trips of shorter duration that qualify under the above authority.

Students on field trips remain under the supervision and responsibility of this Board and are subject to its rules and regulations.

	The students will be responsible for any work missed due to field trips. Costs due to participation in field trips may be at the expense of parents/guardians or the students. (Any trip requiring extensive fundraising activities will require prior approval of the Board before fundraising is begun.) Extended band or chorus trips, which require elaborate fundraising activities to support them financially, will be restricted to every other year. Requests from other student groups will be reviewed individually by the Board for approval. The Board does not endorse, support nor assume responsibility in any way for any district staff member who takes students on trips not approved by the Board or Superintendent. No staff member may solicit district students for such trips within district facilities or on district grounds without Board permission.
4. Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations for the operation of field trips.
5. Guidelines	Field trips shall be governed by guidelines which ensure that: 1. The safety and well-being of students will be protected at all times. 2. Permission of the parent/guardian is sought and obtained before any student may participate. 3. The principal approves the purpose, itinerary and duration of each proposed trip.
Title 22 Sec. 4.4	4. Each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its value. 5. The effectiveness of field trip activities is monitored and evaluated continuously. 6. Teachers are allowed flexibility and innovation in planning field trips. 7. No field trip will be approved unless it contributes to the achievement of specified instructional objectives. References: School Code – 24 P.S. Sec. 510, 517 State Board of Education Regulations – 22 PA Code Sec. 4.4 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR ACTIVITIES

ADOPTED: May 13, 2015

REVISED: December 17, 2020
October 8, 2025
December 10, 2025

122. EXTRACURRICULAR ACTIVITIES

Purpose

The Board recognizes the educational values inherent in student participation in extracurricular activities and supports the concept of student organizations for such purposes as enriching the educational experience, building social relationships, developing interests in a specific area, promoting civic engagement and gaining an understanding of the elements and responsibilities of teamwork, leadership and good citizenship.

Definitions

For purposes of this policy, extracurricular activities refers to programs, which may include athletic activities and curriculum-related student groups, that are sponsored or approved by the Board, are conducted wholly or partly outside the regular school day and are equally available to all students who voluntarily elect to participate.

For purposes of this policy, an athletic activity shall mean all of the following:[1][2]

1. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the school, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.

2. Noncompetitive cheerleading that is sponsored by or associated with the school.

3. Practices, interschool practices and scrimmages for all athletic activities.

Curriculum-related student group - any student group that directly relates to the body of courses offered by the district.[3]

Authority

The Board shall make school facilities, supplies and equipment available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with applicable laws, regulations and Board policies.[4][5][6][7]

	Any extracurricular activity shall be considered under the sponsorship of this Board when it has been approved by the Superintendent and reported to the Board for its review. The Board shall maintain the program of extracurricular activities at no cost to participating students, except that: 1. The Board's responsibility for provision of supplies shall carry the same exemptions as listed in the Board's policy on regular school supplies.[8] 2. Students may assume all or part of the costs for travel and attendance at extracurricular events and trips. Where eligibility requirements are necessary or desirable, the Board shall determine the standards for eligibility to be met by all students participating in an extracurricular activity.[4][9] The Board directs that no student may participate in extracurricular activities who has not: 1. Met the requirements for academic eligibility.[4] 2. Complied with the requirements of applicable Board policies and administrative regulations.[10][11][12] 3. Attended school regularly.[13] 4. Been in attendance on the day of the activity, event or practice for the hours required. 5. Returned all school equipment previously used as directed. 6. Adhered to other applicable conduct standards. <u>Off-Campus Activities</u> Student conduct that occurs off school property or during nonschool hours shall be addressed in accordance with the provisions of the student discipline policy regarding on and off-campus activities.[12][14]
Delegation of Responsibility	Each school year, prior to participation in an athletic activity, every student athlete and their parent/guardian shall sign and return the acknowledgment of receipt and review of the following:[2][10][11][15] 1. Concussion and Traumatic Brain Injury Information Sheet. 2. Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet, that includes information about electrocardiogram testing.

	The Superintendent or designee shall develop administrative regulations to implement the extracurricular activities program.
Guidelines	Guidelines shall ensure that the program of extracurricular activities: 1. Assesses the needs and interests of and is responsive to district students. 2. Invites the participation of parents/guardians and the community in developing extracurricular activities. 3. Involves students in developing and planning extracurricular activities. 4. Ensures provision of competent guidance and supervision by staff. 5. Guards against exploitation of students. 6. Provides a variety of experiences and diversity of organizational models. 7. Provides for continuing evaluation of the program and its components. 8. Ensures that all extracurricular activities are open to all students, without discrimination, and that all students are fully informed of the opportunities available to them.[16][17] **Legal References:** 1. 24 P.S. 5322 2. 24 P.S. 1425 3. Board of Education of Westside Community Schools v. Mergens, 496 U.S. 226 (1990) 4. 24 P.S. 511 5. Pol. 103 6. Pol. 103.1 7. Pol. 122.1 8. Pol. 110 9. 22 PA Code 12.3 10. Pol. 123.1 11. Pol. 123.2 12. Pol. 218 13. Pol. 204 14. Mahanoy Area School District v. B.L., 594 U.S. 180 (2021) 15. 24 P.S. 5323 16. 22 PA Code 12.1 17. 22 PA Code 12.4 24 P.S. 5321 et seq

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONCURRICULUM-RELATED, NONSCHOOL-SPONSORED, STUDENT-INITIATED GROUPS

ADOPTED: January 14, 2026

REVISED:

122.1 NONCURRICULUM-RELATED, NONSCHOOL-SPONSORED, STUDENT-INITIATED GROUPS

Purpose

The district, by making a limited open forum available, provides the opportunity for noncurriculum-related, nonschool-sponsored, student-initiated groups of secondary students to meet, without discrimination, on school district premises during noninstructional time for the purpose of conducting a meeting regardless of the religious, political, philosophical or other content of the speech at such meetings.[1][2][3]

Definitions

Noninstructional time - the time set aside by the school before actual classroom instruction begins, after actual classroom instruction ends or during time designated for lunch.

Limited open forum - a public secondary school has a limited open forum whenever such school grants an offering to or opportunity for one or more noncurriculum-related student groups to meet on school premises during noninstructional time.[1]

Noncurriculum-related student group - any student-initiated group that does not directly relate to the body of courses offered by the district.[4]

Sponsorship - the act of promoting, leading or participating in a meeting. The assignment of a teacher, administrator or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.[5]

Authority

Meetings of noncurriculum student groups (student groups) must be voluntary, student-initiated and conducted in accordance with applicable state and federal laws, regulations, Board policies and school rules.[1][2][3][6]

Such meetings must not be under the sponsorship of the school district, its agents or employees.[1]

The meetings of student groups cannot materially and substantially interfere with the orderly conduct of the educational activities in the school.[1]

	Availability and assignment of facilities, supplies and equipment necessary, including access to district-controlled methods of communication such as bulletin boards, a public-address system, and advertisements in the school newspaper, to conduct such meetings shall be provided in accordance with the Equal Access Act.[1]
Delegation of Responsibility	The Superintendent or designee may establish standard procedures regarding the length of meetings, permissible number of meetings per week and other limitations deemed reasonably necessary. The Superintendent or designee will designate areas within district buildings and outside areas authorized for meetings of student groups. Access to areas which have not been designated as meeting spaces by the Superintendent or designee is prohibited. A district employee will be assigned to attend and monitor each student group meeting. Monitors will attend the meetings in a nonparticipatory capacity for the purpose of maintaining order. The assignment of a monitor does not constitute sponsorship of the student group or meeting.[1] District employees will not be required to attend any meeting where the content of the speech is contrary to their beliefs.[1] District administrators and staff retain the authority to:[1] 1. Maintain order and discipline on district premises. 2. Protect the well-being of students and employees. 3. Assure the attendance of students at such meetings is voluntary.
Guidelines	Students seeking permission to form a student group to meet during noninstructional time must submit a written request to the building principal on the designated district form. All activities of the student group must be led by the student members of the group. The meetings and activities may not be directed, conducted, controlled or regularly attended by individuals from outside the school.[1] Guests may be invited but may not be regular participants in the student meetings. All guests must comply with Board policy regarding school visitors.[7] Materials prepared for dissemination on district premises must comply with the provisions of Board policy relating to the dissemination of materials.[8] Public funds may not be used for the operation of the meetings beyond the incidental cost of providing the space for the group to meet.

	The student group may not be advertised as a school-sponsored activity. All announcements and disseminated materials must include a disclaimer of school sponsorship or endorsement. Students in violation of this policy and applicable rules may result in loss of the right to meet on school premises and/or disciplinary action.[6] **Legal References** 1. 20 U.S.C. 4071, *et seq.* 2. Pol. 103 3. Pol. 103.1 4. Board of Education of Westside Community Schools v. Mergens, 496 U.S. 226 (1990) 5. 20 U.S.C. 4072 6. Pol. 218 7. Pol. 907 8. Pol. 220 Wolfe ex rel. Wolfe v. Twin Valley School District, No. 23-4501 (E.D. Pa. March 26, 2025), 2025 WL 920257

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: INTERSCHOLASTIC ATHLETICS

ADOPTED: May 13, 2015

REVISED: December 17, 2020
October 8, 2025

123. INTERSCHOLASTIC ATHLETICS

Purpose

The Board recognizes the value of a program of interscholastic athletics as an integral part of the total school experience for all district students and as a conduit for community involvement.

Definition

For purposes of this policy, the program of interscholastic athletics includes all activities relating to competitive or exhibition sport contests, games or events involving individual students or teams of students when such events occur between schools within this district or outside this district.

Authority

It shall be the policy of the Board to offer opportunities for participation in interscholastic athletic programs to male and female students on as equal a basis as is practicable and without discrimination, in accordance with applicable laws, regulations and Board policies.[1][2][3][4][5]

The Board shall approve a program of interscholastic athletics and require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.[6]

The Board shall determine the standards of eligibility to be met by all students participating in the interscholastic athletic program. Such standards shall require that each student, before participating in any interscholastic athletic activity, be covered by student accident insurance and undergo a physical examination by a licensed physician to ensure that there are no obvious illnesses and/or injuries that would place the student or others at enhanced risk of injury.[6][7]

The Board adopts the eligibility standards set by the Constitution and Bylaws of the Pennsylvania Interscholastic Athletic Association (P.I.A.A.).

The Board directs that no student may participate in interscholastic athletics who has not:[6]

1. Met the requirements for academic eligibility.

	2. Complied with the requirements of applicable handbooks, Board policies and administrative regulations.[8][9][10] 3. Attended school regularly.[11] 4. Been in attendance on the day of the athletic event or practice for the hours required. 5. Returned all school athletic equipment previously used. 6. Adhered to other applicable conduct standards. <u>Off-Campus Activities</u> Student conduct that occurs off school property or during nonschool hours shall comply with the provisions of the student discipline policy addressing on and off-campus activities.[10]
Delegation of Responsibility	Each school year, prior to participation in an interscholastic athletic activity, every student athlete and their parent/guardian shall sign and return the acknowledgment of receipt and review of the following:[8][9][12][13] 1. Concussion and Traumatic Brain Injury Information Sheet. 2. Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet, that includes information about electrocardiogram testing. The Superintendent or designee shall annually prepare, approve and present to the Board for its consideration a program of interscholastic athletics, which shall include a complete schedule of events. The Superintendent or designee shall disseminate rules for the conduct of students participating in interscholastic athletics. Such rules shall be in conformity with regulations of the State Board of Education, the P.I.A.A. and the district. The Superintendent shall ensure that similar athletic programs are offered to both sexes in proportion to the district's enrollment, in accordance with Title IX regulations.[3] The Superintendent shall ensure that interscholastic athletics are open to all eligible students and that all students are fully informed of the opportunities available to them.[14][15]

Guidelines	Male/Female Athletic Opportunities Report By October 15 of each year, on the designated disclosure form, the Superintendent or designee shall report to the PA Department of Education the interscholastic athletic opportunities and treatment for male and female secondary school students for the preceding school year.[16] By November 1 of each year, the completed disclosure form shall be made available for public inspection during regular business hours and posted on the district's website.[16] The availability of the completed disclosure form shall be announced by posting a notice on school bulletin boards, in the school newspaper, on any electronic mailing list or list serve, and by any other reasonable means.[16] Name, Image and Likeness Students and their parents/guardians are responsible for following the rules set by the P.I.A.A. for the student to maintain their amateur status in order to be continuously eligible to participate in the district's interscholastic athletics program.[17] Students may use their own name, image and likeness for such permissible activities that include commercial endorsements, promotional activities, social media presence, product or service advertisements and unique digital items/assets.[17] Legal References 1. 22 PA Code 4.27 2. 24 P.S. 1601-C et seq. 3. 34 CFR 106.41 4. Pol. 103 5. Pol. 103.1 6. 24 P.S. 511 7. PIAA Bylaws, Article V 8. Pol. 123.1 9. Pol. 123.2 10. Pol. 218 11. Pol. 204 12. 24 P.S. 5323 13. 24 P.S. 1425 14. 22 PA Code 12.1 15. 22 PA Code 12.4 16. 24 P.S. 1603-C 17. PIAA Bylaws, Article II 24 P.S. 5321 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CONCUSSION MANAGEMENT

ADOPTED: May 13, 2015

REVISED:

123.1. CONCUSSION MANAGEMENT

1. Purpose

The Board recognizes the importance of ensuring the safety of students participating in the district's athletic programs. This policy has been developed to provide guidance for prevention, detection and treatment of concussions sustained by students while participating in an athletic activity.

2. Definitions
24 P.S. Sec. 5322

Appropriate medical professional shall mean all of the following:

1. A licensed physician who is trained in the evaluation and management of concussions.
2. A licensed or certified health care professional trained in the evaluation and management of concussions and designated by a licensed physician trained in the evaluation and management of concussions.
3. A licensed psychologist neuropsychologically trained in the evaluation and management of concussions or who has postdoctoral training in neuropsychology and specific training in the evaluation and management of concussions.

24 P.S. Sec. 5322

Athletic activity shall mean all of the following:

Pol. 123
1. Interscholastic athletics.

Pol. 122
2. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the school, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.

Pol. 122
3. Noncompetitive cheerleading that is sponsored by or associated with the school.

Pol. 122, 123
4. Practices, interschool practices and scrimmages for all athletic activities.

3. Delegation of Responsibility 24 P.S. Sec. 5323	Each school year, prior to participation in an athletic activity, every student athlete and his/her parent/guardian shall sign and return the acknowledgement of receipt and review of the Concussion and Traumatic Brain Injury Information Sheet. The Superintendent or designee shall develop administrative regulations to implement this policy, which shall include protocols for concussion management.
4. Guidelines 24 P.S. Sec. 5323	The school shall hold an informational meeting prior to the start of each athletic season for all competitors regarding concussions and other head injuries, the importance of proper concussion management, and how preseason baseline assessments can aid in the evaluation, management and recovery process. In addition to the student athletes, such meetings may include parents/guardians, coaches, other appropriate school officials, physicians, neuropsychologists, athletic trainers and physical therapists.
	<u>Removal From Play</u>
24 P.S. Sec. 5323	A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist or other official designated by the district, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in an athletic activity shall be removed by the coach from participation at that time.
	<u>Return To Play</u>
24 P.S. Sec. 5323	The coach shall not return a student to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional. The Board may designate a specific appropriate medical professional(s) to provide written clearance for return to participation.
	<u>Training</u>
24 P.S. Sec. 5323	All coaches shall annually, prior to coaching an athletic activity, complete a concussion management certification training course offered by the Centers for Disease Control and Prevention, the National Federation of State High School Associations or another provider approved by the Department of Health.
	<u>Penalties</u>
24 P.S. Sec. 5323	A coach found in violation of the provisions of this policy related to removal from play and return to play shall be subject to the following penalties: 1. For a **first** violation, suspension from coaching any athletic activity for the remainder of the season.

	2. For a **second** violation, suspension from coaching any athletic activity for the remainder of the season and for the next season. 3. For a **third** violation, permanent suspension from coaching any athletic activity. References: Safety In Youth Sports Act – 24 P.S. Sec. 5321 et seq. Board Policy – 122, 123

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SUDDEN CARDIAC ARREST

ADOPTED: May 13, 2015

REVISED: December 17, 2020

123.2. SUDDEN CARDIAC ARREST

Authority

The Board recognizes the importance of ensuring the safety of students participating in the district's athletic programs. This policy has been developed to provide guidance for prevention and recognition of sudden cardiac arrest in student athletes.[1]

Definition

Athletic activity shall mean all of the following:[1]

1. Interscholastic athletics.[2]
2. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the district, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.[3]
3. Noncompetitive cheerleading that is sponsored by or associated with the district.[3]
4. Practices, interschool practices and scrimmages for all athletic activities, as defined above.[2][3]

Delegation of Responsibility

Each school year, prior to participation in an athletic activity, every student athlete and their parent/guardian shall sign and return the acknowledgement of receipt and review of the Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet that includes information about electrocardiogram testing.[1]

Guidelines

The school shall hold an informational meeting prior to the start of each athletic season for all competitors regarding the symptoms and warning signs of sudden cardiac arrest and information about electrocardiogram testing. In addition to the student athletes, such meetings may include parents/guardians, coaches, other appropriate school officials, physicians, cardiologists, and athletic trainers.[1]

Removal From Play

A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, or other official designated by the district, exhibits signs or symptoms of sudden cardiac arrest while participating in an athletic activity shall be removed by the coach from participation at that time.[1]

Any student known to have exhibited signs or symptoms of sudden cardiac arrest prior to or following an athletic activity shall be prevented from participating in athletic activities.[1]

Return to Play

The coach shall not return a student to participation until the student is evaluated and cleared for return to participation in writing by a licensed physician, certified registered nurse practitioner or cardiologist.[1]

Training

All coaches shall annually, prior to coaching an athletic activity, complete the sudden cardiac arrest training course offered by a provider approved by the PA Department of Health.[1]

Penalties

A coach found in violation of the provisions of this policy related to removal from play and return to play shall be subject to the following minimum penalties:[1]

1. For a first violation, suspension from coaching any athletic activity for the remainder of the season.

2. For a second violation, suspension from coaching any athletic activity for the remainder of the season and for the next season.

3. For a third violation, permanent suspension from coaching any athletic activity.

Legal References
1. 24 P.S. 1425
2. Pol. 123
3. Pol. 122
Pol. 822

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ALTERNATIVE INSTRUCTION COURSES

ADOPTED: May 13, 2015

REVISED:

124. ALTERNATIVE INSTRUCTION COURSES

1. Authority
   SC 502, 1525, 1901, 1903, 1906
   Pol. 217

The Board may grant credit toward high school graduation for course work successfully completed through approved summer school, correspondence courses, distance education, online courses and dual enrollment, in accordance with this policy.

2. Delegation of Responsibility

The building principal shall be responsible for reviewing and approving student applications for earning credit toward graduation through approved alternative instruction courses.

The building principal shall determine the number of credits assigned to such a course as part of the approval process before the student begins the course.

3. Guidelines

Students shall submit to the building principal a written request for approval of each proposed course and the number of credits sought.

The course subject must be included in the district's planned instruction and be relevant to established academic standards.

The student shall receive the same letter grade for credit that is assigned by the alternative instruction resource.

References:

School Code – 24 P.S. Sec. 502, 1525, 1901 et seq.

State Board of Education Regulations – 22 PA Code Sec. 4.41

Board Policy – 217

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ADULT EDUCATION

ADOPTED: May 13, 2015

REVISED:

125. ADULT EDUCATION

1. Purpose	**The Board recognizes the** value of opportunities for **educational growth and advancement** to **adult members of the community and the need of adults for** educational programs.
2. Authority SC 502, 1901, 1903, 1906	**The Board may establish and maintain a program of adult education based** upon **the needs** and interests of the residents, consistent with the district's educational goals and objectives and Board policies. **Furthermore, such a program will be normally self-sufficient in terms of generating enough tuition to cover costs.**
SC 1903, 1923	The Board may employ staff, utilize available facilities, supply instructional and supplementary materials, and provide administrative leadership required to maintain the adult education program. **The Board** shall establish the **tuition** rate for each course offered in the adult education program.
3. Guidelines	Admission to an adult education program shall be open to: 1. All adult residents of this district. 2. Adult residents of other districts who apply and whose admittance will not deprive admittance to a district resident.
4. Delegation of Responsibility	The Superintendent or designee shall: 1. Assess the needs and resources of the community. 2. Develop a program of adult education and present that program to the Board for approval. 3. Prepare a calendar of adult education activities. 4. Develop and implement means to inform the public of adult education offerings.

	References: School Code – 24 P.S. Sec. 502, 1901, 1903, 1904, 1905, 1906, 1923

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CLASS SIZE

ADOPTED: May 13, 2015

REVISED:

	126. CLASS SIZE
1. Authority	**Class size shall be determined by the Board after consultation with the Superintendent** and principals.
2. Delegation of Responsibility	**The Superintendent shall** develop administrative regulations **for** determining **class size, which shall take into account:** 1. **Subject matter.** 2. **Type of instruction.** 3. **Ability of** students. 4. Age group of students. 5. Staffing patterns. 6. Use **of aides.** 7. **Use of special facilities and equipment.** 8. Local resources. References: School Code – 24 P.S. Sec. 510 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ASSESSMENTS

ADOPTED: May 13, 2015

REVISED:

127. ASSESSMENTS

1. Purpose Title 22 Sec. 4.52	The Board recognizes its responsibility to develop and implement an assessment plan that will determine the degree to which students are achieving academic standards and provide information for improving the educational program to positively impact student achievement.
2. Authority Title 22 Sec. 4.13, 4.51, 4.52 Pol. 100	The Board shall approve an assessment plan for use in district schools that is aligned with the adopted academic standards and state assessments. The assessment plan **must be approved by the Board once every six (6) years, and implemented within one (1) year of approval**.
Title 22 Sec. 4.52, 12.41	The Board reserves the right to review district assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or parents/guardians.
Title 22 Sec. 4.4	The Board shall grant requests by parents/guardians to review the state assessments two (2) weeks prior to their administration, during regular district office hours **to determine whether a state assessment conflicts with their religious beliefs**. The district shall ensure the security of the assessment documents.
Title 22 Sec. 4.4	The Board shall grant parents/guardians the right to have their child excused from state assessments that conflict with their religious beliefs, upon receipt of a written request to the Superintendent.
3. Delegation of Responsibility	The Superintendent or designee shall recommend methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, and staff input.
Pol. 919	The Superintendent or designee shall annually disseminate to parents/guardians and the public information regarding student assessment results, as required by federal and state law and regulations.

	The Superintendent shall recommend improvements in the educational program, curriculum and instructional practices based upon student assessment results.
4. Guidelines 20 U.S.C. Sec. 6311	Parents/Guardians shall receive information regarding their child's state assessment scores and may obtain an explanation of assessment results from qualified school personnel.
Title 22 Sec. 4.52, 12.41	The district shall provide assistance to students not attaining academic standards at the proficient level. The district shall inform students and parents/guardians about how to access such assistance.
	References: State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.13, 4.51, 4.52, 12.41, 403.1, 403.3 No Child Left Behind Act – 20 U.S.C. Sec. 6311 Board Policy – 100, 919

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: LOCAL ASSESSMENT SYSTEM

ADOPTED: May 13, 2015

REVISED:

127.1. LOCAL ASSESSMENT SYSTEM

1. Purpose
Pol. 217

The purpose of this policy is to authorize a local assessment system for the Freeport Area School District. The selection and use of assessment tools and tests necessary to determine students' academic proficiency lies within the authorities of a local school district; therefore, the Board shall reserve its authority and rights, at the local level, to determine high school graduation requirements.

2. Definition

The local assessment system shall be defined as a system that measures proficiency in the required **content areas on either internal or external assessments aligned with Freeport Area School District Academic Grade Level Standards and state assessments. The evaluation of student performance on local and state academic standards will include the use of multiple assessment processes.**

3. Authority
Title 22
Sec. 4.52

The Board shall adopt a local assessment system which shall include a description of how the academic standards will be measured and how information from the assessments will be used to assist students having difficulty meeting the academic standards.

4. Delegation of Responsibility

It shall be a shared responsibility of the Superintendent, Program Director and/or designated professional employees to develop procedures to implement this policy.

5. Guidelines

Local Assessment System Components

The following components shall be an integral part of the local assessment system:

1. **Graduation requirements, which include course completion, grades and the results of local assessments, shall be aligned with district and state academic standards.**

2. **Academic standards shall be identified for each grade level.**

Title 22 Sec. 4.52	3. **The local assessment system designed to determine the degree to which students are achieving state and local academic standards shall include descriptions of methods and measures used to determine achievement and how information from the assessments will be used to assist students.** 4. **The evaluation of student performance on state and local academic standards will include the use of multiple assessment processes, recognizing that students may be better able to demonstrate their mastery of subjects in a variety of ways.** 5. **The local assessment systems may include a variety of assessment strategies, such as a student's written work, scientific experiments, works of art or musical, theatrical or dance performance, or other demonstrations, performances, products or projects related to specific academic standards. Assessment systems also could include nationally available achievement tests, examinations developed by teachers to assess specific academic standards, diagnostic assessments, and evaluations of student work related to achievement of academic standards. Other appropriate measures may include standardized tests.** 6. **Students** who **do not achieve proficiency in reading, writing and mathematics are to be given additional instructional opportunities.** References: State Board of Education Regulations – 22 PA Code Sec. 4.52 Board Policy – 100, 127, 217

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	128. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	129. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: HOMEWORK

ADOPTED: May 13, 2015

REVISED:

130. HOMEWORK

1. Purpose

The purpose of homework assignments should be to:

1. Provide practice and reinforcement of skills presented by the teacher.
2. Broaden areas of interest through enrichment.
3. Provide opportunities for parents/guardians to know what their child is studying.
4. Encourage parent/guardian and child interaction.

2. Guidelines
Title 22
Sec. 12.2

Each student shall be responsible for completing homework assignments as directed.

Homework shall complement classroom instruction and be planned and evaluated with respect to its purpose, appropriateness, and completion time.

The demand of homework upon the students' time shall be consistent with the best interests of the students in regards to other valuable experiences to be gained outside of school.

Homework shall not be assigned as a form of punishment.

References:

State Board of Education Regulations – 22 PA Code Sec. 12.2

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	131. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	132. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

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	133. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

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	134. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

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	135. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	136. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: HOME EDUCATION PROGRAMS ADOPTED: May 13, 2015 REVISED: September 11, 2019 June 14, 2023

137. HOME EDUCATION PROGRAMS

Authority

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations.[1][2][3]

Definitions

Appropriate education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.[2]

Hearing examiner - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

Home education program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.

Supervisor - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.

Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative regulations for registering home education programs and maintaining appropriate records in accordance with law.[2]

Guidelines

Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on or before August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent, which contains certification that the supervisor of the home education program and all adults living in the home and persons having legal custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in School Code, in accordance with law. The affidavit shall include all information required by law.[2]

Instructional Program

The instructional program for home education students shall include such courses as required by law.[2][4][5]

Loan of Instructional Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, physical textbooks/curriculum materials appropriate to the student's age and grade level.[2]

Loaned instructional materials will not include electronic devices or tools and accessories.

Student Portfolio and Evaluations

For each student participating in a home education program, the supervisor shall:[2]

1. Maintain a portfolio of records and materials, in accordance with applicable law.

2. Provide an annual written evaluation of the student's educational progress, in accordance with the provisions of applicable law.

Graduation Requirements

The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.[2]

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization.[2]

Students With Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[1]

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.[1]

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in public schools or in a private school licensed to provide such programs and services; these services will not be provided in the home. The provision of such services by the school district or intermediate unit is at the discretion of the school district or intermediate unit and is not required. [1]

Appropriate Education/Compliance

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that they have ten (10) days to submit the certification.[2]

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, the Superintendent may submit a letter to the supervisor requiring an evaluation to be conducted and that an evaluator's certification stating that an appropriate education is occurring shall be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[2]

If the Superintendent has a reasonable belief that the home education program is out of compliance, the Superintendent shall submit a letter to the supervisor requiring a certification to be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief.[2]

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[2]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[2]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a public school, a nonpublic school or a licensed private academic school.[2]

If a home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program is prohibited by law from supervising a home education program for that child or children for a period of twelve (12) months from the date of such determination.[2]

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[2]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation.[2]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.[2]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.[2]

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

If the Superintendent is informed of pending proceedings related to a home education program relocating from a previous district to this district, the Superintendent shall continue the home education program until the appeal process in the previous district is finalized.[2]

Legal References

1. 24 P.S. 1327
2. 24 P.S. 1327.1
3. 22 PA Code 11.31a
4. Pol. 137.2
5. Pol. 137.3

24 P.S. 111
22 PA Code 11.33
Pol. 137.1
Pol. 203
Pol. 209

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR PARTICIPATION BY HOME EDUCATION STUDENTS

ADOPTED: May 13, 2015

REVISED: April 8, 2021
June 14, 2023

137.1. EXTRACURRICULAR PARTICIPATION BY HOME EDUCATION STUDENTS

Authority

The Board approves participation in the district's extracurricular activities and interscholastic athletic programs by a student enrolled in a home education program who meets all the requirements stated in law and Board policy.[1][2][3][4][5]

The Board shall not provide individual transportation for students enrolled in home education programs who participate in the district's extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district extracurricular activities and interscholastic athletic programs, including, as applicable, Junior Reserve Officers' Training Corps (JROTC) units.[6][7][8]

A home education student may participate in extracurricular activities and interscholastic athletic programs only at the school building the student would be assigned to if the student was enrolled in the district.

Prior to trying-out or joining an activity, a home education student shall submit required documents and written verification of eligibility to the building principal or designee. Verification may include, but not be limited to, attendance records, weekly grades or academic achievement or other documents demonstrating completion of eligibility criteria.[1]

To be considered in attendance in accordance with Board policy, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program and submitted documentation.[5][9]

	The following conditions shall govern participation in the district's extracurricular activities and interscholastic athletic programs by home education students, who shall: 1. Be a resident of the district. 2. Meet the required eligibility criteria.[3][4] 3. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.[4] 4. Comply with Board policies and school rules and administrative regulations regarding extracurricular activities, interscholastic athletics, and student conduct.[3][4][10][11][12][13] 5. Comply with policies, rules and regulations, or their equivalent, of the activity's governing organization.[1][2] 6. Meet attendance and reporting requirements established for all participants of the activity or program.[9] 7. Meet the requirements for physical examinations and physical fitness and any height and/or weight restrictions.[1][4] 8. Comply with all requirements and directives of the district staff, coaches, activity advisors and administrators involved with the extracurricular activity or interscholastic athletic program.
Delegation of Responsibility	The Superintendent or designee shall post information regarding the availability of the district's extracurricular activities and interscholastic athletics programs, as well as a copy of this Board policy, on the district's publicly available website and provide participation information upon request by students enrolled in home education programs or their parents/guardians.[1] The building principal or designee shall distribute eligibility criteria regarding student participation in extracurricular activities and interscholastic athletics, and information on the dates and times of physical examinations or medical tests provided to students by the district. Such information shall be distributed through student handbooks, other publications and on the district's publicly available website.[1] The building principal or designee shall receive and review verification from the parent/guardian or home education program supervisor that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.

	Legal References 1. 24 P.S. 1327.1 2. 24 P.S. 511 3. Pol. 122 4. Pol. 123 5. Pol. 137 6. 10 U.S.C. 2031 7. Pol. 103 8. Pol. 103.1 9. Pol. 204 10. Pol. 218 11. Pol. 222 12. Pol. 227 13. Pol. 235 Pol. 137.2

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: PARTICIPATION IN COCURRICULAR ACTIVITIES AND ACADEMIC COURSES BY HOME EDUCATION STUDENTS ADOPTED: June 14, 2023 REVISED:

137.2. PARTICIPATION IN COCURRICULAR ACTIVITIES AND ACADEMIC COURSES BY HOME EDUCATION STUDENTS

Authority

The Board approves participation in the district's cocurricular activities and academic courses by a student enrolled in a home education program who meets all the requirements stated in law and Board policy.[1][2][3][4][5]

Definition

Cocurricular activities - district activities that merge extracurricular activities with a required academic course, including but not limited to, band, orchestra and other activities that include a for-credit component that takes place during the school day.[1][2][4]

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district cocurricular activities and academic courses in accordance with Board policy on the same basis as other students enrolled full-time in the district.[1][6][7]

A home education student may participate in cocurricular activities and academic courses only at the school building the student would be assigned to if the student was enrolled in the district. Eligible students must be enrolled in the course and physically attending in any cocurricular activity.

Prior to trying-out or auditioning for a cocurricular activity or enrolling in an academic course, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[1]

Participating home education students must maintain eligibility along with meeting all established building timelines.

The following conditions shall govern participation in the district's cocurricular activities and academic courses by home education students, who shall:

1. Be a resident of the district.

2. Be enrolled through established enrollment process and in compliance with all required submissions.[10]

3. Meet the required eligibility criteria or their equivalent for the cocurricular activity or the prerequisites for the academic course. Each school may require additional assessments to determine eligibility in the requested course.[1][2][9]

4. Comply with Board policies and school rules and administrative regulations regarding student conduct in school and at school-sponsored activities.[1][2][11][12][13][14]

5. Comply with policies, rules and regulations, or their equivalent, of the cocurricular activity's governing organization, where applicable.

6. Meet attendance and reporting requirements established for all participants of the cocurricular activity or academic course, including any sign-in and sign-out procedures for school building attendance purposes. Home education students must participate each school day in the full class period for an academic course, unless an exception has been granted in accordance with Board policy and school rules.[15]

7. Comply with all Board policies, school rules and requirements and directives of the district staff, activity advisors and administrators involved with the cocurricular activity or academic course.[1]

<u>Academic Courses</u>

Students attending home education programs are eligible to enroll in district academic courses (not including FASD Cyber Academy courses) in accordance with law and Board policy, and may participate in academic courses equaling up to one-quarter (¼) of the school day for full-time district students.[1]

The district is not responsible for supervising homeschool students during periods of time other than during the cocurricular activity and/or academic course(s) in which the student is enrolled.

The district shall provide the student's home education program supervisor with a grade for each cocurricular activity and academic course completed by a student enrolled in a home education program, in accordance with Board policy and administrative regulations. The home education program supervisor shall be responsible for maintaining the material in the student's portfolio of records.[1][3][16]

Delegation of Responsibility	Transportation Parents/Guardians of home education students shall be responsible for transportation of students participating in district cocurricular activities and academic courses, except that a home education student may utilize district transportation to or from school during the times a bus is otherwise already operating, and space is available.[1] The Superintendent or designee shall post information regarding the district's cocurricular activities and academic courses, as well as a copy of this Board policy, on the district's publicly available website and provide participation information upon request by students enrolled in home education programs or their parents/guardians. The building principal or designee shall request and review verification from the parent/guardian or home education program supervisor that a student has met and continues to meet the established eligibility criteria for a cocurricular activity or academic course. The Superintendent or designee shall establish administrative regulations for prioritization of enrollment in district cocurricular activities and academic courses based on the established number of allowable participants in designated activities and courses.[1] Prioritization may be based on academic achievement, demonstration of skills or competencies, record of conduct, scheduling conflicts, and other designated criteria. Students attending home education programs shall have an equal opportunity to compete for enrollment in district activities and courses, in accordance with established administrative regulations.[1][6][7] **Legal References** 1. 24 P.S. 1327.1 2. Pol. 122 3. Pol. 137 4. Pol. 137.1 5. Pol. 137.3 6. Pol. 103 7. Pol. 103.1 8. 10 U.S.C. 2031 9. Pol. 105 10. Pol. 200 11. Pol. 218 12. Pol. 222 13. Pol. 227 14. Pol. 235 15. Pol. 204 16. Pol. 212

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: PARTICIPATION IN CAREER AND TECHNICAL EDUCATION PROGRAMS BY HOME EDUCATION STUDENTS ADOPTED: June 14, 2023 REVISED:

137.3 PARTICIPATION IN CAREER AND TECHNICAL EDUCATION PROGRAMS BY HOME EDUCATION STUDENTS

Authority

The Board approves participation in a career and technical education program by a student enrolled in a home education program who meets all the requirements stated in law and Board policy.[1][2][3][4][5][6]

Students attending home education programs shall be eligible to participate in a career and technical education program at Lenape Technical School, in accordance with the Articles of Agreement and center admission policy and procedures, on the same basis as other district students.

Guidelines

Students attending home education programs shall be given an equal opportunity to apply for placement in available programs at Lenape Technical School.[1][3][6][7][8]

Prior to enrolling in a career and technical education program, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[1]

The following conditions shall govern participation in career and technical education programs by home education students, who shall:

1. Be a resident of the district.
2. Meet the required eligibility criteria or their equivalent or the prerequisites for the career and technical education program.[1][4][6][9]
3. Comply with applicable policies and school rules and administrative regulations of Lenape Technical School regarding student conduct in school and at school-sponsored activities.[1][10][11][12][13]

	Meet attendance and reporting requirements established for all participants of the career and technical education program, including any sign-in and sign-out procedures for building attendance purposes. Home education students must participate in the required courses for the program on the same basis as students enrolled in the district, unless an exception has been granted in accordance with applicable Board policy and school or program rules.[14] Transportation Students attending home education programs who participate in career and technical education programs may use district transportation to or from the career and technical education program during the times when district transportation is already operating, and space is available in addition to full-time district students.[1]
Delegation of Responsibility	The Superintendent or designee shall post information regarding the district's options for career and technical education programs, as well as a copy of this Board policy, on the district's publicly available website and provide information upon request by students enrolled in home education programs or their parents/guardians. The building principal or designee shall request and review verification from the parent/guardian or home education program supervisor that a student has met and continues to meet the established eligibility criteria for participation in career and technical education programs. Prioritization may be based on academic achievement, demonstration of skills or competencies, record of conduct, and other designated criteria. Students attending home education programs shall have an equal opportunity to compete for program enrollment, in accordance with established administrative regulations.[1][4][7][8] **Legal References** 1. 24 P.S. 1327.1 2. 24 P.S. 1801 3. 22 PA Code 4.31 4. Pol. 115 5. Pol. 137 6. Pol. 137.2 7. Pol. 103 8. Pol. 103.1 9. Pol. 105 10. Pol. 218 11. Pol. 222 12. Pol. 227 13. Pol. 235 14. Pol. 204 15. Pol. 212

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS

ADOPTED: May 13, 2015

REVISED: May 9, 2018

138. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS

Purpose

In accordance with the Board's philosophy to provide quality educational programs to all district students and to increase the English language proficiency of students who are English Learners (EL), the district 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][2][3][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 district shall provide EL students with both planned 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 district'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][5][6]

1. Aligned to state academic content 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.

	4. Provide equitable access to content for EL students at all proficiency levels. 5. 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 for effectiveness based on student outcomes at least annually, and the results documented in accordance with state and federal laws and regulations, and state guidelines.[6][7][8][9] The district's LIEP and evaluation results of the LIEP shall be made available to district staff working with EL students and parents/guardians of EL students. The Board may address EL students and programs in the district's comprehensive planning process.[10]
Delegation of Responsibility	The Superintendent or designee shall implement and supervise a LIEP that ensures appropriate instruction in each school and complies with federal and state laws and regulations. The Superintendent or designee shall ensure that the district 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 Superintendent or designee, in conjunction with appropriate stakeholders, shall develop administrative regulations regarding the LIEP and provision of services to EL students.
Guidelines	<u>Identification and Placement of EL Students</u> The district 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 district, and shall be maintained as part of the student's education records.[4][11][12] 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.[13] <u>Program Access</u> EL students shall have equitable access to and be encouraged to participate in all academic and extracurricular activities available to district students.[14][15][16][17]

Assessment

The district 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.[9]

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.[2][7][8][9][18][19][20][21][22][23][24]

Program Exit

The district shall include uniform provisions in the LIEP, in accordance with state required criteria, for:[8][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 (2) years following reclassification and program exit, and reporting students to the state in a monitor status for an additional two (2) years, to ensure students are meeting academic standards.

3. Redesignating 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 district 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.[8][25]

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 district shall provide appropriate training in ELD for all professional staff as part of the Professional Development Plan.[7][26]

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.[27][28]

EL students may be eligible for gifted education services, when identified in accordance with law, regulations and Board policy. The district 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.[29]

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 level.[27][28][29]

Parent/Family Engagement and Communication

Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians.[1][30][31]

Within thirty (30) days of the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the district 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 district 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.[6]

Parents/Guardians shall be regularly apprised of their child’s progress, including achievement of academic standards and assessment results.[23][32]

The district shall maintain an effective means of outreach to encourage parental involvement in the education of their children.[6][7][8][30][31]

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 district 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][6]

	The district shall make a parental waiver form available for parents/guardians to opt their EL child out of ELD programs and services. The district 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 district 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.[2][3][23] Parents/Guardians of EL students who have been opted out of ELD programs and services shall be notified of their child's progress, including achievement of academic standards and assessment results, and shall be provided with opportunity and a form to opt their child back into ELD programs and services.[24][32]

	Legal References 1. 42 U.S.C. 2000d et seq. 2. Pol. 102 3. Pol. 103 4. 20 U.S.C. 6801 et seq. 5. 22 PA Code 4.26 6. 20 U.S.C. 6312 7. 20 U.S.C. 6812 8. 20 U.S.C. 6826 9. 20 U.S.C. 6841 10. Pol. 100 11. 22 PA Code 11.11 12. Pol. 200 13. 20 U.S.C. 6823 14. 20 U.S.C. 1703 15. Pol. 115 16. Pol. 122 17. Pol. 123 18. 22 PA Code 4.51 19. 22 PA Code 4.51a 20. 22 PA Code 4.51b 21. 22 PA Code 4.51c 22. 22 PA Code 4.52 23. Pol. 127 24. Pol. 217 25. Pol. 304 26. Pol. 333 27. Pol. 103.1 28. Pol. 113 29. Pol. 114 30. 20 U.S.C. 6318 31. Pol. 918 32. Pol. 212 20 U.S.C. 7011 20 U.S.C. 7801 34 CFR Part 200 Basic Education Circular, July 1, 2017: Educating English Learners (ELs) Pol. 105.1

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	139. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: CHARTER SCHOOLS ADOPTED: May 13, 2015 REVISED: May 13, 2026

140. CHARTER SCHOOLS

Purpose

To provide an opportunity to attend schools that operate independently from the school district, the Board shall work cooperatively with individuals and groups submitting proposals and applications for charter schools.[1]

Definitions

Appeal Board means the State Charter School Appeal Board established by the Charter School Law.[2]

Board of Trustees of a charter school shall be classified as public officials.[3]

Charter School means an independent, nonsectarian public school established and operated under a charter from the local Board in which students are enrolled or attend. A charter school must be organized as a public, nonprofit corporation; and charters may not be granted to any for-profit entity nor to support home education programs.[2][3][4]

Local Board of Directors (Board) means the Board of Directors of the school district in which a proposed or approved charter school is located.[2]

Regional Charter School means an independent public school established and operated under a charter from more than one local Board and approved by an affirmative vote of a majority of all Board members of each of the school districts involved.[2][5]

Authority

The Board shall evaluate submitted applications for charter schools based on the criteria established by law, regulations and any additional criteria required by the Board.[4]

A charter school application shall be approved or denied by a majority vote of all Board members at an open meeting, in accordance with the provisions of law. Written notice of the Board's decision shall be sent to the applicant, Department of Education and the Appeal Board, including reasons for denial and a clear description of application deficiencies if the application is denied. The Board shall evaluate denied applications that are revised and resubmitted.[4][6]

	Upon approval of a charter application, the Board and the charter school's Board of Trustees shall sign the written charter, which shall be binding on both parties. The charter shall be for a period of three (3) to five (5) years and may be renewed for five-year periods by the Board.[7] The Board shall not cap nor limit the number of district students enrolling in a charter school, unless agreed to by the charter school as part of the written charter.[8] The Board may approve a leave of absence for up to five (5) years for a district employee to work in a charter school located in the district of employment or in a regional charter school in which the employing district is a participant, and the employee shall have the right to return to a comparable position in the district. The Board at its discretion may grant tenure to a temporary professional employee on leave from this district to teach in a charter school located in the district, upon completion of the appropriate probation period.[9] The Board shall annually assess whether each charter school is meeting the goals of its charter and shall require each charter school to submit an annual report no later than August 1 of each year.[10] The Board shall conduct a comprehensive review prior to granting a five-year renewal of the charter.[10] The Board shall have ongoing access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter, Board policy and applicable laws.[10] In cases where the health or safety of the charter school's students, staff or both is at serious risk, the Board may take immediate action to revoke a charter.[11] The Board affirms that the Board of Trustees and the charter school shall be solely liable for any and all damages and costs of any kind resulting from any legal challenges involving the operation of a charter school. The local Board shall not be held liable for any activity or operation related to the program of a charter school.[12] A charter school shall execute a “hold harmless” agreement indemnifying and insuring/agreeing to defend the school district in any and all kinds of liability areas so that the school district and Board are protected in any litigation related to the operation of a charter school.
Delegation of Responsibility	Applications for charter schools shall be submitted to the Superintendent or designee, who shall be responsible for communicating and cooperating with all applicants.

	The Superintendent or designee shall be responsible to assist applicants with plans for technical assistance and contracted services that may be provided by the district.
Guidelines	A charter school shall be subject to all federal and state laws and regulations prohibiting discrimination in admissions, employment and operation on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry or need for special education services.[3] A charter school shall submit monthly enrollment figures and other required reports to the district, as stated in the charter. <u>Transportation</u> The district shall provide free transportation to resident students attending a charter school located in the district, a regional charter school of which the district is a member, and a charter school located within ten (10) miles outside district boundaries, in accordance with distance requirements established for district students. Transportation provided to charter school students need not be identical to transportation provided to traditional public school students.[13][14] Transportation shall be provided to charter school students on the dates and periods that the charter school is in session, regardless of whether transportation is provided to district students on those days.[13] <u>Applications</u> Applications for charter schools must contain all the information specified in the Charter School Law and any additional information required by the Board.[4][15] Applications for charter schools shall be submitted to the Board by November 15 of the preceding school year in which the school will be established.[4] Within forty-five (45) days of receipt, the Board shall hold at least one (1) public hearing on the charter application, in accordance with law. At least forty-five (45) days must pass between the first public hearing and the final decision of the Board. No later than seventy-five (75) days after the first public hearing, the Board shall grant or deny the application.[4] <u>Insurance/Risk Management</u> The charter school shall adequately protect against liability and risk through an active risk management program approved by the Board. The program shall include proof of purchase of insurance coverages as required by the Board.[12][15] Minimum coverages and levels of appropriate coverages shall be established in the charter.

	A charter school shall operate in a manner that minimizes the risk of injury and harm to students, employees and others. **Legal References** 1. 24 P.S. 1702-A 2. 24 P.S. 1703-A 3. 24 P.S. 1715-A 4. 24 P.S. 1717-A 5. 24 P.S. 1718-A 6. 65 Pa. C.S.A. 701 et seq 7. 24 P.S. 1720-A 8. 24 P.S. 1723-A 9. 24 P.S. 1724-A 10. 24 P.S. 1728-A 11. 24 P.S. 1729-A 12. 24 P.S. 1727-A 13. 24 P.S. 1726-A 14. Bell v. Wilkinsburg Sch. Dist., No. 23 WAP 2024, 2026 WL 152043 (Pa. Jan. 21, 2026) 15. 24 P.S. 1719-A 24 P.S. 1701-A et seq

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR PARTICIPATION BY CHARTER/CYBER CHARTER STUDENTS

ADOPTED: May 13, 2015

REVISED:

140.1. EXTRACURRICULAR PARTICIPATION BY CHARTER/CYBER CHARTER STUDENTS

1. Authority
SC 1719-A, 1743-A, 1749-A
Pol. 122, 123, 140

The Board shall approve participation in the district's extracurricular activities and interscholastic athletic programs by a student enrolled in a charter or cyber charter school who meets all the conditions stated in Board policy and **the charter** or cyber charter **school does not provide the same extracurricular activity or interscholastic** athletic program.

The Board shall not provide individual transportation for students enrolled in charter or cyber charter schools who participate in the district's extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, charter/cyber charter students shall be required to use the transportation provided by the district.

The charter school must provide written verification that it does not provide the same extracurricular activity or interscholastic athletic program **in which the student seeks to participate.**

The Board may require the charter or cyber charter school to pay the cost of the expenses for its students' participation in the district's extracurricular activities or interscholastic athletic programs.

2. Guidelines

Charter and cyber charter **school students shall be given an equal opportunity to compete for positions and participate in extracurricular activities and interscholastic** athletic programs.

A charter or cyber charter school student may only participate in extracurricular activities and interscholastic athletic programs at the school building closest to the charter or cyber charter school or at the school building the student would be assigned to if s/he was enrolled in the school district.

	The following conditions shall govern participation in the district's extracurricular activities and interscholastic athletic programs by eligible charter and cyber charter school students, who shall:
	1. Be a resident of the school district.
Pol. 122, 123	2. Meet the required **eligibility criteria.**
Pol. 123	3. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.
Pol. 122, 123, 218	4. Comply with Board **policies** and school **rules and regulations** regarding extracurricular activities, interscholastic athletics, and student discipline.
SC 511	5. Comply with **policies, rules and regulations of the** activity's **governing organization.**
Pol. 204	6. Meet attendance and reporting requirements established for all participants of the activity or program.
Pol. 123	7. Meet the requirements for physical examinations, physical fitness and any height and/or weight restrictions.
	8. Comply with all requirements and directives of the district staff, coaches and administrators involved with the extracurricular activity or interscholastic athletic program.
	If a class for credit held during the school day by the school district is required for participation in an activity that takes place outside of the class, charter/cyber charter students may petition the Superintendent to audit the class in order to meet the eligibility requirement for participation in the activity that takes place outside of the class. Such petitions shall be granted subject to the student meeting any other prerequisites and there is space in the class after students enrolled in the school district have had the first opportunity to enroll in the for-credit class. Continued participation in the activity outside of class shall be dependent on regular attendance at and participation in the for-credit class. The student shall be responsible for all transportation and costs associated with his/her auditing the for-credit class and participating in the related out-of-class activities.
3. Delegation of Responsibility	The building principal or designee shall ensure that charter and cyber charter students have access to information regarding the district's extracurricular activities and interscholastic athletic programs.

	The building principal **or designee shall receive and review** written **verification from the charter** or cyber charter **school** that a student **has met and continues to meet the** established **eligibility criteria** for an extracurricular activity or interscholastic athletic program. The building principal or designee shall distribute information regarding eligibility criteria and student participation in extracurricular activities and interscholastic athletics to all affected by them. References: School Code – 24 P.S. Sec. 511, 1719-A, 1743-A, 1749-A Board Policy – 122, 123, 140, 204, 218

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	141. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: MIGRANT STUDENTS

ADOPTED: May 13, 2015

REVISED:

142. MIGRANT STUDENTS

1. Authority SC 1326, 1327 20 U.S.C. Sec. 6391 et seq 34 CFR Sec. 200.81- 200.88	The Board establishes a program to address the needs and provide appropriate services to migrant students attending district schools.
2. Guidelines	The district program for migrant students shall include procedures to: 1. Identify migrant students and assess their educational and related health and social needs. 2. Ensure migrant students have the appropriate educational opportunities to meet the same academic standards required of all students.
Pol. 105, 112, 113, 114, 115	3. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs and elective classes. 4. Provide parents/guardians an opportunity for meaningful participation in the program. 5. Provide advocacy and outreach programs for migrant students and their families.
Pol. 333	6. Provide professional development for district staff. The district shall provide materials to parents/guardians regarding their role in improving the academic achievement of their child.
3. Delegation of Responsibility	The Superintendent or designee shall develop procedures to notify and involve parents/guardians in the development, implementation and evaluation of the district's program for migrant students.

	References: School Code – 24 P.S. Sec. 1326, 1327 State Board of Education Regulations – 22 PA Code Sec. 403.1 Education of Migratory Children – 20 U.S.C. Sec. 6391 et seq. Education of Migratory Children, Title 34, Code of Federal Regulations – 34 CFR Sec. 200.81-200.88 Board Policy – 105, 112, 113, 114, 115, 333

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STANDARDS FOR PERSISTENTLY DANGEROUS SCHOOLS

ADOPTED: May 13, 2015

REVISED:

143. STANDARDS FOR PERSISTENTLY DANGEROUS SCHOOLS

1. Purpose
   Title 22
   Sec. 403.6
   20 U.S.C.
   Sec. 7912

The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for identifying persistently dangerous schools.

2. Definitions
   Title 22
   Sec. 403.2

As used in these standards, the following terms shall be defined as provided herein:

Dangerous incidents - shall include both weapons possession incidents resulting in arrest (guns, knives or other weapons) and violent incidents resulting in arrest (homicide, kidnapping, robbery, sexual offenses and assaults) as reported on the Violence and Weapons Possession Report (PDE-360).

Department - shall mean the Pennsylvania Department of Education.

Local Educational Agency or LEA - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.

Persistently dangerous school - shall mean any public elementary, secondary or charter school that meets any of the following criteria in the most recent school year and in one (1) additional year of the two (2) years prior to the most recent school year:

1. For a school whose enrollment is 250 or less - at least five (5) dangerous incidents.

2. For a school whose enrollment is between 251 to 1,000 - a number of dangerous incidents that represents at least two percent (2%) of the school's enrollment.

3. For a school whose enrollment is over 1,000 - twenty (20) or more dangerous incidents.

	Safe public school - shall mean a public school that has not been designated as a persistently dangerous school under these standards or that has had such designation removed by the Department.
3. Guidelines	Student Opportunity To Transfer 1. Except as provided below, a student who attends a persistently dangerous school must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school. 2. A student who attends a persistently dangerous school may apply to transfer at any time while the school maintains that designation.
4. Delegation of Responsibility	Department Of Education's Responsibilities 1. The Department shall identify those schools that meet or exceed the criteria for a persistently dangerous school by analyzing the Annual Report on School Violence and Weapons Possession (PDE-360). In identifying persistently dangerous schools, the Department will use the most recent data available to it from the reporting LEA, and will take all reasonable steps to verify that the data is valid and reliable. 2. After review and verification of PDE-360 data, the Department shall promptly inform an LEA when any of its schools meets the definition of persistently dangerous school. 3. The Department shall provide technical assistance to the LEA in developing a corrective action plan. The Department shall review proposed corrective action plans submitted by LEAs and shall approve suitable corrective action plans. 4. After approval of the corrective action plan, the Department shall conduct a site visit to each persistently dangerous school to assess the school's progress in implementing the plan. If no significant improvement is observed, the Department may require the LEA to submit a revised corrective action plan for that school. 5. The Department shall reassess a school's designation as persistently dangerous at the end of the school year during which its corrective action plan is completed. 6. During the reassessment described above, the Department shall remove the designation if the school no longer meets the definition of persistently dangerous school.

SC 1303-A	LEA's Responsibilities 1. Pursuant to Pennsylvania's Safe Schools Act, all school entities as defined by the Act must report to the Department all incidents involving acts of violence; possession of a weapon; or the possession, use, or sale of a controlled substance, alcohol, or tobacco by any person on school property or at school-sponsored events or on school transportation to and from school or school-sponsored activities. 2. Within ten (10) school days of receiving notification by the Department, an LEA shall notify the parent or legal guardian of each student who attends the school that the Department has identified the school as persistently dangerous. 3. The LEA shall offer all students who attend the school the opportunity to transfer to a safe public school, including a charter school, within the LEA. 4. The notification and offer to transfer shall state that no student is required to transfer to another school. 5. Upon receipt of an application to transfer, the LEA shall transfer the student within thirty (30) calendar days. 6. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian. 7. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring. 8. A charter school only has to accept a student who meets its admission criteria if space is available. 9. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students. 10. The LEA must submit a corrective action plan to the Department within thirty (30) calendar days of receiving notification that a school has been identified as persistently dangerous. 11. The LEA must receive approval from the Department for its corrective action plan and shall implement all steps contained in its corrective action plan within the time periods specified in that plan.

	12. After the Department has notified an LEA that a school is no longer identified as a persistently dangerous school, the LEA is encouraged to permit students who transferred to complete their education at their new school. LEAs may not require students to return to their original school if the students are enrolled in a charter school. References: School Code – 24 P.S. Sec. 1303-A, 2603-B State Board of Education Regulations – 22 PA Code Sec. 403.1, 403.2, 403.6 No Child Left Behind Act – 20 U.S.C. Sec. 7912

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STANDARDS FOR VICTIMS OF VIOLENT CRIMES

ADOPTED: May 13, 2015

REVISED:

144. STANDARDS FOR VICTIMS OF VIOLENT CRIMES

1. Purpose
Title 22
Sec. 403.6
20 U.S.C.
Sec. 7912

The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends.

2. Definitions
Title 22
Sec. 403.2

As used in these standards, the following terms shall be defined as provided herein:

Local Educational Agency or LEA - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.

Safe public school - shall mean a public school that has not been designated as a persistently dangerous school under the standards for identifying persistently dangerous schools or that has had such designation removed by the Department.

Victim or student victim - shall mean the student against whom a violent criminal offense has been perpetrated while the student was in or on the grounds of the public elementary or secondary school that s/he attends.

Violent criminal offense - is defined as any of the following offenses that are set forth in Title 18 of the Pennsylvania Consolidated Statutes:

	1. Kidnapping. 2. Robbery. 3. Aggravated assault (on the student). 4. Rape. 5. Involuntary deviate sexual intercourse. 6. Sexual assault. 7. Aggravated indecent assault. 8. Indecent assault. 9. Attempt to commit any of the following: homicide, murder or voluntary manslaughter.
3. Guidelines	<u>Student Opportunity To Transfer</u> 1. Except as provided below, a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends, must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school. 2. In order for a student victim to be entitled to transfer to another school under these standards, the violent criminal offense first must be reported to law enforcement authorities by the student, the student's parent/guardian, or school officials. 3. A student victim (or his/her parent/guardian) may apply to the LEA to transfer to another school within thirty (30) calendar days after the incident is reported to school authorities.

4. Delegation of Responsibility	LEA's Responsibilities 1. Within ten (10) calendar days of receiving notice of the violent criminal offense, the LEA shall notify the student victim that s/he has the right to transfer to a safe public elementary or secondary school within the LEA, including a public charter school. 2. The notification and offer to transfer shall state that no student is required to transfer to another school. 3. Upon receipt of an application to transfer, the LEA should transfer the student as soon as possible, and shall transfer the student within ten (10) calendar days after receiving the application. 4. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian. 5. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring. 6. A charter school only has to accept a student who meets its admission criteria if space is available. 7. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students. References: School Code – 24 P.S. Sec. 2603-B State Board of Education Regulations – 22 PA Code Sec. 403.1, 403.2, 403.6 No Child Left Behind Act – 20 U.S.C. Sec. 7912

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	145. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STUDENT SERVICES

ADOPTED: May 13, 2015

REVISED:

146. STUDENT SERVICES

1. Authority Title 22 Sec. 4.13, 12.41 Pol. 100	The Board shall approve a written plan for implementing a comprehensive and integrated K-12 program of student services, based on the needs of students.
Title 22 Sec. 4.13, 12.41 Pol. 100	The Board directs that **a** Student Services Plan be **approved every six (6) years**.
2. Guidelines Title 22 Sec. 12.41	Services offered by community agencies in district schools shall be coordinated by and be under the general direction of the school district.
Title 22 Sec. 12.41	The following categories of services shall be provided by the district and included in the Student Services Plan:
Pol. 112, 113, 209, 210, 210.1	1. Developmental services that address students' needs throughout their district enrollment, which include: guidance counseling, psychological services, health services, home and school visitor services, and social work services that support students in addressing academic, behavioral, health, personal and social development issues. 2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential. 3. Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists.
Title 22 Sec. 12.41	The district's student services shall: 1. Be an integral part of the instructional program at all levels of the school system.

	2. Provide information to students and parents/guardians about the educational opportunities of the school's instructional program and how to access those opportunities.
Pol. 112, 115	3. Provide career information and assessments to inform students and parents/guardians about work and career options available to individual students.
Pol. 209, 210, 210.1, 227	4. Provide basic health services required by law for students and provide information to parents/guardians about the health needs of their children.
3. Delegation of Responsibility	The Superintendent or designee shall be responsible to develop, implement and monitor a Student Services Plan that complies with state regulations and is available to all students. References: State Board of Education Regulations – 22 PA Code Sec. 4.13, 12.41 Board Policy – 100, 112, 113, 115, 209, 210, 210.1, 227, 235

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: TRAUMA-INFORMED APPROACH ADOPTED: August 6, 2020 REVISED: August 12, 2021 August 14, 2024

146.1 TRAUMA-INFORMED APPROACH

Purpose

The Board recognizes the impact that trauma may have on the educational environment of the schools, individual student achievement and the school community as a whole. The Board desires to address the effects of trauma in order to meet the academic, behavioral and professional needs of students and staff. The purpose of this policy is to direct district staff to develop and implement a plan for trauma-informed approaches to education throughout the district.

Definitions

Trauma - for purposes of this policy, includes effects of an event, series of events or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's cognitive functioning and physical, social, emotional, mental or spiritual well-being.[1]

Trauma-informed approach - for purposes of this policy, includes a school-wide approach to education and a classroom-based approach to student learning that recognizes the signs and symptoms of trauma and responds by fully integrating knowledge about trauma into policies, professional learning, procedures and practices for the purposes of recognizing the presence and onset of trauma, resisting the reoccurrence of trauma and promoting resilience tailored to the district’s culture, climate and demographics and the community as a whole.[1]

Secondary trauma - the impact of working with students experiencing trauma on a regular basis, which may cause traumatic responses and/or burnout in the individual providing support and care.

Authority	The Board directs district staff to develop and implement a trauma-informed approach plan that uses evidence-based practices and reflects the needs and resources of the district and school community.[2] The Board shall review current district resources, programs, school climate measures, partnerships with outside agencies, procedures and Board policies through a trauma-informed lens, and shall make revisions or determinations as necessary to facilitate implementation of the district's trauma-informed approach plan. This shall include, but not be limited to: 1. Student attendance policy and practices that focus on reasons for absence and school attendance improvement.[3] 2. Student disciplinary policies, practices and a Code of Student Conduct that incorporate restorative practices.[4][5][6][7] 3. Curriculum and planned instruction that embed social and emotional learning.[8][9] 4. Student services policies and programs that focus on development and support of students.[10][11][12][13][14][15] 5. Policies and training that focus on building and maintaining appropriate, supportive relationships between adults and students in the school community.[16][17][18][19] 6. School wellness policy, instruction and practices that promote healthy behaviors.[20] 7. Policies and practices that promote student safety and security, and build positive relationships with law enforcement agencies.[21][22][23][24][25] 8. Threat assessment policy and practices that focus on understanding a student's background in order to appropriately assess behavior and address the student's needs.[26] 9. Review of the annual budget to ensure fiscal resources for training and programs related to the trauma-informed approach plan.[27]
Delegation of Responsibility	The Board designates the Superintendent or the Superintendent's designee to oversee the implementation of the district's trauma-informed approach plan and integrate the coordination of services and professional development into the district's comprehensive plan. The Superintendent or the Superintendent's designee shall serve as a member of the district's Student Assistance Program team.[2][13][15][16][21][29]

Guidelines	The Board directs the Superintendent or designee to research and apply for available funding opportunities for implementation of the district's trauma-informed approach plan aligned with the provisions of law.[2] Training The district's trauma-informed approach plan shall include provisions for evidence-based training and professional development, based on assigned roles and responsibilities, including but not limited to:[2][21][30] 1. Required training for newly elected/appointed or re-elected/appointed school directors on best practices related to trauma-informed approach, in accordance with applicable law and Board policy.[31][32] 2. Required training on trauma-informed approach for certificated administrative and professional employees as part of the professional education plan, in accordance with applicable law and Board policy.[16][21][33] Screening The Board directs district staff to identify and implement evidence-based screening tools for students and the school community based on the trauma-informed approach plan, and in accordance with applicable law and regulations, including obtaining parental consent where appropriate or required. Screening tools may include, but are not limited to, those identifying the prevalence of Adverse Childhood Experiences (ACEs), social-emotional needs and school climate indicators. Screening shall be conducted by qualified district staff or community agencies with which the district has a contract or other agreement.[13][15][26][36] The trauma-informed approach plan shall require that screening results are reviewed by appropriate district staff or other contracted providers, and referrals for individual educational and behavioral services or evaluation for such services are made when indicated by individual or universal screening. Identification and referrals for special education and related services evaluations shall comply with applicable state and federal laws and regulations, and Board policy.[11][12][37][38] Services The district's trauma-informed approach plan shall include provisions for identification of student needs; a referral system for individual assessments and coordination of services among the student and student's family, the school and county-based services; community care organizations; public health entities; nonprofit youth service providers; community-based organizations; before-school or after-school care providers; or other similar community groups.[2]

	Coordinated student services shall be based on the district's approved trauma-informed approach plan, which shall address recognition and response to the effects of trauma on education and instruction, absenteeism and school completion, and the secondary impact of trauma on school employees.[2] The district's trauma-informed approach plan shall be implemented within the current framework for Multi-Tiered Systems of Support (MTSS) and Positive Behavioral Interventions and Support (PBIS). The trauma-informed approach plan shall address coordination with designated district staff and teams responsible for implementing the district's approved plan for K-12 student services and other district programs including, but not limited to, special education and related services, gifted education, guidance counseling, Student Assistance Program, threat assessment team, health services and home and school visitor services.[10][11][12][13][14][15][26][30][37] Parental notification and consent may be required prior to referral for or implementation of student services, in accordance with applicable law and regulations.[13][14][15] The district shall develop partnerships with community-based services and organizations, public health entities, nonprofit youth service providers and other community groups to implement the trauma-informed approach plan and provide referrals and/or services to address and mitigate the impact of trauma for students and staff in accordance with the district's approved plan and framework for support. The Board shall, where appropriate, review and approve a memorandum of understanding or other agreement with each partnering organization or entity for the provision of services, in accordance with the resources of the district and the approved trauma-informed approach plan. <u>Education</u> The district's trauma-informed approach plan shall integrate age-appropriate instruction for students related to trauma-informed topics and social-emotional learning as part of the district's approved curriculum. Instructional topics may include, but not be limited to resilience; self-awareness, self-management, responsible decision-making, relationship skills and social awareness; safe and healthy choices and behaviors; coping strategies; and seeking help for self or others.[8][25]

Staff Wellness and Support

The district shall monitor and address the impact of trauma, including secondary trauma, on school employees as part of the trauma-informed approach plan. The plan shall include training and resources to identify the warning signs of trauma and provide confidential support and services to promote staff wellness.

Data Collection and Plan Review

The district shall review and revise the trauma-informed approach plan as needed, based on a review of relevant data, district resources and programs, and the needs of students and staff.

Legal References

1. 24 P.S. 102
2. 24 P.S. 1311-B
3. Pol. 204
4. Pol. 113.1
5. Pol. 113.2
6. Pol. 218
7. Pol. 233
8. Pol. 105
9. Pol. 107
10. Pol. 112
11. Pol. 113
12. Pol. 114
13. Pol. 146
14. Pol. 209
15. Pol. 236
16. Pol. 333
17. Pol. 824
18. Pol. 917
19. Pol. 918
20. Pol. 246
21. Pol. 805
22. Pol. 805.1
23. Pol. 805.2
24. Pol. 806
25. Pol. 819
26. Pol. 236.1
27. Pol. 602
28. Pol. 701
29. Pol. 100
30. 24 P.S. 1310-B
31. 24 P.S. 328
32. Pol. 004
33. 24 P.S. 1205.7

	34. Pol. 818 35. Pol. 916 36. Pol. 235.1 37. Pol. 103.1 38. Pol. 113.3 PA Commission on Crime and Delinquency, School Safety and Security Committee - Model Trauma-Informed Approach Plan

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

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	147. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

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	148. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	149. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROGRAMS TITLE: TITLE I – COMPARABILITY OF SERVICES ADOPTED: December 13, 2017 REVISED: August 14, 2019 April 8, 2021

150. TITLE I - COMPARABILITY OF SERVICES

Purpose

The equivalent distribution of district resources is one means the district shall use to ensure all students receive a quality education. This policy demonstrates the district'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 district 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 in the district that do not receive Title I funds.[1]

If all schools in the district 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 the district has more than one (1) building per grade span, the Federal Programs Coordinator shall complete a Detailed School Data Sheet.

Regardless of buildings per grade span, the Federal Programs Coordinator 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	Allowable Exclusions For the purposes of determining comparability, the district may exclude:[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. Complaints Complaints by individuals and organizations regarding implementation of equivalence between schools shall be processed in accordance with Board policy.[6] **Legal References** 1. 20 U.S.C. 6321 2. Pol. 138 3. Pol. 103.1 4. Pol. 113 5. Pol. 114 6. Pol. 906

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: ENROLLMENT OF STUDENTS ADOPTED: August 12, 2015 REVISED: January 18, 2023 February 14, 2024

200. ENROLLMENT OF STUDENTS

Authority

The Board shall enroll school age students eligible to attend district schools, in accordance with applicable laws and regulations, Board policy and administrative regulations.[1][2][3][4][5][6]

Definitions

School age shall be defined as the period from the earliest admission age for the district's kindergarten program until graduation from high school or the end of the school term in which a student reaches the age of twenty-one (21) years, whichever occurs first.[1][7]

District of residence shall be defined as the school district in which a student's parents/guardians reside.[2][3]

Guidelines

School age resident students and eligible nonresident students shall be entitled to attend district schools.[1][2][3][6][8][9]

The district shall not enroll a student until the parent/guardian has submitted proof of the student's age, residence and immunizations and a completed Parental Registration Statement, as required by law and regulations, except as follows:[1][2][3][10][11][12][13]

1. Students Experiencing Educational Instability -

The district shall immediately enroll students experiencing homelessness, foster care and other forms of educational instability, even if the student or parent/guardian is unable to produce the required documents, in accordance with law, regulation and Board policy.[5][14]

	2. Children of Active Duty Military Families - The district shall facilitate the timely enrollment and permit advanced enrollment of children of active duty military families, in accordance with law and Board policy. To qualify for advanced enrollment, prior to establishing residency in the district, a copy of the official military orders to transfer into or within Pennsylvania shall be provided to the district along with proof of the parent's/guardian's intention to move into the district. The parent/guardian must provide proof of residence within forty-five (45) days after the arrival date stated in the military orders.[6][15][16] The district shall administer a home language survey to all students enrolling in district schools for the first time.[3][17] The district shall normally enroll a school age, eligible student the next business day, but no later than five (5) business days after application.[3] The district shall not inquire about the immigration status of a student as part of the enrollment process.[3]
Delegation of Responsibility	The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's enrollment policy by publishing such policy in the student handbook, parent newsletters, district website and other efficient methods.[4] The Superintendent or designee shall develop and disseminate administrative regulations for the enrollment of eligible students in district schools. **Legal References** 1. 24 P.S. 1301 2. 24 P.S. 1302 3. 22 PA Code 11.11 4. 22 PA Code 11.41 5. 24 P.S. 1331.1 6. 24 P.S. 1302.1 7. 22 PA Code 11.12 8. 22 PA Code 12.1 9. Pol. 202 10. 24 P.S. 1303a 11. 24 P.S. 1304-A 12. Pol. 203 13. Pol. 216.1 14. Pol. 251 15. 24 P.S. 7302 16. Pol. 254 17. Pol. 138 Pol. 201 Interstate Compact on Educational Opportunity for Military Children (MIC3)

FREEPORT

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ADMISSION OF STUDENTS

ADOPTED: August 12, 2015

REVISED: September 11, 2019

201. ADMISSION OF STUDENTS

Authority

The Board shall establish age requirements for the admission of students to first grade and to kindergarten that are consistent with state law and regulations.[1][2][3]

Guidelines

First Grade

Beginners are students entering the lowest grade of the primary school above the kindergarten level. The Board establishes the district's entry age for beginners as six (6) years by September 1 of the then-current school year, in accordance with state law and regulations.[4][5][6]

The Board may admit as a beginner a child who is five (5) years old and demonstrates readiness for entry by the first day of the school term, upon the written request of the parent/guardian, recommendation of the district psychologist, and approval of the Superintendent.[7]

The Board is not required to admit as a beginner any child whose age is less than the district's established admission age for beginners.[7]

Kindergarten

The Board establishes the district's entry age for kindergarten as five (5) years by September 1 of the then-current school year, in accordance with state law and regulations.[8]

Delegation of Responsibility

The Superintendent or designee shall require that the parent/guardian of each student who registers for entrance to school shall submit proof of age, residency, and required immunizations.[9][10]

	Legal References 1. 22 PA Code 11.12 2. 22 PA Code 11.41 3. 24 P.S. 1301 4. 22 PA Code 11.15 5. 24 P.S. 1304 6. 24 P.S. 1326 7. 22 PA Code 11.16 8. 22 PA Code 11.14 9. Pol. 200 10. Pol. 203 24 P.S. 503 22 PA Code 4.41

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: ELIGIBILITY OF NONRESIDENT STUDENTS ADOPTED: August 12, 2015 REVISED: January 18, 2023 February 14, 2024 October 9, 2024

202. ELIGIBILITY OF NONRESIDENT STUDENTS

Purpose

The Board shall operate district schools for the benefit of students residing in this district who are eligible for attendance.[1][2][3]

Authority

The Board may permit the admission of nonresident students in accordance with law and Board policy.[4][5][6][7][8][9][10]

The Board reserves the right to verify claims of residency, dependency and guardianship, and to remove from school attendance a nonresident student whose claim is invalid and who is not otherwise entitled to enrollment within this district.[11]

The district may disenroll a student following a determination that the student does not reside in the district and is not otherwise entitled to free school privileges in the district. The district shall provide notice to the parents/guardians or other person having charge or care of the student of the reason(s) for the district's determination to disenroll the student. The district may not disenroll the student until:[11]

1. The parents/guardians or any other person having charge or care of the student have been provided an opportunity for a hearing with the Board or a committee of the Board to appeal the decision and the appeal process has been exhausted; or[11][12]

2. The parents/guardians or other person having charge or care of the student, after being notified of the opportunity for a hearing, decline to participate in the hearing or the appeals process.[11]

Prior to disenrolling a student, the district’s liaison for homeless children and youth shall provide the parents/guardians or other person having charge or care of the student with information regarding the educational rights of homeless students.[11][13]

	The district shall comply with a court order directing a student to be disenrolled and enrolled in a different school.[11]
Guidelines	The Board shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries, except in accordance with law and Board policy.[13] Tuition rates shall be determined annually in accordance with law. Tuition shall be charged monthly, in advance of attendance.[10][14][15] <u>Nonresident Children Placed in Resident's Home</u> Any child placed in the home of a district resident by a court or government agency shall be admitted to district schools and shall receive the same benefits and be subject to the same responsibilities as resident students.[6][16] <u>Residents of Institutions</u> A child who is living in or assigned to a facility or institution for the care or training of children that is located within this district is not a legal resident of the district by such placement; but the student shall be admitted to district schools, and a charge shall be made for tuition in accordance with law.[7][14][16][17][18][19][20][21][22] <u>Students Experiencing Educational Instability</u> The district shall immediately admit students experiencing homelessness, foster care and other forms of educational instability, even if the required documents are unavailable, in accordance with Board policy, law and regulation.[5][13][16] <u>Children of Military Families</u> Children of military families shall be eligible for enrollment in this district in accordance with the Interstate Compact on Educational Opportunity for Military Children, state law and Board policy.[5][8][9][11][23] <u>Other Nonresident Students</u> A nonresident student may be admitted to district schools without payment of tuition where attendance is justified on the grounds that the student lives full-time and not just for the school year with district residents who have assumed legal dependency or guardianship or full residential support of the student.[11][24]

	The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Board Secretary before an eligible nonresident student may be accepted as a student in district schools. The Board may require a resident to submit additional, reasonable information to substantiate a sworn statement, in accordance with guidelines issued by the PA Department of Education.[11][24] Prospective Residents A student eligible for attendance whose parent/guardian has executed a contract to buy, build or rent a residence in this district for occupancy within ninety (90) calendar days from execution of the contract may be enrolled without payment of tuition.[10] If the student does not become a resident of the district by the end of the period for which free attendance is given, tuition shall be required until residency is established. Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency. Former Residents Regularly enrolled students whose parents/guardians have moved out of the district may be permitted to finish the school year without payment of tuition when the parents/guardians move from the district after the fourth week of the second semester or when the student is completing the senior year and will graduate. [10]
Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations for the enrollment of nonresident students. The Superintendent shall report to the Board for its information the enrollment of nonresident students.

	Legal References 1. 24 P.S. 501 2. 24 P.S. 502 3. 24 P.S. 503 4. 24 P.S. 1301 5. Pol. 200 6. 24 P.S. 1305 7. 24 P.S. 1306 8. 24 P.S. 1302.1 9. 24 P.S. 1184 10. 24 P.S. 1316 11. 24 P.S. 1302 12. Pol. 906 13. Pol. 251 14. 24 P.S. 2561 15. Pol. 607 16. 24 P.S. 1331.1 17. 24 P.S. 1307 18. 24 P.S. 1308 19. 24 P.S. 1309 20. 24 P.S. 1310 21. 24 P.S. 2562 22. 22 PA Code 11.18 23. Pol. 254 24. 22 PA Code 11.19 22 PA Code 11.41 24 P.S. 1306.2 24 P.S. 2503 24 P.S. 7302 Pol. 103 Pol. 103.1 Interstate Compact on Educational Opportunity for Military Children (MIC3)

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: IMMUNIZATIONS AND COMMUNICABLE DISEASES

ADOPTED: August 12, 2015

REVISED: August 9, 2017
November 12, 2020

203. IMMUNIZATIONS AND COMMUNICABLE DISEASES

Authority

In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that guidance and orders from state and local health officials, established Board policy and administrative regulations, and Board-approved health and safety plans be followed by students, parents/guardians and district staff.[1][2]

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.[3]

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.[3]

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][4]

A certificate of immunization shall be maintained as part of the health record for each student, as required by the Pennsylvania Department of Health.[5]

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][4][6][7]

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons, provisionally admitted by the Superintendent or designee after beginning a multiple dose vaccine series and submitting proof of immunization or a medical certificate on or before the fifth school day of attendance, or in accordance with programs or guidance established by the PA Department of Health.[1][4][5][6][7]

Homeless students who have not been immunized or are unable to provide immunization records due to being homeless shall be admitted in accordance with the provisions of applicable law and regulations.[5][8][9]

Foster care students and students transferring into a school within the Commonwealth shall be admitted in accordance with law and regulations, and shall have thirty (30) days to provide proof of immunization, a medical certificate detailing the plan to complete a multiple dose vaccine series or to satisfy the requirements for an exemption.[5][10]

Monitoring of immunization requirements shall be the responsibility of the Superintendent or designee and the school nurse. [1]

Students attending child care group settings located in a school, a pre-kindergarten program or an early intervention program operated by the district shall be immunized in accordance with the Advisory Committee on Immunization Practices (ACIP) standards.[6][11]

The Superintendent or designee shall:

1. Ensure that parents/guardians are informed prior to a student's admission to school, or a grade requiring additional immunizations, of the requirements for immunization, the requisite proof of immunization, exemption available for religious or medical reasons, and means by which such exemptions may be claimed.[1][5][6][7][8][12]

2. Designate school personnel to review student medical certificates in accordance with law and regulations to ensure compliance with full immunization requirements.[3][5]

3. Annually review state standards for immunization and direct the responsible district personnel accordingly.

4. Investigate and recommend to the Board district-sponsored programs of immunization that may be warranted to safeguard the health of the school community. Such program shall be subject to Board approval and may be conducted in cooperation with local health agencies.

The Superintendent or designee shall report immunization data electronically to the PA Department of Health by December 31 of each year. If the district is unable to complete the report electronically, the Superintendent or designee shall report the immunization data on the required form to the PA Department of Health by December 15.[13]

Communicable Diseases

The Board directs that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the PA Department of Health or guidance from state or local health officials for specified diseases and infectious conditions.[14][15][16][17]

Parents/Guardians shall be notified of this policy at the beginning of the school year, and that during the school year it may be necessary for a student to be excluded from school due to communicable disease. Parents/Guardians of a student needing to be excluded shall be notified and required to come to school or have a designated emergency contact come to school to transport the student home or to an appropriate place of care. Students may return to school when the criteria for readmission following a communicable disease, as set forth in law, regulations or guidance from state or local health officials, have been met.[14][15][16]

The Board directs school staff to request emergency contact information from parents/guardians of students at the beginning of each school year and request that it be updated as necessary during the school year.

The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the PA Department of Health.[18][19][20]

The Superintendent or designee shall direct that health guidelines, Board-approved health and safety plans, and universal precautions designed to minimize the transmission of communicable diseases be implemented in district schools.

Instruction regarding prevention of communicable and life-threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations.[21]

	Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction relative to communicable and life-threatening diseases, in accordance with Board policy.[21][22][23] Health Records A comprehensive health record shall be maintained for each student enrolled in the district. The record shall include the results of required tests, measurements, screenings, regular and special examinations, and medical questionnaires.[17][24] All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian. The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.[25][26][27][28][29][30]

	Legal References 1. 24 P.S. 1303a 2. 28 PA Code 23.81 et seq. 3. 28 PA Code 23.82 4. 22 PA Code 11.20 5. 28 PA Code 23.85 6. 28 PA Code 23.83 7. 28 PA Code 23.84 8. Pol. 200 9. Pol. 251 10. Pol. 255 11. 28 PA Code 27.77 12. Pol. 201 13. 28 PA Code 23.86 14. 28 PA Code 27.71 15. 28 PA Code 27.72 16. Pol. 204 17. Pol. 209 18. 28 PA Code 27.2 19. 28 PA Code 27.1 20. 28 PA Code 27.23 21. 22 PA Code 4.29 22. 22 PA Code 4.4 23. Pol. 105.1 24. 24 P.S. 1402 25. 24 P.S. 1409 26. 20 U.S.C. 1232g 27. 34 CFR Part 99 28. Pol. 113.4 29. Pol. 216 30. Pol. 805 Pol. 105.2

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: HIV INFECTION

ADOPTED: August 12, 2015

REVISED:

203.1. HIV INFECTION

1. Purpose

The Board is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and staff while protecting the rights of the individual.

This policy is based on current evidence that HIV Infection is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

2. Definitions
35 P.S.
Sec. 7603

AIDS - Acquired Immune Deficiency Syndrome.

HIV Infection - refers to the disease caused by the HIV or human immunodeficiency virus.

Infected students - refers to students diagnosed as having HIV Infection, including those who are asymptomatic.

3. Authority

This policy shall apply to all students in all programs conducted by the school district.

Pol. 203, 204

The Board directs that the established Board policies and administrative regulations governing attendance and school rules relative to illnesses and other diseases among students shall also apply to infected students.

The Board shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for school attendance.

4. Delegation of Responsibility

The Superintendent or designee shall be responsible for developing and releasing all information concerning HIV Infection and infected students.

All district employees shall strive to maintain a respectful school climate and to prohibit physical or verbal harassment of any individual or group, including infected students.

	Building principals shall notify students, parents/guardians and employees about current Board policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.
5. Guidelines	Attendance
SC 1327 **Pol. 103, 103.1**	Infected students have the same right to attend school and receive services as other students and shall be subject to the same policies and administrative regulations. HIV Infection shall not factor into decisions concerning educational programs, privileges or participation in any school-sponsored activity. School authorities shall determine the educational placement of infected students on a case-by-case basis by following Board policies and administrative regulations established for students with chronic health problems and students with disabilities.
35 P.S. **Sec. 7607**	When an infected student's parents/guardians voluntarily disclose information regarding the student's condition, the district employee who receives the information shall obtain the written consent of the parents/guardians to disclose the information to members of the Screening Team. The consent shall be in the form required by the Pennsylvania confidentiality of HIV-Related Information Act, 35 P.S. § 7606(c). A Screening Team comprised of the Superintendent or designee, building principal, school nurse, district physician, student's parents/guardians, and attending physician shall evaluate the infected student's educational placement. Placement decisions shall be based on the student's need for accommodations or services. First consideration must be given to maintaining the infected student in a regular assignment. Any decision for an alternative placement must be supported by specific facts and data.
SC 1329 **Title 22** **Sec. 11.25** **Pol. 117, 124**	An infected student who is unable to attend school, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.
SC 1329, 1330 **Pol. 204**	An infected student may be excused from school attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student. An infected student's placement shall be reassessed if there is a change in the student's need for accommodations or services.

	Confidentiality
35 P.S. Sec. 7607	District employees who have knowledge of an infected student's condition shall not disclose any information without prior written consent of the student's parents/guardians, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.
SC 1409 35 P.S. Sec. 7607	All health records, notes and other documents referring to an infected student's condition shall be secured and kept confidential.
	Infection Control
	All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times, including playgrounds and school buses. Employees shall notify the school nurse of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.
	The school district shall maintain reasonably accessible equipment and supplies necessary for infection control.
	Staff Development
	The district shall provide opportunities for employees to participate in inservice education on HIV Infection.
	Designated district employees may receive additional, specialized training appropriate to their positions and responsibilities.
	Prevention Education
Title 22 Sec. 4.29	The goals of HIV Infection prevention education shall be to promote healthy living and discourage the behaviors that put people at risk of acquiring HIV Infection. Prevention education shall be taught at every grade level as part of the curriculum, be appropriate to students' developmental maturity, and include accurate information about reducing the risk of HIV Infection.
Title 22 Sec. 4.4, 4.29	Prior to HIV Infection instruction in the schools, the district shall inform parents/guardians that curriculum outlines and materials used in the instruction shall be available for review.
Title 22 Sec. 4.4, 4.29	A student shall be excused from HIV Infection education when the instruction conflicts with the religious beliefs or principles of the student or parents/guardians, upon the written request of the parents/guardians.

	References: School Code – 24 P.S. Sec. 1301, 1327, 1329, 1330, 1409 State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.29, 11.25 PA Confidentiality of HIV-Related Information Act – 35 P.S. Sec. 7601 et seq. Board Policy – 103, 103.1, 117, 124, 203, 204

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: ATTENDANCE ADOPTED: August 12, 2015 REVISED: August 9, 2017; September 11, 2019; January 18, 2023; January 14, 2026

204. ATTENDANCE

Purpose

The Board recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues.[1]

Authority

The Board requires the attendance of all students during the days and hours that school is in session, except that temporary student absences may be excused by authorized district staff in accordance with applicable laws and regulations, Board policy and administrative regulations.[2][3][4][5][6][7]

Definitions

Compulsory school age shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than six (6) years of age, until the student reaches eighteen (18) years of age. The term does not include a student who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.[8][9]

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[8]

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[8]

Person in parental relation shall mean a:[8]

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

This term shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[10]

	School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a student'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 Pennsylvania Public School Code.[8]
Delegation of Responsibility	The Superintendent or designee shall annually notify students, persons in parental relation, and staff about the district's attendance policy by publishing such policy in student handbooks and newsletters, on the district website and through other efficient communication methods.[1][11] The Superintendent shall require the signature of the person in parental relation confirming that the policy has been reviewed and that the person in parental relation understands the compulsory school attendance requirements. The Superintendent or designee, in coordination with the building principal, shall be responsible for the implementation and enforcement of this policy. The Superintendent or designee shall develop administrative regulations for the attendance of students which: 1. Govern the maintenance of attendance records in accordance with law.[12][13] 2. Detail the process for submission of requests and excuses for student absences. 3. Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate magisterial district judge. 4. Clarify the district's responsibility for collaboration with nonpublic schools in the enforcement of compulsory school attendance requirements. 5. Ensure that students legally absent have an opportunity to make up work.
Guidelines	<u>Compulsory School Attendance Requirements</u> All students of compulsory school age who reside in the district shall be subject to the compulsory school attendance requirements.[2] A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction; or the student's placement is instruction in the home.[2][5][14][15][16][17][18][19][20]

The following students shall be excused from the requirements of attendance at district schools, upon request and with the required approval:

1. On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.[3][4][21]

2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.[2][22]

3. Students attending college who are also enrolled part-time in district schools.[23]

4. Students attending a home education program or private tutoring in accordance with law.[2][18][24][25][26][27]

5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.[2]

6. Students fifteen (15) years of age, as well as students fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits.[4]

7. Students sixteen (16) years of age regularly engaged in useful and lawful employment during the school session and holding a valid employment certificate. Regularly engaged means thirty-five (35) or more hours per week of employment.[4][15]

Excused/Lawful Absence

For purposes of this policy, the following conditions or situations constitute reasonable cause for absence from school:

1. Illness, including if a student is dismissed by designated district staff during school hours for health-related reasons.[3][6]

2. Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory.[3]

3. Quarantine.

4. Family emergency.

5. Recovery from accident.

6. Required court attendance.

7. Death in family.

8. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.[1][3]

9. Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.[28]

10. Nonschool-sponsored educational tours or trips, if the following conditions are met:[3][29]

    a. The person in parental relation submits the required documentation for excusal prior to the absence, within the appropriate timeframe.

    b. The student's participation has been approved by the Superintendent or designee.

11. College or postsecondary institution visit, with prior approval.

12. Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness, foster care and other forms of educational instability.[3][6][30]

The district may limit the number and duration of nonschool-sponsored educational tours or trips and college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

Temporary Excusals –

The following students may be temporarily excused from the requirements of attendance at district schools:

1. Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.[2][14][18]

2. Students participating in a religious instruction program, if the following conditions are met:[28][31]

    a. The person in parental relation submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.

    b. The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.

c. Following each absence, the person in parental relation shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.

3. School age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.[21]

Parental Notice of Absence –

Absences shall be treated as unexcused until the district receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.

A maximum of ten (10) days of cumulative lawful absences verified by parental notification shall be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

For purposes of this policy, absences which do not meet the criteria indicated above shall be permanently considered unexcused.

An out-of-school suspension may not be considered an unexcused absence.[8]

Parental Notification –

District staff shall provide prompt notice to the person in parental relation upon each incident of unexcused absence.

Enforcement of Compulsory Attendance Requirements

Student is Truant –

When a student has been absent for three (3) days during the current school year without a lawful excuse, district staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.[32]

The notice shall:[32]

1. Include a description of the consequences if the student becomes habitually truant;

2. Be in the mode and language of communication preferred by the person in parental relation and:

a. Include notice that a habitually truant student may not transfer, during the school year, to a cyber charter school unless a judge determines that the transfer is in the best interest of the student;

b. Include resources available to assist the student and the person in parental relation with returning the student to compliant compulsory attendance and opportunities for academic recovery in response to the truant behavior.

When the notice is transmitted to a person who is not the biological or adoptive parent, it shall also be provided to the student's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.[32]

The notice may include the offer of a School Attendance Improvement Conference.[32]

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.[32]

School Attendance Improvement Conference (SAIC) –

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the SAIC.[32]

The purpose of the SAIC is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.[8]

The following individuals shall be invited to the SAIC:[8]

1. The student.
2. The student's person in parental relation.
3. Other individuals identified by the person in parental relation who may be a resource.
4. Appropriate school personnel.
5. Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.[32]

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate district staff.[32]

The district may not take further legal action to address unexcused absences until the scheduled SAIC has been held and the student has incurred six (6) or more days of unexcused absences.[32]

Student is Habitually Truant –

When a student under fifteen (15) years of age is habitually truant, district staff:[33]

1. Shall refer the student to:
    a. A school-based or community-based attendance improvement program; or
    b. The local children and youth agency.
2. May file a citation in the office of the appropriate magisterial district judge against the person in parental relation who resides in the same household as the student.[33]

When a student fifteen (15) years of age or older is habitually truant, district staff shall:[33]

1. Refer the student to a school-based or community-based attendance improvement program; or
2. File a citation in the office of the appropriate magisterial district judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[33]

Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate magisterial district judge, district staff shall provide verification that the school held a SAIC.[33]

Unless a judge determines that it is in the student's best interest, a habitually truant student will not be permitted to transfer to a cyber charter school during the school year.[32]

	Filing a Citation – A citation shall be filed in the office of the appropriate magisterial district judge whose jurisdiction includes the school in which the student is or should be enrolled, against the student or person in parental relation to the student.[34] Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.[34] <u>Special Needs and Accommodations</u> If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[16][35][36][37] For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.[16][35][37] <u>Discipline</u> The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[32]

	Legal References 1. 22 PA Code 11.41 2. 24 P.S. 1327 3. 24 P.S. 1329 4. 24 P.S. 1330 5. 22 PA Code 11.23 6. 22 PA Code 11.25 7. 22 PA Code 12.1 8. 24 P.S. 1326 9. 22 PA Code 11.13 10. 42 Pa. C.S.A. 6302 11. 24 P.S. 510.2 12. 24 P.S. 1332 13. 24 P.S. 1339 14. 22 PA Code 11.22 15. 22 PA Code 11.28 16. Pol. 113 17. Pol. 115 18. Pol. 116 19. Pol. 117 20. Pol. 118 21. 22 PA Code 11.34 22. 22 PA Code 11.32 23. 22 PA Code 11.5 24. 24 P.S. 1327.1 25. 22 PA Code 11.31 26. 22 PA Code 11.31a 27. Pol. 137 28. 22 PA Code 11.21 29. 22 PA Code 11.26 30. Pol. 251 31. 24 P.S. 1546 32. 24 P.S. 1333 33. 24 P.S. 1333.1 34. 24 P.S. 1333.2 35. Pol. 103.1 36. Pol. 113.3 37. Pol. 114 24 P.S. 1333.3 22 PA Code 11.24 22 PA Code 11.8

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: POSTGRADUATE STUDENTS

ADOPTED: August 12, 2015

REVISED:

	205. POSTGRADUATE STUDENTS
1. Authority **SC 1301** **Title 22** **Sec. 11.12, 12.1**	The Board shall assume no responsibility for making its regular educational program available to district residents who are high school graduates, nor after the end of the term in which a student reaches the age of twenty-one (21) years. The Board shall not be responsible for the continuing education of such residents in any other school district. References: School Code – 24 P.S. Sec. 502, 1301, 1901 State Board of Education Regulations – 22 PA Code Sec. 11.12, 11.13, 11.14, 12.1

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ASSIGNMENT WITHIN DISTRICT

ADOPTED: August 12, 2015

REVISED:

206. ASSIGNMENT WITHIN DISTRICT

1. Purpose

The Board directs that the assignment of students to classes and schools within this district shall be consistent with the educational needs and abilities of students and the best use of district resources.

2. Authority
SC 1310
Pol. 103, 103.1

The Board shall determine periodically the school attendance areas of the district, and the students within each area are expected to attend the designated school. In assigning students to schools within this district, no discrimination shall occur.

3. Delegation of Responsibility

The Superintendent periodically shall review existing attendance areas and recommend to the Board changes that may be justified by:

1. Considerations of safe student transportation and travel.
2. Convenience of access to schools.
3. Financial and administrative efficiency.
4. Appropriateness of the instructional program.
5. Enrollment data.

The Superintendent or designee may assign a student to a school other than the one designated for the attendance area when such exception is justified by circumstances and is in the educational interest of the student.

The Superintendent or designee shall assign incoming transfer students to schools, grades, and classes that afford each student the greatest likelihood of realizing his/her educational and academic goals.

The building principal shall assign students in the school to appropriate grades, classes or groups, based on consideration of the needs and abilities of the student, as well as the educational program and administration of the school.

	Every effort shall be made to continue a student in the elementary school to which s/he is initially assigned. If a child is reassigned upon request of the parents/guardians, responsibility for transportation may be the obligation of the parents/guardians.
4. Guidelines	Classroom Placement Of Twins/Higher Order Multiples
SC 1310.1	A parent/guardian of twins or higher order multiples who are in the same grade level at the same school may request that their children be placed in the same classroom or in separate classrooms. The request for classroom placement must be made no later than ten (10) days after the first day of each school year or ten (10) days after the first day of the children's attendance. The school shall provide the classroom placement requested by the parent/guardian, with the following exceptions: 1. After consultation with the Superintendent or designee, the principal determines that an alternative placement is necessary. 2. After consultation with the teacher of each classroom in which the children are placed, the principal determines that the requested classroom placement is disruptive to the classroom. The principal may then determine the appropriate classroom placement for the siblings. 3. If the request for separate classroom placement would require the district to add an additional class to the grade level of the siblings. The school may recommend classroom placement and provide professional education advice to the parent/guardian to assist in making the best decision for their children's education.
Pol. 906	A parent/guardian may appeal the principal's classroom placement of twins or higher order multiples in accordance with Board policy.
	References: School Code – 24 P.S. Sec. 1310, 1310.1 Board Policy – 103, 103.1, 906

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CONFIDENTIAL COMMUNICATIONS OF STUDENTS

ADOPTED: August 12, 2015

REVISED:

207. CONFIDENTIAL COMMUNICATIONS OF STUDENTS

1. Purpose

The Board recognizes that certain written and oral communications between students and school personnel must be confidential.

2. Authority

The Board directs school personnel to comply with all federal and state laws, regulations and Board policy concerning confidential communications of students.

3. Guidelines
Title 22
Sec. 12.12

Information received in confidence from a student may be revealed to the student's parent/guardian, building principal or other appropriate authority by the staff member who received the information when the health, welfare or safety of the student or other persons clearly is in jeopardy.

Title 22
Sec. 12.12
42 Pa. C.S.A.
Sec. 5945, 8337

Use of a student's confidential communications to school personnel in legal proceedings is governed by laws and regulations appropriate to the proceedings.

4. Delegation of Responsibility

In qualifying circumstances, a staff member may reveal confidential information to the building principal and other appropriate authorities.

In qualifying circumstances, the building principal may reveal confidential information to a student's parent/guardian and other appropriate authorities, including law enforcement personnel.

References:

State Board of Education Regulations – 22 PA Code Sec. 12.12

Confidential Communications to School Personnel – 42 Pa. C.S.A. Sec. 5945

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. Sec. 8337

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: WITHDRAWAL FROM SCHOOL

ADOPTED: August 12, 2015

REVISED: September 11, 2019

208. WITHDRAWAL FROM SCHOOL

Purpose

The Board affirms that even though law requires attendance of only students of compulsory school age, it is in the best interests of both students and the community that students complete the educational program that will equip them with required skills and increase their chances for a successful life beyond school.[1][2][3][4][5]

Authority

The Board directs that whenever a student wishes to withdraw, efforts should be made to determine the underlying reason for such action. District resources and staff shall be utilized to assist the student in pursuing career goals.

No student of compulsory school age will be permitted to withdraw without the written consent of a parent/guardian and supporting justification.

The Board shall approve the withdrawal of students attending college full-time.[6]

Guidelines

Counseling services shall be made available to any student who states an intention to withdraw permanently.

Information shall be given to help a withdrawing student define educational and life goals and develop a plan for achieving those goals.

Students shall be informed about the tests for General Educational Development.

Delegation of Responsibility

The building principal shall ensure the timely return of all district-owned supplies and equipment in the possession of the student.

Legal References

1. 22 PA Code 11.13
2. 22 PA Code 12.1
3. 24 P.S. 1326
4. 24 P.S. 1327
5. Pol. 204
6. 22 PA Code 11.4

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: HEALTH EXAMINATIONS/ SCREENINGS ADOPTED: August 12, 2015 REVISED: September 11, 2019 November 12, 2020

209. HEALTH EXAMINATIONS/SCREENINGS

Authority

In compliance with applicable law and regulations, and Board-approved health and safety plans, the Board shall require that district students submit to health and dental examinations, screenings and health monitoring in order to protect the school community from the spread of communicable disease and to ensure that the student's participation in health, safety and physical education courses meets the student's individual needs and that the learning potential of each student is not lessened by a remediable physical disability.[1][2][3][4]

Guidelines

Each student shall receive a comprehensive health examination conducted by the school physician upon original entry, in sixth grade, and in eleventh grade.[2][4][5]

Each student shall receive a comprehensive dental examination conducted by the school dentist upon original entry, in third grade, and in seventh grade.[3][4][5]

A private health and/or dental examination conducted at the parents'/guardians' request and expense shall be accepted in lieu of the school examination. The district shall accept reports of privately conducted physical and dental examinations completed within one (1) year prior to a student's entry into the grade where an exam is required.[5]

The school nurse or medical technician shall administer to each student vision tests, hearing tests, tuberculosis tests, other tests deemed advisable, and height and weight measurements, at intervals established by the district. Height and weight measurements shall be used to calculate the student's weight-for-height ratio.[2][4][6]

Parents/Guardians of students who are to receive physical and dental examinations or screenings shall be notified. The notice shall include the date and location of the examination or screening and notice that the parents/guardians may attend. The notice shall encourage the parent/guardian to have the examination or screening conducted by the student's private physician or dentist at the parent's/guardian's expense to promote continuity of care. Such statement may also include notification that the student may be exempted from such examination or screening if it is contrary to the parent's/guardian's religious beliefs.[7][8][9]

A student who presents a statement signed by the parent/guardian that a health examination is contrary to the student's or parent's/guardian's religious beliefs shall be examined only when the Secretary of Health determines that facts exist indicating that certain conditions would present a substantial menace to the health of others in contact with the student if the student is not examined for those conditions.[10][11]

Where it appears to school health officials or teachers that a student deviates from normal growth and development, or where school examinations reveal conditions requiring health or dental care, the parent/guardian shall be notified of the apparent need for a special examination by the student's private physician or dentist. The parent/guardian shall report to the school whether a special examination occurred. If the parent/guardian fails to report whether the examination occurred within a reasonable time after being notified of the apparent need and the abnormal condition persists, appropriate school health personnel shall arrange a special health examination for the student.[2][4][12]

In the event that the parent/guardian objects to or refuses to obtain a regular or special health or dental examination or refuses to permit the child to be examined as arranged by the school nurse or school physician, the school nurse, in consultation with the school physician, shall determine whether the student appears to have unaddressed health conditions such that under the circumstances the refusal should be reported to the PA Department of Health or other appropriate authorities.

Where school health officials or staff have reasonable cause to suspect that a student may be the victim of child abuse, the school employee shall make a report of suspected child abuse in accordance with law and Board policy.[13][14]

Health Monitoring

The Board directs district staff to monitor student health in accordance with applicable Board policy and the Board-approved health and safety plan.[15]

	A student may request an alternative method of monitoring as a religious accommodation, and designated district staff shall assess and respond to such request in accordance with applicable law, regulations and Board policy. A request for an accommodation that would unreasonably impair safety or cause undue hardship will not be granted.[16] A student with a health condition that may render a monitoring method ineffective should notify designated staff so that alternative or supplemental methods may be considered.[16][17] Students who may be exhibiting symptoms that indicate health concerns shall be referred to the school nurse or designated staff for further assessment and response, in accordance with Board policy.[15] <u>Health Records</u> The district shall maintain for each student a comprehensive health record which includes a record of immunizations and the results of tests, measurements, regularly scheduled examinations and special examinations.[2] All health records shall be confidential and shall be disclosed only when necessary for the health of the student or when requested by the parent/guardian, in accordance with law and Board policy.[18][19][20] The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.[15][18][19][20][21][22][23] Designated district staff shall request from the transferring school the health records of students transferring into district schools. Staff shall respond to such requests for the health records of students transferring from district schools to other schools.[18] The district shall destroy student health records only after the student has not been enrolled in district schools for at least two (2) years.[18][24]
Delegation of Responsibility	The Superintendent or designee shall instruct all staff members to continually observe students for conditions that indicate health concerns or disability and to promptly report such conditions to the school nurse or designated staff.[2] The Superintendent or designee shall ensure that notice is provided to all parents/guardians regarding the existence of and eligibility for the Children's Health Insurance Program (CHIP).[12]

	Legal References 1. 24 P.S. 1401 2. 24 P.S. 1402 3. 24 P.S. 1403 4. 22 PA Code 12.41 5. 24 P.S. 1407 6. 28 PA Code 23.1 et seq. 7. 24 P.S. 1405 8. 28 PA Code 23.2 9. 20 U.S.C. 1232h 10. 24 P.S. 1419 11. 28 PA Code 23.45 12. 24 P.S. 1406 13. 23 Pa. C.S.A. 6311 14. Pol. 806 15. Pol. 203 16. Pol. 103 17. Pol. 103.1 18. 24 P.S. 1409 19. Pol. 113.4 20. Pol. 216 21. 20 U.S.C. 1232g 22. 34 CFR Part 99 23. Pol. 805 24. Pol. 800 24 P.S. 1401-1419 23 Pa. C.S.A. 6301 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: FOOD ALLERGY MANAGEMENT

ADOPTED: August 12, 2015

REVISED:

209.1. FOOD ALLERGY MANAGEMENT

1. Purpose

The Board is committed to providing a safe and healthy environment for students with severe or life-threatening food allergies and shall establish policy to address food allergy management in district schools in order to:

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.

2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction.

3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.

The focus of food allergy management shall be on prevention, education, awareness, communication and emergency response.

2. Authority
SC 1422.3

The Board adopts this policy in accordance with applicable state and federal laws and regulations, and the guidelines established jointly by the PA Department of Education and PA Department of Health on managing severe or life-threatening food allergies in the schools.

3. Definitions

Food allergy - an abnormal, adverse reaction to a food that is triggered by the body's immune system.

Medical Plans of Care - written documents individualized for a particular student with a severe or life-threatening food allergy to address the student's needs throughout the school day, including:

	1. **Emergency Care Plan (ECP)** - a medical plan of care based on the information provided in the student's Individualized Healthcare Plan (IHP) and distributed to all school personnel who have responsibilities for the student which specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed. 2. **Individualized Healthcare Plan (IHP)** - a medical plan of care that provides written directions for school health personnel to follow in meeting the individual student's healthcare needs. The plan describes functional problem areas, sets goals for overcoming problems, and lists tasks/interventions to meet the goals. The IHP shall include a Food Allergy Medical Management Plan developed by a student's personal healthcare team and family, which shall outline the student's prescribed healthcare regimen and be signed by the student's board-certified allergist, family physician, physician assistant or certified registered nurse practitioner.
Pol. 113	3. **Related Services Component in Individualized Education Program (IEP)** - that part of an IEP for a student receiving special education and related services which includes reference to development and implementation of an IHP and ECP for students with a documented severe or life-threatening food allergy as well as identifying the medical accommodations, educational aids and services to address the student's needs.
Pol. 103.1	4. **Section 504 Service Agreement** - a medical plan of care which references development and implementation of an IHP and ECP as well as other accommodations, educational aids and services a student with a documented severe or life-threatening food allergy requires in order to have equal access to educational programs, nonacademic services and extracurricular activities as students without food allergies.
4. Guidelines	Prior to enrollment in the district or immediately after diagnosis of a food allergy, appropriate medical plans of care such as an ECP, IHP, Section 504 Service Agreement and/or IEP shall be developed for each student identified with a food allergy. Plans shall be developed by the school nurse, in collaboration with the student's healthcare provider, the student's parents/guardians, district or school nutrition staff, the student, if appropriate, and any other appropriate persons. Where a medical plan of care is developed, it should carefully describe the plan for coverage and care of a student during the school day as well as during school-sponsored activities which take place while the student is under school jurisdiction during or outside of school hours. Medical plans of care shall include a component which provides information to the school nutrition service regarding each student with documented severe or life-threatening food allergies.

Pol. 210, 210.1	Medical plans of care should include both preventative measures to help avoid accidental exposure to allergens and emergency measures in case of exposure, including administration of emergency medication. A complete set of a student's current medical plans of care related to food allergies shall be maintained by the school nurse. Information or copies of the different components of a student's medical plans of care shall be provided to appropriate personnel who may be involved in implementation of the medical plans of care. <u>Accommodating Students With Disabling Special Dietary Needs</u>
Pol. 103.1, 113	Students with food allergies may be identified, evaluated and determined to be disabled, in which case the district shall make appropriate accommodations, substitutions or modifications in accordance with the student's medical plans of care. The district must provide reasonable accommodations, substitutions or modifications for students with disabling dietary needs. The student's physician shall determine and document if the student has a disabling dietary need. Examples of a disability under this policy would include metabolic conditions (e.g., diabetes), severe food allergies or cerebral palsy.
7 CFR Sec. 15b.40	Students who fall under this provision must have a written medical statement signed by a licensed physician, which shall be included with the student's IHP. The medical statement must identify: 1. The student's special dietary disability. 2. An explanation of why the disability restricts the student's diet. 3. The major life activity(ies) affected by the disability. 4. The food(s) to be omitted from the student's diet. 5. The food or choice of foods that must be provided as the substitute. <u>Accommodating Students With Nondisabling Special Dietary Needs</u> The district may, at its discretion, make appropriate accommodations, substitutions or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

	Students who fall under this provision must have a written medical statement signed by a physician, physician assistant or certified registered nurse practitioner identifying the following: 1. The medical or other special dietary condition which restricts the student's diet. 2. The food(s) to be omitted from the student's diet. 3. The food or choice of foods to be substituted. <u>Confidentiality</u>
Pol. 113.4, 209, 216	The district shall maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. District staff shall maintain the confidentiality of student records as required by law, regulations and Board policy.
5. Delegation of Responsibility **Pol. 121, 246, 808, 810**	The Superintendent or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, shall develop administrative regulations to implement this policy or adopt as administrative regulations the suggested guidelines developed by the Pennsylvania Departments of Education and Health and National School Boards Association (NSBA) guidance on managing severe or life-threatening food allergies in district schools, including all classrooms and instructional areas, school cafeterias, outdoor activity areas, on school buses, during field trips, and during school activities held before the school day and after the school day. Administrative regulations should address the following components:
Pol. 146	1. Identification of students with food allergies and provision of school health services. 2. Development and implementation of individual written management plans.
Pol. 210, 210.1	3. Medication protocols, including methods of storage, access and administration.
Pol. 246	4. Development of a comprehensive and coordinated approach to creating a healthy school environment.
Pol. 113.4, 209, 216	5. Communication and confidentiality.
Pol. 805	6. Emergency response.

7. Professional development and training for school personnel.

8. Awareness education for students.

9. Awareness education and resources for parents/guardians.

10. Monitoring and evaluation.

The Superintendent or designee shall annually notify students, parents/guardians, staff and the public about the district's food allergy management policy by publishing such in handbooks and newsletters, on the district's website, and through posted notices and other efficient methods.

References:

School Code – 24 P.S. Sec. 1422.1, 1422.3

State Board of Education Regulations – 22 PA Code Sec. 12.41

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Section 504 of the Rehabilitation Act of 1973 – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, Title 7, Code of Federal Regulations – 7 CFR Part 15

Nondiscrimination on the Basis of Disability, Title 28, Code of Federal Regulations – 28 CFR Part 35

Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99

Nondiscrimination on the Basis of Handicap, Title 34, Code of Federal Regulations – 34 CFR Part 104

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

	Board Policy – 103, 103.1, 113, 113.4, 121, 146, 209, 210, 210.1, 216, 246, 805, 808, 810 *Safe at Schools and Ready to Learn: A Comprehensive Policy Guide for Protecting Students with Life-Threatening Food Allergies* – National School Boards Association *Pennsylvania Guidelines for Management of Food Allergies in Schools: Recommendations and Resource Guide for School Personnel* – Pennsylvania Departments of Education and Health

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: DIABETES MANAGEMENT

ADOPTED: June 14, 2017

REVISED: October 8, 2025

209.2. DIABETES MANAGEMENT

Purpose

The Board recognizes that an effective program of diabetes management in school is crucial to:

1. The immediate safety of students with diabetes.
2. The long-term health of students with diabetes.
3. Ensure that students with diabetes are ready to learn and participate fully in school activities.
4. Minimize the possibility that diabetes-related emergencies will disrupt classroom activities.

Authority

The Board adopts this policy in accordance with applicable state and federal laws and regulations, and Board policies and administrative regulations, regarding the provision of student health services.[1][2][3][4][5][6][7][8][9]

Definitions

Diabetes Medical Management Plan (DMMP) means a document describing the medical orders or diabetes regimen developed and signed by the student's health care practitioner and parent/guardian.[1]

Individualized Education Program (IEP) means 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. A student with a disability is a school-aged child within the jurisdiction of the district who has been evaluated and found to have one or more disabilities as defined by law, and who requires, because of such disabilities, special education and related services.[7]

	Section 504 Service Agreement (Service Agreement) means an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities. A qualified student with a disability means a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities.[6] **Trained Diabetes Personnel** means nonlicensed school employees who have successfully completed the required training.
Guidelines	Before a student can receive diabetes-related care and treatment in a school setting, the student's parent/guardian shall provide written authorization for such care and instructions from the student's health care practitioner. The written authorization may be submitted as part of a student's DMMP.[3] Diabetes-related care shall be provided in a manner consistent with Board policy, district procedures and individualized student plans such as an IEP, Service Agreement or DMMP.[2][3][4][6][7][9] In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting.[3][6][7][10][11] Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.[12][13][14] <u>Trained Diabetes Personnel</u> The school nurse, in consultation with the Superintendent or designee, may identify at least one (1) school employee, who is not the school nurse and who does not need to be a licensed health care practitioner, in each school building attended by a student with diabetes to perform diabetes care and treatment for students. The identified school employee has the right to decline this role.[2] An identified school employee who has accepted this role shall complete the training developed by the state or training offered by a licensed health care practitioner with expertise in the care and treatment of diabetes, that includes at a minimum:[2] 1. An overview of all types of diabetes.

2. Means of monitoring blood glucose.

3. The symptoms and treatment for blood glucose levels outside of target ranges, as well as symptoms and treatment for hypoglycemia, hyperglycemia and other potential emergencies.

4. Techniques on administering glucagon and insulin.

The identified school employee shall complete such training on an annual basis.[2]

Upon successful completion of the required training, individual trained diabetes personnel may be designated in a student's Service Agreement or IEP to administer diabetes medications, use monitoring equipment and provide other diabetes care.[2]

If the diabetes-related care provided to a particular student by trained diabetes personnel will include administration of diabetes medication via injection or infusion, the Board shall require the following:[2]

1. The parent/guardian and the student's health care practitioner must provide written authorization for such administration; and

2. The trained diabetes personnel must receive annual training for such administration from a licensed health care practitioner with expertise in the care and treatment of diabetes.

Training of Other School Personnel

School employees, including classroom teachers, lunchroom staff, coaches and bus drivers, shall receive annual diabetes care training appropriate to their responsibilities for students with diabetes.

Student Possession and Use of Diabetes Medication and Monitoring Equipment

Prior to student possession or use of diabetes medication and monitoring equipment, the Board shall require the following:[4][15]

1. A written request from the parent/guardian that the school comply with the instructions of the student's health care practitioner. The request from the parent/guardian shall include a statement relieving the district and its employees of responsibility for the prescribed medication or monitoring equipment and acknowledging that the school is not responsible for ensuring that the medication is taken or the monitoring equipment is used.

2. A written statement from the student's health care practitioner that provides:

    a. Name of the drug.

	b. Prescribed dosage. c. Times when medication is to be taken. d. Times when monitoring equipment is to be used. e. Length of time medication and monitoring equipment is prescribed. f. Diagnosis or reason medication and monitoring equipment is needed. g. Potential serious reactions to medication that may occur. h. Emergency response. i. Whether the child is competent and able to self-administer the medication or monitoring equipment and to practice proper safety precautions. 3. A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the medication and use of the monitoring equipment. 4. A written acknowledgement from the student that s/he has received instruction from the student's health care practitioner on proper safety precautions for the handling and disposal of the medications and monitoring equipment, including acknowledgement that the student will not allow other students to have access to the medication and monitoring equipment and that s/he understands appropriate safeguards. The written request for student possession and use of diabetes medication and monitoring equipment shall be reviewed annually, along with the required written statements from the parent/guardian and the student's health care practitioner. If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the student's health care practitioner shall update the written statements.

	Students shall be prohibited from sharing, giving, selling and using diabetes medication and monitoring equipment in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity and during the time spent traveling to and from school and school-sponsored activities. Violations of this policy, provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard the medication and monitoring equipment may result in loss of privilege to self-carry the diabetes medication and monitoring equipment, and may result in disciplinary action in accordance with Board policy and applicable procedural safeguards.[4][6][10][16][17] If the district prohibits a student from possessing and self-administering diabetes medication and operating monitoring equipment, or if a student is not capable of self-administering diabetes medication or operating monitoring equipment, the district shall ensure that the diabetes medication and monitoring equipment is appropriately stored in a readily accessible location in the student's building. The school nurse and other designated school employees shall be informed where the medication and monitoring equipment is stored and the means to access them.[4]
Delegation of Responsibility	The Superintendent or designee, in conjunction with the school nurse(s), shall develop administrative regulations for care and treatment of students with diabetes in the school setting. The Superintendent or designee shall coordinate training for school employees. Such training may be included in the district's Professional Education Plan.[2][18][19] The Superintendent or designee shall annually distribute to all staff, students and parents/guardians this policy along with the Code of Student Conduct. In addition, the district must make the Type 1 Diabetes Fact Sheet developed by the PA Department of Health available to parents/guardians when their child is first enrolled in elementary school and again upon their child's entry into grade six. The Diabetes Fact Sheet must be made available in writing, electronically or on the school district's publicly accessible Internet website.[16][20][21]

	Legal References: 1. 24 P.S. 1401 2. 24 P.S. 1414.3 3. 24 P.S. 1414.4 4. 24 P.S. 1414.5 5. 24 P.S. 1414.7 6. Pol. 103.1 7. Pol. 113 8. Pol. 209 9. Pol. 209.1 10. Pol. 113.1 11. Pol. 810 12. 24 P.S. 1409 13. Pol. 113.4 14. Pol. 216 15. 22 PA Code 12.41 16. Pol. 218 17. Pol. 227 18. Pol. 100 19. Pol. 333 20. 22 PA Code 12.3 21. 24 P.S. 1414.12 24 P.S. 510 Pol. 210

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: MEDICATIONS

ADOPTED: September 9, 2015

REVISED:

210. MEDICATIONS

1. Purpose

The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication to a student during school hours in accordance with the direction of a parent/guardian and licensed prescriber will be permitted only when failure to take such medicine would jeopardize the health of the student or the student would not be able to attend school if the medicine were not available during school hours.

2. Definitions

For purposes of this policy, **medication** shall include all medicines prescribed by a licensed prescriber and any over-the-counter medicines.

For purposes of this policy, **licensed prescribers** shall include licensed physicians (M.D. and D.O.), podiatrists, dentists, optometrists, certified registered nurse practitioners and physicians assistants.

3. Authority

The Board directs all district employees to comply with the Pennsylvania Department of Health's Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.

SC 510
Title 22
Sec. 12.41

Before any medication may be administered to or by any student during school hours, the Board shall require the written request of the parent/guardian, giving permission for such administration.

4. Delegation of Responsibility

The Superintendent or designee, in conjunction with the Certified School Nurse (CSN), shall develop administrative regulations for the administration and self-administration of students' medications.

All medications shall be administered by the Certified School Nurse, or in the absence of the Certified School Nurse by other licensed school health staff (RN, LPN), except as otherwise noted in this policy.

42 Pa. C.S.A.
Sec. 8337.1

In the event of an emergency, a district employee may administer medication when s/he believes, in good faith, that a student needs emergency care.

24 P.S. Sec. 14-1414.2	The District may, at the Superintendent's discretion, maintain a supply of epinephrine auto-injectors at a school in a safe, secure location. The school nurse at any such school will be responsible for the storage and use of the epinephrine auto-injectors and, before doing so, must successfully complete an applicable training program provided by the Pennsylvania Department of Health. A properly trained school nurse may 1) administer epinephrine auto-injectors to students according to student prescriptions on file at the school 2) provide epinephrine auto-injectors to students who are authorized to self-administer and 3) administer an epinephrine auto-injector to any student who the school nurse in good faith believes to be having an anaphylactic reaction. The district shall obtain a prescription in the name of the district, from a physician or a certified registered nurse practitioner, for any epinephrine auto-injectors obtained pursuant to this policy. The physician or certified nurse practitioner providing the prescription shall also provide a standing protocol for administration of an epinephrine auto-injector to any student who does not have his or her own prescription for an epinephrine auto-injector.
Pol. 103.1, 113	Parents and/or legal guardians of students within the district shall be able to exempt their children from the administration of an epinephrine auto-injector by district employees. School principals shall provide an opt-out form to all parents or legal guardians, notifying them of their ability to exempt their children in this manner. The Certified School Nurse shall collaborate with parents/guardians, district administration, faculty and staff to develop an individualized healthcare plan to best meet the needs of individual students. The policy and administrative regulations for administration of medications shall be reviewed, at least every two (2) years, by a committee consisting of the Certified School Nurse, school physician, school dentist, designated administrators, members of the School Health Advisory Committee, and revised as necessary.
5. Guidelines	The district shall inform all parents/guardians, students and staff about the policy and administrative regulations governing the administration of medications. All standing medication orders and parental consents shall be renewed at the beginning of each school year.
SC 1409 **Pol. 216**	Student health records shall be confidential and maintained in accordance with state and federal laws and regulations and the Department of Health Guidelines.
SC 1414.1 **Pol. 210.1**	Students may possess and use asthma inhalers and epinephrine auto-injectors when permitted in accordance with state law and Board policy.

Delivery And Storage Of Medications

All medication shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled container and kept in a locked cabinet designated for storage of medication. Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The district shall not store more than a thirty-day supply of an individual student's medication.

Medication should be recorded and logged in with the date, name of student, name of medication, amount of medication, and signatures of the parent/guardian or designated adult delivering the medication and the school health personnel receiving the medication.

Nonprescription medication must be delivered in its original packaging and labeled with the student's name.

Prescription medication shall be delivered in its original packaging and labeled with:

1. Name, address, telephone and federal DEA (Drug Enforcement Agency) number of the pharmacy.
2. Student's name.
3. Directions for use (dosage, frequency and time of administration, route, special instructions).
4. Name and registration number of the licensed prescriber.
5. Prescription serial number.
6. Date originally filled.
7. Name of medication and amount dispensed.
8. Controlled substance statement, if applicable.

All medication shall be accompanied by a completed Medication Administration Consent. Medication should also be accompanied by a Licensed Prescriber's Medication Order Form, or other written communication from the licensed prescriber, including the following information:

a. Name of the drug.

b. Prescribed dosage.

c. Times medication is to be taken.

d. Length of time medication is prescribed.

e. Diagnosis or reason medication is needed, unless confidential.

f. Potential serious reaction or side effects of medication.

g. Emergency response.

h. If child is qualified and able to self-administer the medication.

Disposal Of Medications

Procedures shall be developed for the disposal of medications consistent with the Department of Health Guidelines, which shall include:

1. Guidelines for disposal of contaminated needles or other contaminated sharp materials immediately in an appropriately labeled, puncture resistant container.

2. Processes for immediately returning to parents/guardians all discontinued and outdated medications, as well as all unused medications at the end of the school year.

3. Methods for safe and environmentally friendly disposal of medications.

4. Proper documentation of all medications returned to parents/guardians and for all medications disposed of by the Certified School Nurse or other licensed school health staff. Documentation shall include, but not be limited to, date, time, amount of medication and appropriate signatures.

Student Self-Administration Of Emergency Medications

Pol. 210.1

Prior to allowing a student to self-administer emergency medication, the district shall require the following:

	1. An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration. 2. Written parent/guardian consent. 3. An Individual Health Plan including an Emergency Care Plan. 4. The nurse shall conduct a baseline assessment of the student's health status. 5. The student shall demonstrate administration skills and responsible behavior to the nurse. The nurse shall provide periodic and ongoing assessments of the student's self-management skills. The student shall notify the school nurse immediately following each occurrence of self-administration of medication. Students shall demonstrate a cooperative attitude in all aspects of self-administration of medication. Privileges for self-administration of medication will be revoked if school policies regarding self-administration are violated. In the event the student's privileges are revoked in this manner, the Emergency Care Plan shall be revised to ensure availability of the medication to the student. <u>Administration Of Medication During Field Trips And Other School-Sponsored Activities</u>
Pol. 121	The Board directs planning for field trips and other school-sponsored activities to start early in the school year and to include collaboration between administrators, teachers, nurses, appropriate parents/guardians and other designated health officials. Considerations when planning for administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs and may include the following: 1. Assigning school health staff to be available. 2. Utilizing a licensed person from the school district's substitute list. 3. Contracting with a credible agency which provides temporary nursing services.

	4. Utilizing licensed volunteers via formal agreement that delineates responsibilities of both the school and the individual. 5. Addressing with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of the dose. 6. Asking parent/guardian to take responsibility for administration of medication by accompanying the child on the field trip. The parent/guardian will have to obtain proper clearances. 7. Arranging for medications to be provided in an original labeled container with only the amount of medication needed. Security procedures shall be established for the handling of medication during field trips and other school-sponsored activities. References: School Code – 24 P.S. Sec. 510, 1401, 1402, 1409, 1414.1 State Board of Education Regulations – 22 PA Code Sec. 12.41 Civil Immunity of School Officers or Employees Relating to Emergency Care, First Aid or Rescue – 42 Pa. C.S.A. Sec. 8337.1 Pennsylvania Department of Health "Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care" March 2010 Board Policy – 000, 103.1, 113, 121, 210.1, 216

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: POSSESSION/ ADMINISTRATION OF ASTHMA INHALERS/ EPINEPHRINE AUTO-INJECTORS

ADOPTED: September 9, 2015

REVISED: August 8, 2018

210.1. POSSESSION/ADMINISTRATION OF ASTHMA INHALERS/EPINEPHRINE AUTO-INJECTORS

Authority

The Board shall permit students in district schools to possess asthma inhalers and epinephrine auto-injectors and to self-administer the prescribed medication in compliance with state law and Board policy.[1][2]

The Board shall authorize the district to stock epinephrine auto-injectors in the name of the school district for emergency administration by trained employees to a student believed to be experiencing an anaphylactic reaction.[3]

Definitions

Anaphylaxis - a sudden, severe allergic reaction that involves various areas of the body simultaneously. In extreme cases, anaphylaxis can cause death.

Asthma inhaler shall mean a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack.[4]

Epinephrine auto-injector shall mean a prescribed disposable drug delivery system designed for the administration of epinephrine to provide rapid first aid for students suffering the effects of anaphylaxis.

Self-administration shall mean a student's use of medication in accordance with a prescription or written instructions from a licensed physician, certified registered nurse practitioner or physician assistant.

Delegation of Responsibility	The Superintendent or designee, in conjunction with the school nurse(s), shall develop procedures for student possession and self-administration of asthma inhalers or epinephrine auto-injectors and emergency response, and for the acquisition, stocking and administration of stock epinephrine auto-injectors, and training of school employees responsible for the storage and use of epinephrine auto-injectors. The Superintendent or designee shall annually distribute to students, parents/guardians, and staff this policy along with the Code of Student Conduct by publishing such in handbooks and newsletters, on the district's website, and through posted notices and other efficient methods.[1][5][6][7] The school physician shall be the prescribing and supervising medical professional for the district's stocking and use of epinephrine auto-injectors. The Superintendent or designee shall obtain a standing order from the school physician for administration of stock epinephrine auto-injectors. The school nurse shall be responsible for building-level storage of and administration of stock epinephrine auto-injectors.[3] The building principal shall annually notify parents/guardians of their right to opt-out of the provisions of this policy related to the administration of a stock epinephrine auto-injector. To opt-out, a parent/guardian shall sign and return the district's exemption form to the school nurse. The signed opt-out forms shall be maintained by the school nurse, and the school nurse shall provide trained school employees with the names of students whose parents/guardians have returned a signed opt-out form.[3]
Guidelines	Administration of asthma inhalers and epinephrine auto-injectors shall comply with Board policy, district procedures and individualized student plans such as an Individualized Education Program (IEP), Section 504 Service Agreement (Service Agreement), Individualized Healthcare Plan (IHP), or Emergency Care Plan (ECP).[2][3][8][9][10][11] In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting.[2][9][12][13][14][15] Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.[13][14]

Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors

Before a student may possess or use an asthma inhaler or epinephrine auto-injector in the school setting, the Board shall require the following:[1][8]

1. A written request from the parent/guardian that the school complies with the order of the licensed physician, certified registered nurse practitioner or physician assistant.

2. A written statement from the parent/guardian acknowledging that the school is not responsible for ensuring the medication is taken and relieving the district and its employees of responsibility for the benefits or consequences of the prescribed medication.

3. A written statement from the licensed physician, certified registered nurse practitioner or physician assistant that states:

    a. Name of the drug.

    b. Prescribed dosage.

    c. Times medication is to be taken.

    d. Length of time medication is prescribed.

    e. Diagnosis or reason medication is needed, unless confidential.

    f. Potential serious reaction or side-effects of medication.

    g. Emergency response.

    h. If child is qualified and able to self-administer the medication.

4. A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the asthma inhaler and/or epinephrine auto-injector in the school setting. Determination of competency for self-administration shall be based on the student's age, cognitive function, maturity and demonstration of responsible behavior.[1]

5. A written acknowledgement from the student that s/he has received instruction from the student's licensed physician, certified registered nurse practitioner or physician assistant on proper safety precautions for the handling and disposal of the asthma inhaler and/or epinephrine auto-injector, including acknowledgement that the student will not allow other students to have access to the prescribed medication and that s/he understands appropriate safeguards.

The district reserves the right to require a statement from the licensed physician, certified registered nurse practitioner or physician assistant for the continued use of a medication beyond the specified time period.[1]

A written request for student use of an asthma inhaler and/or epinephrine auto-injector shall be submitted annually, along with required written statements from the parent/guardian and an updated prescription. If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the licensed physician, certified registered nurse practitioner or physician assistant shall update the written statements.[1]

The student shall notify the school nurse immediately following each use of an asthma inhaler or epinephrine auto-injector.[1]

Students shall be prohibited from sharing, giving, selling, and using an asthma inhaler or epinephrine auto-injector in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and school-sponsored activities. Violations of this policy, provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard the asthma inhaler or epinephrine auto-injector may result in loss of privilege to self-carry the asthma inhaler or epinephrine auto-injector and disciplinary action in accordance with Board policy and applicable procedural safeguards.[1][2][7][16][17]

If the district denies a student's request to self-carry an asthma inhaler or epinephrine auto-injector or the student has lost the privilege of self-carrying an asthma inhaler or epinephrine auto-injector, the student's prescribed medication shall be appropriately stored at a location in close proximity to the student. The school nurse, other designated school employees and the student's classroom teachers shall be informed where the medication is stored and the means to access the medication.[1]

Standing Order From the School Physician

The school physician shall provide and annually renew a standing order for administration of stock epinephrine auto-injectors to students believed to be experiencing an anaphylactic reaction.

The standing order shall include at least the following information:

1. Type of epinephrine auto-injector.
2. Date of issue.
3. Dosage.
4. Signature of the school physician.

The standing order shall be maintained in the Superintendent's office, and copies of the standing order shall be kept in each location where a stock epinephrine auto-injector is stored.

Acquisition, Storage and Disposal of Stock Epinephrine Auto-Injectors

One or more school employees shall be designated within each school to be responsible for the storage and use of the stock epinephrine auto-injectors.[3]

Stock epinephrine auto-injectors shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Stock epinephrine auto-injectors shall be made readily accessible to those employees who have completed the required training to administer it in the event of a student experiencing an anaphylactic reaction. All properly trained employees shall be informed of the exact location where stock epinephrine auto-injectors are being stored within the school nurse's office or other location.

The school nurse shall obtain sufficient supplies of stock epinephrine auto-injectors pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh epinephrine auto-injector stocks, and maintain records thereof, in accordance with the established internal procedures, manufacturer recommendations and Pennsylvania Department of Health guidelines.

Administration of Stock Epinephrine Auto-Injectors

When responding to a student believed to be experiencing an anaphylactic reaction, a trained school employee shall:[3][18][19][20][21]

1. Administer an epinephrine auto-injector that meets the prescription on file for either the student or the district. If the student is authorized to self-administer an epinephrine auto-injector, the trained school employee may provide the student with an epinephrine auto-injector that meets the prescription on file for either the student or the district for self-administration.

2. Call for medical help immediately (dial 9-1-1).

3. Take additional precautions or steps outlined in emergency response procedures and training, including the administration of a second dose of epinephrine, if necessary.

4. Stay with the student until emergency medical help arrives.

5. Cooperate with Emergency Medical Services (EMS) personnel responding to the incident.

6. Notify the school nurse or designee of the incident.

Training

Before any school district employee may be responsible for the storage or administration of epinephrine auto-injectors under this policy, the employee must successfully complete a training course approved by the Pennsylvania Department of Health.[3]

Refresher training shall be completed every two (2) years, and a hands-on demonstration and review of this policy and any accompanying procedures shall be completed annually.

Evidence that such training has been completed shall be placed in the employee's personnel file.

A list of school district employees who successfully complete such training shall be maintained, updated and kept in the school nurse's office and the school district administration office.

Indemnification

The school district shall indemnify and hold harmless any employee who administers an epinephrine auto-injector in good faith to a student experiencing anaphylaxis, if all of these conditions apply:[3][22][23][24]

1. The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering the epinephrine auto-injector to the student.

2. The employee successfully completed the training required by this policy.

3. The employee promptly sought additional medical assistance before or immediately after administering the epinephrine auto-injector.

4. The employee administered the epinephrine auto-injector pursuant to this policy, and the student's individualized plan, if applicable.

Legal References:

1. 24 P.S. 1414.1
2. Pol. 103.1
3. 24 P.S. 1414.2
4. 24 P.S. 1401
5. 22 PA Code 12.3
6. 24 P.S. 510.2
7. Pol. 218
8. 22 PA Code 12.41
9. Pol. 113
10. Pol. 209.1
11. Pol. 210
12. 24 P.S. 1409
13. Pol. 113.4
14. Pol. 216
15. Pol. 810
16. Pol. 113.1
17. Pol. 227
18. 42 Pa. C.S.A. 8332
19. 42 Pa. C.S.A. 8337.1
20. 42 Pa. C.S.A. 8541
21. 42 Pa. C.S.A. 8545
22. 24 P.S. 1414.9
23. 42 Pa. C.S.A. 8547
24. 42 Pa. C.S.A. 8548
Pennsylvania Department of Health Guidance - Epinephrine Auto-Injector Administration, May 2018

FREEPORT AREA SCHOOL DISTRICT
ASTHMA/ANAPHYLAXIS ACTION PLAN

In order to provide for the special needs of your child while he/she is at school and to be in compliance with state mandated regulations, we must have **ALL** medication, asthma or anaphylaxis forms in this packet completed and returned to the school nurse immediately. Please notify the school nurse if changes occur during the school year.

Child's Name_____ Birth Date_____ Grade_____

Telephone Number_____ Age asthma/anaphylaxis was diagnosed. ___

1. What triggers asthma/anaphylaxis symptoms in your child? Include items such as exercise, environment, food allergy, etc.
_____
_____

2. Approximately how often does your child have an acute episode?
_____

3. Does your child understand how to manage it? _____

4. In event your child has an asthma/anaphylaxis attack during the school day, what procedures would you like the school to follow? (**Be very explicit.**)
_____
_____
_____

5. **Special Precautions** for gym, sports, lunch, food, recess or other particular situations:
_____
_____

6. If your child is on daily medication at home for asthma/anaphylaxis, please identify: Name of the drug(s) _____
_____

7. If your child is bringing an inhaler/epinephrine auto-injector or other medication to school, please identify: Name of the drug(s) _____
_____

If your child needs to have medication at school, please have your physician fill out the Medication Procedure Form in this packet. You and the physician must sign it. All medications, including inhalers/epinephrine auto-injectors not specified to be carried by the student, must be kept in the health office.

_____ _____
(Parent/Guardian Signature) (Today's Date)

[SCHOOL PRINCIPAL LETTERHEAD]

DATE

Dear Parents/Guardians:

Pennsylvania Law now allows schools to obtain and store epinephrine auto-injectors to administer epinephrine in the event a student goes into anaphylaxis (life-threatening allergic reaction).

[NAME OF SCHOOL] has obtained epinephrine auto-injectors pursuant to this law, to be administered in the event a person experiences anaphylaxis in the school setting. The intent of this program is not to replace epinephrine auto-injectors brought to school by students who have been prescribed the devices to control a known/diagnosed allergy.

Pennsylvania law requires the school to offer an opt-out for parents who do not wish for their child to be included in this program. If, for some reason, you do not want your child to be treated with an epinephrine auto-injector in the event your child has a life-threatening allergic reaction (anaphylaxis), please complete and sign the bottom portion of this letter and return it to your child's school.

Sincerely,

_____, Principal _____, School Nurse

Opt-out Form

I do not want my child, listed below, to be treated with an epinephrine auto-injector in the event he or she has a life-threatening allergic reaction (anaphylaxis) during school hours or during a school event. My child is exempt from being treated with an epinephrine auto-injector and he or she opts out of the administration of epinephrine pursuant to the Pennsylvania School Code, 24 P.S. § 1414.2(g). I release, indemnify and hold harmless Freeport Area School District, its Board, employees, agents and representatives, from any and all liability related to or arising from my decision to exempt my child from the administration of an epinephrine auto-injector.

Child's Name_____ Grade_____

Parent Signature_____ Date_____

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT ACCIDENT INSURANCE

ADOPTED: August 12, 2015

REVISED:

211. STUDENT ACCIDENT INSURANCE

1. Purpose

The Board recognizes the need for insurance coverage for unforeseen accidents that may occur to students in the course of attendance at school or participation in the athletic and extracurricular programs of the schools.

2. Authority

The Board shall require parents/guardians of students who participate in an interscholastic sport, cheerleader program, band program and designated extracurricular programs to purchase the student accident insurance available through the school district or provide proof of comparable insurance, prior to the student's participation.

The Board shall provide, at no cost to the Board, parents/guardians the opportunity to purchase insurance coverage for students while participating in any activity during school hours, or any activity round-the-clock.

3. Delegation of Responsibility

The Superintendent or designee shall be responsible to:

1. Prepare specifications and secure suitable coverage from qualified insurance carriers for recommendation and Board approval.

2. Notify all students and parents/guardians of students who may be eligible for insurance purchase.

3. Ensure that where the Board assumes the full cost of insurance, each eligible student is properly insured.

References:

School Code – 24 P.S. Sec. 511

Board Policy – 122, 123

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: REPORTING STUDENT PROGRESS

ADOPTED: August 12, 2015

REVISED: April 29, 2020

212. REPORTING STUDENT PROGRESS

1. Purpose
Pol. 216

The Board believes that cooperation between school and home is a vital ingredient in the growth and education of each student. The Board acknowledges the school's responsibility to keep parents/guardians informed of student welfare and academic progress and also recognizes the effects of federal and state laws and regulations governing student records.

2. Authority

The Board directs establishment of a system of reporting student progress that requires all appropriate staff members, as part of their professional responsibility, to comply with a reporting system that includes academic progress reports, report cards, and parent/guardian conferences with teachers.

3. Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations for reporting student progress to parents/guardians.

4. Guidelines

Various methods of reporting, appropriate to grade level and curriculum content, shall be utilized.

Both student and parent/guardian shall receive ample warning of a pending grade of failure, or one that would adversely affect the student's academic status.

Scheduling of parent-teacher conferences shall occur at times that ensure the greatest degree of participation by parents/guardians.

Report cards shall be issued at intervals of not less than nine (9) weeks. For the 2019-20 school year, the third nine (9) weeks will consist of 39 school days. The fourth nine (9) weeks will consist of 48 days.

Review and evaluation of methods of reporting student progress to parents/guardians shall be conducted on a periodic basis.

	References: School Code – 24 P.S. Sec. 510 Board Policy – 000, 213, 216

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ASSESSMENT OF STUDENT PROGRESS

ADOPTED: August 12, 2015

REVISED: April 29, 2020

213. ASSESSMENT OF STUDENT PROGRESS

1. Purpose	The Board recognizes that a system of assessing student achievement can help students, teachers, and parents/guardians to understand and evaluate a student's progress toward educational goals and academic standards.
2. Definition **Title 22** **Sec. 4.11, 4.12**	Assessment shall be the system of measuring and recording student progress and achievement that enables the student, parents/guardians and teachers to determine a student's attainment of established local and state academic standards; learn the student's strengths and weaknesses; determine where remedial work is required; and plan an educational or vocational future for the student in areas of the greatest potential for success.
3. Authority **SC 1531, 1532** **Title 22** **Sec. 4.11, 4.51, 4.52** **Pol. 102, 127**	The Board directs that the district's instructional program shall include a system of assessing all students' academic progress. The system shall include descriptions of how achievement of academic standards will be measured and how this information will be used to assist students having difficulty meeting required standards.
Title 22 **Sec. 4.52**	Students with disabilities shall be included in the district's assessment system, with appropriate accommodations when necessary.
4. Delegation of Responsibility **Title 22** **Sec. 4.52**	The Superintendent or designee shall develop and implement an assessment system to measure student progress, in accordance with district goals and state regulations.
	For the 2019-20 school year, the following grading practices will be used:

	Third nine (9) weeks grades will be determined for the time students were in school during the third nine (9) weeks. No student will be required to make up missed work (homework, quizzes, tests, projects, labs, activities) during the school closure as mandated by the governor. The lowest possible grade will be 60%. Fourth nine (9) weeks progress will be determined using two criteria: 1) weekly attendance logs completed by the parent or guardian. Students are required to complete work assigned daily by their teacher(s) in each subject area or course. 2) complete assessments in each subject area or course if assigned by the teacher. Students will be considered complete or incomplete based on the two (2) criteria. For grading purposes, if a student is complete, the grade will be 100%; if a student is incomplete, the grade will be 60%.
5. Guidelines	Each student should be kept informed of his/her personal progress during the course of a unit of study. References: School Code – 24 P.S. Sec. 1531, 1532 State Board of Education Regulations – 22 PA Code Sec. 4.11, 4.12, 4.24, 4.51, 4.52 Board Policy – 102, 127, 212, 216, 217

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CLASS RANK

ADOPTED: August 12, 2015

REVISED:

214. CLASS RANK

1. Purpose

The Board acknowledges the necessity for a system of computing grade point averages and class rank for secondary school students to inform students, parents/guardians and others of their relative academic placement among their peers.

2. Authority

The Board authorizes a system of class rank, by grade point average, for students in grades 9-12. All students shall be ranked together by class.

Class rank shall be computed by using each nine-week grade in all subjects for which credit is awarded by letter grades other than pass or fail. Final grades will be used to determine earned credit value only, not the GPA. GPA will be based upon the prorated nine-week grade during the school year.

Any two (2) or more students whose computed grade point averages are identical shall be given the same rank. The rank of the student who immediately follows a tied position will be determined by the number of students preceding and not by the rank of the proceeding person.

In recognition of the heavier burden of certain work, grade point averages shall be weighted by awarding an add-on value for each honors course and advanced placement course as specified in the course of study. Add-on values will be calculated as follows:

1. Level 3 courses .120 (Advanced Placement Course).

2. Level 2 courses .060 (Honors Courses).

Pol. 216

A student's grade point average and rank in class shall be entered on the student's record and transcripts and shall be subject to Board policy on release of student records.

3. Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations for computing grade point averages and assigning class rank to implement this policy which shall include a statement of the methods for such computation.

	References: School Code – 24 P.S. Sec. 510 Board Policy – 216

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: PROMOTION AND RETENTION

ADOPTED: August 12, 2015

REVISED:

215. PROMOTION AND RETENTION

1. Purpose

The Board recognizes that the emotional, social, physical and educational development of students will vary and that students should be placed in the educational setting most appropriate to their needs. The district shall establish and maintain academic standards for each grade and monitor individual student achievement in a continuous and systematic manner.

2. Authority
SC 1531, 1532
Title 22
Sec. 4.12, 4.42

The Board establishes that each student shall be moved forward in a continuous pattern of achievement and development that corresponds with the student's progress, system of grade levels, and attainment of the academic standards established for each grade.

SC 1531, 1532
Pol. 213

A student shall be promoted when s/he has successfully completed the curriculum requirements and has achieved the academic standards established for the present level, based on the professional judgement of the teachers and the results of assessments. A student shall earn the right to advance to the next grade by demonstrating mastery of the required skills and knowledge.

3. Delegation of Responsibility
Title 22
Sec. 4.13
Pol. 100

The Superintendent or designee shall develop administrative regulations for promotion and retention of students which assure that every effort will be made to remediate the student's difficulties before the student is retained.

SC 1532

The recommendation of the classroom teacher shall be required for promotion or retention of a student.

The building principal shall be assigned the final responsibility for determining the promotion or retention of each student.

4. Guidelines

In all cases of retention, the parents/guardians shall be fully involved and informed throughout the process. Parents/Guardians and students shall be informed of the possibility of retention of a student well in advance.

Pol. 212, 213	Academic achievement, attitude, effort, work habits, behavior, attendance and other factors related to learning shall be evaluated regularly and communicated to students and parents/guardians.
Pol. 213	The district shall utilize multiple measures of academic performance as determinants in promotion and retention decisions.
Pol. 217	Progress toward high school graduation shall be based on the student's ability to achieve the established academic standards and pass the required subjects and electives necessary to earn the number of credits mandated by the Board for graduation.
	References: School Code – 24 P.S. Sec. 1531, 1532, 1533 State Board of Education Regulations – 22 PA Code Sec. 4.12, 4.13, 4.42 Board Policy – 000, 100, 212, 213, 217

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: August 12, 2015

REVISED:

216. STUDENT RECORDS

1. Authority
SC 1305-A, 1306-A, 1402, 1409, 1532, 1533
Title 22 Sec. 4.52, 12.31, 12.32, 15.9
20 U.S.C. Sec. 1232g
34 CFR Part 99, Part 300

The Board recognizes its responsibility for the collection, retention, disclosure and protection of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records and personally identifiable information from such records.

The Board shall adopt a comprehensive plan for the collection, maintenance and dissemination of student education records that complies with federal and state laws and regulations and state guidelines. Copies of the adopted student records plan shall be maintained by the district and revised as required by changes in federal or state law and regulations.

Copies of the student records plan shall be submitted to the Department of Education, upon request.

2. Definitions
34 CFR Sec. 99.3

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

20 U.S.C. Sec. 1232g
34 CFR Sec. 99.3

Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

	Directory information does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.
34 CFR Sec. 99.3	**Disclosure** - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.
20 U.S.C. Sec. 1232g **34 CFR Sec. 99.3**	**Education records** - records that are directly related to a student, maintained by the school district or by a party acting for the school district. The term does not include: 1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record. 2. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student. 3. Grades on peer-graded papers before they are collected and recorded by a teacher. 4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.
34 CFR Sec. 99.3, 99.5	**Eligible student** - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to and consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in the Internal Revenue Code, the district shall make the education records accessible to the parent of said student.

34 CFR Sec. 99.3, 99.4	**Parent** - includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.
34 CFR Sec. 99.3	**Personally identifiable information** - includes, but is not limited to: 1. The name of a student, the student's parents or other family members. 2. The address of the student or student's family. 3. A personal identifier, such as the student's Social Security Number, student number, or biometric record. 4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name. 5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. 6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.
34 CFR Sec. 99.3	**Student** - includes any individual who is or has been in attendance at the district and regarding whom the district maintains education records.
3. Delegation of Responsibility	The Superintendent or designee shall be responsible for developing, implementing, and monitoring the student records plan. All district personnel having access to student education records shall receive training in the requirements of Board policy, student records plan, and applicable federal and state laws and regulations as directed by the Superintendent.
SC 1532 Pol. 213, 215	Each district teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and a recommendation for promotion or retention.
4. Guidelines	The district's plan for the collection, retention, disclosure and protection of student records shall provide for the following:

	1. Safeguards to protect the student records when collecting, retaining and disclosing personally identifiable information.
34 CFR Sec. 99.7	2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.
34 CFR Sec. 99.10, 99.11, 99.12	3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students. The district may charge a fee for copies of records that are made for parents so long as the fee does not effectively prevent parents from exercising their right to inspect and review those records. The district shall not charge a fee to search for or to retrieve information in response to a parental request.
34 CFR Sec. 99.20	4. Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
34 CFR Sec. 99.21, 99.22	5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.
	6. Enumerating and defining the types, locations and persons responsible for education records maintained by the district.
34 CFR Sec. 99.3, 99.37	7. Determining the types of personally identifiable information designated as directory information.
34 CFR Sec. 99.30-99.39	8. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.
34 CFR Sec. 99.7, 99.31	9. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest. Such methods shall include criteria for determining who constitutes a school district official and what constitutes a legitimate educational interest.
34 CFR Sec. 99.32	10. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.
Pol. 113.4	11. Ensuring appropriate review, retention, disposal and protection of student records.
SC 1305-A	12. Transferring education records and appropriate disciplinary records to other school districts.

	Student Recruitment
Pol. 250	Procedures for disclosure of student records and personally identifiable information shall apply equally to military recruiters and postsecondary institutions and shall comply with law and Board policy.
	Missing Child Registration
35 P.S. Sec. 450.403-A	A missing child notation shall be placed on school records of a student under the age of eighteen (18) reported as missing to school officials by a law enforcement agency. Such notation shall be removed when the school district is notified by the appropriate law enforcement agency that a missing child has been recovered.
35 P.S. Sec. 450.404-A	In the event the district receives a request for information from the school records of a missing child, the district shall: 1. Attempt to obtain information on the identity of the requester. 2. Contact the appropriate law enforcement agency to coordinate a response. No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.
	References: School Code – 24 P.S. Sec. 1305-A, 1306-A, 1402, 1409, 1532, 1533 Missing Children Registration – 35 P.S. Sec. 450.401-A et seq. State Board of Education Regulations – 22 PA Code Sec. 4.52, 12.31, 12.32, 15.9, 16.65 Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99 Individuals with Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300 Board Policy – 113, 113.1, 113.4, 213, 215, 216.1, 250

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: SUPPLEMENTAL DISCIPLINE RECORDS ADOPTED: August 12, 2015 REVISED: September 13, 2023

216.1. SUPPLEMENTAL DISCIPLINE RECORDS

Authority

The school district shall maintain required records concerning students adjudicated delinquent and transfer students disciplined for offenses involving weapons, alcohol, drugs and violence on, or within 1,500 feet of, school property.[1][2][3][4][5]

Guidelines

Records/Information Regarding Students Who Have Been Adjudicated Delinquent

The building principal or designee shall receive from the court, through the juvenile probation office, information concerning the adjudication of an enrolled student. The information may include, but not be limited to, the name and address of the student, a description of the delinquent acts committed by the student and the disposition of the case. If the student is adjudicated delinquent of a felony offense, the building principal or designee may receive additional information, including but not limited to juvenile probation or treatment reports pertaining to the adjudication, prior delinquent history and the supervision plan. Other information may be provided as deemed necessary by the juvenile probation office unless restricted by a court order or other applicable law or regulation.[4][5]

Upon receipt, the building principal or designee shall send a written acknowledgement to the juvenile probation office of the receipt of the information, including acknowledgement of the requirements and restrictions of the district regarding such information.[5]

The building principal or designee shall share this information with the student's teacher and the principal of another school to which the student may transfer. The information shall be used for the limited purposes of protecting school personnel and students, and arranging for appropriate counseling and education for the student.[4][5]

The information may be used for school disciplinary decisions only if: the student was under the supervision of the Board at the time of the incident; the act(s) took place within 1,500 feet of school property; and the school has complied with all other statutory, regulatory and constitutional provisions relative to the imposition of school discipline.[4][5][6][7][8][9]

The information received from the juvenile probation office concerning an adjudicated student shall be maintained separately from the student's official school record.[4][5]

Records Regarding Student Enrollment - Sworn Statement or Affirmation Related to Disciplinary Exclusions

Upon registration and prior to admission to the school district, the parent/guardian or person having charge of the student shall provide a signed sworn statement or affirmation stating whether the student previously was or presently is suspended or expelled from any public or private school for an offense involving weapons, alcohol or drugs; willful infliction of injury to another person; sexual assault; or any act of violence committed on school property. The statement shall include the dates of suspension or expulsion and the name of the school from which the student was suspended or expelled for these reasons.[1][8][10][11]

The sworn statement or affirmation shall include the signature of the parent/guardian or person having charge of the student and they shall be informed that any willful false statements concerning this registration shall be a misdemeanor of the third degree.[1]

This registration statement shall be maintained as part of the student’s disciplinary record.

Transfer of Disciplinary Records

Transfer Into the District -

When a student transfers to a district school from another school district, a nonpublic school, or other school within this district, the district shall request a certified copy of the student’s disciplinary record from the school from which the student is transferring. The sending school shall have ten (10) days from receipt of the request to provide the disciplinary record. This record shall be maintained as part of the student’s disciplinary record and shall be available for inspection as required by law and Board policy.[2][12]

Transfer From the District -

When a student transfers from a district school to another school district, a nonpublic school or other school within the district, the district shall transmit a certified copy of the student’s disciplinary record within ten (10) days of receiving the request from the school to which the student has transferred. A copy of the notice initially provided by the juvenile probation office to the district shall also be provided to the school to which the student has transferred.[5]

The building principal or designee shall maintain a log of all individuals from other school districts to whom this information is subsequently provided, and shall inform the juvenile probation office upon providing this information to officials from other schools outside the district.[5]

	Legal References 1. 24 P.S. 1304-A 2. 24 P.S. 1305-A 3. 24 P.S. 1307-A 4. 42 Pa. C.S.A. 6341 5. 237 PA Code Rule 163 6. Pol. 113.1 7. Pol. 218 8. Pol. 218.3 9. Pol. 233 10. 24 P.S. 1318.1 11. Pol. 200 12. Pol. 216 20 U.S.C. 1232g 20 U.S.C. 7118 Pol. 113.4

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: GRADUATION

ADOPTED: August 12, 2015

REVISED: January 14, 2021
January 18, 2023
February 14, 2024

217. GRADUATION

Purpose

The Board shall establish graduation requirements and acknowledge each student's successful completion of the instructional program by awarding diplomas and certificates at graduation ceremonies.

Authority

The Board shall adopt the graduation requirements students must achieve in accordance with state law and regulations.[1][2][3][4]

The Board requires graduation requirements to be published and distributed to students and parents/guardians, and made available in each school building and posted on the district's publicly accessible website. All changes to graduation requirements shall be published and distributed to students and parents/guardians, and made available in each school building and posted on the district's publicly accessible website immediately following approval by the Board.[2][5]

Diplomas

The Board shall award a high school diploma to every student enrolled in this district who meets the requirements for graduation established by this Board.[2][6][7][8][9][10]

A student who has completed the requirements for graduation shall not be denied a diploma as a disciplinary measure, but the student may be denied participation in the graduation ceremony when personal conduct so warrants. Such exclusion shall be regarded as a school suspension.[11]

Students Experiencing Educational Instability -

The district shall provide supports to ensure that students experiencing educational instability graduate in a timely manner, in accordance with law and Board policy. A graduation plan shall be developed to facilitate this process for students in grades nine (9) through twelve (12) who are experiencing educational instability.[12][13]

Students With Disabilities -

The Board shall permit a student with a disability, whose Individualized Education Program (IEP) prescribes continued educational services, to participate in commencement ceremonies with their graduating class and receive a certificate of attendance, provided that the student has attended four (4) years of high school. The Board shall issue a high school diploma to each student with a disability who completes the graduation requirements established by the Board or the goals established in the student's IEP, as determined by the student's IEP team.[1][2][14][15][16][17][18][19]

Part-Time Students -

A student may qualify for graduation by attending a district school part-time when lawfully employed part-time or when officially enrolled part-time in a postsecondary institution.[20][21]

Full-Time Postsecondary Students -

The fourth year of high school shall not be required for graduation if a student has completed all requirements for graduation and attends a postsecondary institution as a full-time student.[21][22]

Children of Active Duty Military Families –

The district shall provide supports to facilitate the on-time graduation of children of active duty military families in accordance with the Interstate Compact on Educational Opportunity for Military Children, state law and Board policy.[23][24]

Eligible Veterans -

In order to honor and recognize honorably discharged eligible veterans who left high school prior to graduation to serve in World War II, the Korean War or the Vietnam War, the Board shall grant a diploma to a veteran who meets the applicable requirements of law and completes the required application.[6]

Upon proper application, the Board may award a diploma posthumously to a veteran who meets the stated requirements.

	The Superintendent shall submit to the Board for its approval the names of veterans of World War II, the Korean War and the Vietnam War who are eligible for a high school diploma.
Delegation of Responsibility	The Superintendent or designee shall be responsible for ensuring the following: 1. Publication and distribution of graduation requirements to students and parents/guardians.[2][5] 2. Counseling of students regarding expectations of graduation requirements.[2][3][4][8][9][10][16] 3. Assessment of individual student attainment of academic standards to ensure the student's progress toward achievement of graduation requirements.[2][3][4][8][9][10][16] 4. Accurate recording and reporting of each student's progress and accumulation of graduation requirements.[10][25] 5. Provision of assistance to those students having difficulty attaining the academic standards.[1][2] 6. Development of a list of individuals who qualify for the award of a diploma. 7. Planning and executing graduation ceremonies that appropriately recognize this important achievement. The Superintendent or designee shall annually, no later than December 1, report to the PA Department of Education (PDE) graduation information and data, as required by law.[1]

	Legal References 1. 24 P.S. 121 2. 22 PA Code 4.24 3. 22 PA Code 4.51 4. 22 PA Code 4.52 5. 24 P.S. 510.2 6. 24 P.S. 1611 7. 24 P.S. 1613 8. Pol. 102 9. Pol. 127 10. Pol. 212 11. Pol. 233 12. 24 P.S. 1331.1 13. Pol. 251 14. 24 P.S. 1614 15. 22 PA Code 11.27 16. 22 PA Code 4.12 17. 34 CFR 300.102 18. 34 CFR 300.305 19. Pol. 113 20. 22 PA Code 11.5 21. 22 PA Code 11.8 22. 22 PA Code 11.4 23. 24 P.S. 7302 24. Pol. 254 25. Pol. 216 34 CFR Part 300 Interstate Compact on Educational Opportunity for Military Children (MIC3)

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: STUDENT DISCIPLINE ADOPTED: August 12, 2015 REVISED: June 9, 2022 August 14, 2024

218. STUDENT DISCIPLINE

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 district.[1][2][3][4][5]

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.[1][2][4][5][6][7][8]

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct and district rules and regulations.[10]

Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated.[11]

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy.[7][11]

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 law enforcement and Board policies.[5][7][12][13][14][15]

	<u>On and Off-Campus Activities</u> This policy and the Code of Student Conduct apply to the behavior of students at all times 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 or at other times while riding in school-provided means of transportation ("on-campus"). This policy and the Code of Student Conduct also apply to student behavior that occurs at other times and places ("off-campus") when:[3] 1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment; 2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions; 3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs; 4. The conduct involves the theft or vandalism of school property; or 5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.
Delegation of Responsibility	The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct. The Superintendent 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 in each school library and school office and may be included in student handbooks and on the district website.[1][8]

The building principal or designee shall have the authority to assign discipline to students, subject to Board policies, administrative regulations, the Code of Student Conduct and school rules, and to the student's due process right to notice, hearing and appeal.[7][11][16][17]

Teaching staff and other district 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, in accordance with Board policy, administrative regulations, the Code of Student Conduct and school rules.[16]

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/or for the protection of persons or property.[10]

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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[18][19][20]

The Superintendent 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 law enforcement agency 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 law enforcement and Board policies.[15][18][20][21][22][23]

The Superintendent 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 Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[15][18][24]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the PA Department of Education on the required form.[15][20][23][25][26][27][28]

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[29][30]

The Superintendent 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 References

1. 22 PA Code 12.3
2. 22 PA Code 12.4
3. 24 P.S. 510
4. Pol. 103
5. Pol. 103.1
6. 22 PA Code 12.2
7. Pol. 113.1
8. Pol. 235
9. Pol. 146.1
10. 22 PA Code 12.5
11. Pol. 233
12. 22 PA Code 10.23
13. 20 U.S.C. 1400 et seq
14. Pol. 113.2
15. Pol. 805.1
16. 24 P.S. 1317
17. 24 P.S. 1318
18. 22 PA Code 10.2
19. 35 P.S. 780-102
20. 24 P.S. 1319-B
21. 22 PA Code 10.21
22. 22 PA Code 10.22
23. 24 P.S. 1306.2-B
24. 22 PA Code 10.25
25. Pol. 218.1
26. Pol. 218.2
27. Pol. 222
28. Pol. 227
29. 24 P.S. 1302-E
30. Pol. 236.1

22 PA Code 12.1 et seq
22 PA Code 403.1
20 U.S.C. 7114
34 CFR Part 300
Mahanoy Area School District v. B.L., 594 U.S. _____ (2021)
Pol. 122
Pol. 123

	Pol. 218.3 Pol. 805

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: WEAPONS ADOPTED: August 12, 2015 REVISED: August 12, 2021; August 14, 2024; January 14, 2026

218.1. WEAPONS

Purpose

The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

Definitions

Weapon - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon and any other tool, instrument or implement capable of inflicting serious bodily injury.[1][2]

Possession - a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker or assigned storage area; or under the student's 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 the school or while the student is coming to or from school.

Authority

The Board prohibits students from possessing and bringing weapons and replicas of weapons into any district buildings, onto school property, to any school-sponsored activity and onto any public vehicle providing transportation to or from school or a school-sponsored activity, or while the student is coming to or from school.[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.[2][4][5]

The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.[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 law enforcement and Board policies.[2][4][6][7][8][9][10][11]

Delegation of Responsibility	The Superintendent 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 the law enforcement agency that has jurisdiction over the school's property, and the district's emergency preparedness plan.[11][12][13][14] When the behavior of a student in possession of a weapon indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[15][16] <u>Reporting</u> *Law Enforcement Incident Report* - The Superintendent 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 law enforcement agency 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 law enforcement and Board policies.[2][11][13][17][18][19] *Parental Report - Direct Involvement* - The Superintendent 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 Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[11][12][18][20] *Additional Parental and Employee Notifications* - The Superintendent or designee shall, in accordance with applicable law, ensure notification of an incident involving possession of a weapon on school property, at a school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to employees and parents/guardians of students, as follows:[12][21] 1. Incident occurring at a school building - Notification to parents/guardians of students enrolled in or attending that school building and school employees assigned to that building. 2. Incident occurring at a school building that shares a campus with other school buildings - Notification to parents/guardians of students enrolled or attending and school employees assigned to any building on the shared campus.

	3. Incident occurring at a school-sponsored activity or on a public conveyance providing transportation to or from a school or school-sponsored activity - Notification to the appropriate population of parents/guardians and school employees. Notification is not required if the incident is not directly related to the school-sponsored activity or the students or staff involved in the activity. Such notification(s) must occur within twenty-four (24) hours of the incident using a method of communication likely to reach designated parents/guardians and employees, unless the circumstances of the incident necessitate otherwise.[12] *Annual School Safety and Security Incidents Report* - In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the PA Department of Education on the required form.[11][13][17]
Guidelines	The building principal 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. An exception to this policy may be made by the Superintendent, in accordance with law, who shall prescribe special conditions or administrative regulations to be followed.[2] 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.[22][23] <u>Transfer Students</u> When the district receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the district may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[2][24]

	Legal References 1. 24 P.S. 1301-A 2. 24 P.S. 1317.2 3. Pol. 218 4. Pol. 113.1 5. Pol. 233 6. 20 U.S.C. 1400 et seq 7. 22 PA Code 10.23 8. Pol. 103.1 9. Pol. 113.2 10. Pol. 113.3 11. Pol. 805.1 12. 24 P.S. 1303.2-A 13. 24 P.S. 1319-B 14. Pol. 805 15. 24 P.S. 1302-E 16. Pol. 236.1 17. 24 P.S. 1306.2-B 18. 22 PA Code 10.2 19. 22 PA Code 10.21 20. 22 PA Code 10.25 21. 20 U.S.C. 1232g 22. 18 U.S.C. 921 23. 18 U.S.C. 922 24. Pol. 200 18 Pa. C.S.A. 912 20 U.S.C. 7114 20 U.S.C. 7961 22 PA Code 403.1 34 CFR Part 300

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TERRORISTIC THREATS

ADOPTED: August 12, 2015

REVISED: August 12, 2021
August 14, 2024

218.2. TERRORISTIC THREATS

Purpose

The Board recognizes the danger that terroristic threats by students present to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving a terroristic threat.

Definitions

Communicate - shall mean to convey in person or by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex and similar transmissions.[1]

Terroristic threat - shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.[1]

Authority

The Board prohibits any district student from communicating terroristic threats directed at any student, employee, school director, community member or property owned, leased or being used by the district.

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 law enforcement and Board policies.[2][3][4][5][6][7]

Delegation of Responsibility

The Superintendent or designee, in coordination with the threat assessment team, shall react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulations, Board policy and administrative regulations, the procedures set forth in the memorandum of understanding with law enforcement agencies having jurisdiction over school property and the district's emergency preparedness plan.[2][8][9][10][11]

Guidelines	In all cases of terroristic threats, where a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[8][10] Staff members and students shall be made aware of their responsibility for informing the threat assessment team regarding any information or knowledge relevant to a possible or actual terroristic threat.[10][12] The threat assessment team shall immediately inform the Superintendent or designee, School Safety and Security Coordinator and building principal of a terroristic threat, in accordance with Board policy and administrative regulations.[10] The Superintendent or designee may report incidents involving terroristic threats 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 law enforcement agency 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 law enforcement and Board policies.[2][9][13][14][15] The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[2][14][16] In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of terroristic threats to the PA Department of Education on the required form.[2][9][13] If a student is expelled for making terroristic threats, the Board may require, prior to readmission, that the student provide competent and credible evidence from a behavioral service provider that the student does not pose a risk of harm to others.[10][6][17]

	Legal References 1. 18 Pa. C.S.A. 2706 2. Pol. 805.1 3. 22 PA Code 10.23 4. 20 U.S.C. 1400 et seq 5. Pol. 103.1 6. Pol. 113.1 7. Pol. 113.2 8. 24 P.S. 1302-E 9. 24 P.S. 1319-B 10. Pol. 236.1 11. Pol. 805 12. 22 PA Code 12.2 13. 24 P.S. 1306.2-B 14. 22 PA Code 10.2 15. 22 PA Code 10.22 16. 22 PA Code 10.25 17. Pol. 233 34 CFR Part 300

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: DISCIPLINE OF STUDENT CONVICTED/ADJUDICATED OF SEXUAL ASSAULT ADOPTED: February 11, 2021

218.3 DISCIPLINE OF STUDENT CONVICTED/ADJUDICATED OF SEXUAL ASSAULT

Purpose

The Board recognizes the importance of a safe school environment for students who are victims of sexual assault. This policy addresses disciplinary requirements for a student convicted or adjudicated delinquent of sexual assault upon another district student.[1]

Definitions

Conviction – means the finding of guilty by a judge or a jury or the entry of a plea of guilty or nolo contendere for sexual assault whether or not judgment of sentence has been imposed.[1]

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]

School-sponsored activity – means any assemblies, field trips, class trips, graduation ceremonies, athletics, extracurricular activities, clubs, groups, teams or any activities sponsored, held or approved by the district.[1]

Sexual assault – means any of the following offenses:[1]

1. Rape.[2]
2. Statutory sexual assault.[3]
3. Involuntary deviate sexual intercourse.[4]
4. Sexual assault.[5]
5. Aggravated indecent assault.[6]
6. Indecent assault.[7]

Authority	The Board shall comply with the disciplinary requirements established by state law regarding students who have been convicted or adjudicated delinquent of sexual assault upon another student enrolled in this district, regardless of whether the sexual assault took place inside or outside of the school setting.[1][8][9]
Delegation of Responsibility	A student who is convicted of sexual assault upon another student enrolled in this district shall be required to notify the Superintendent or designee of the conviction no later than seventy-two (72) hours after the conviction.[1] Upon report of a conviction or adjudication of sexual assault upon a district student, the Superintendent or designee shall take one (1) of the following actions against the convicted or adjudicated student:[1] 1. Recommend that the Board expel the student, in accordance with law and Board policy.[9] 2. Transfer the student to an alternative education program. 3. Reassign the student to another school or educational program within the district. If the convicted or adjudicated student has already been expelled, transferred or reassigned, or if the victim does not attend the same school, no additional action regarding expulsion, transfer or reassignment is required by the district. Although action is not required, the district maintains the authority to make an alternative assignment or provide alternative educational services during or after an expulsion at the discretion of the Superintendent or designee.[1] Upon report of a conviction or adjudication of sexual assault upon a district student that occurred in the school setting, the Superintendent or designee shall notify the Title IX Coordinator to determine whether the incident has been addressed in accordance with applicable Board policy.[10][11]
Guidelines	In the case of a student with a disability, including a student for whom an evaluation is pending, prior to implementing any disciplinary removal or considering a change of placement for the student, the district shall coordinate with the student's Individualized Education Program (IEP) team and take all steps required to comply with state and federal laws and regulations, and Board policies.[1][12][13][14][15][16][17] The district shall ensure that the convicted or adjudicated student is prohibited from taking part in the following activities at the same time as the victim:[1] 1. Being educated in the same school building. 2. Being transported on the same school vehicle.

3. Participating in the same school-sponsored activity.

Return of Student to School

The district may return the student who is expelled, transferred or reassigned, to the student's originally assigned school if one (1) of the following circumstances occur:[1]

1. The victim is no longer enrolled in the district.

2. The conviction or adjudication has been reversed and is not pending appeal.

Transfer Students

When the school district receives a student who transfers from a public or private school during or after an expulsion period for an act or offense involving a sexual assault conviction or adjudication, the district may assign that student to an alternative assignment or may provide alternative education services.[1][18]

Legal References:

1. 24 P.S. 1318.1
2. 18 Pa. C.S.A. 3121
3. 18 Pa. C.S.A. 3122.1
4. 18 Pa. C.S.A. 3123
5. 18 Pa. C.S.A. 3124.1
6. 18 Pa. C.S.A. 3125
7. 18 Pa. C.S.A. 3126
8. Pol. 218
9. Pol. 233
10. Pol. 103
11. Pol. 252
12. 20 U.S.C. 1400 et seq.
13. 34 CFR Part 300
14. Pol. 103.1
15. Pol. 113.1
16. Pol. 113.2
17. Pol. 113.3
18. Pol. 200

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT COMPLAINT PROCESS

ADOPTED: August 12, 2015

REVISED:

219. STUDENT COMPLAINT PROCESS

1. Purpose

The Board recognizes that students have the right to request redress of complaints. In addition, the Board believes that the inculcation of respect for established processes is an important part of the educational process. Accordingly, individual and group complaints shall be recognized, and appropriate appeal procedures shall be provided.

2. Definition

For purposes of this policy, a student complaint shall be one that arises from actions that directly affect the student's participation in an approved educational program.

3. Authority

The Board and its employees shall recognize the complaints of students, provided that such complaints are submitted according to the established procedure.

A student shall not be subjected to any reprisals because of filing a complaint.

The student should first make the complaint known to the staff member most closely involved or if none is identifiable, his/her guidance counselor or principal. These person(s) shall attempt to resolve the issue informally and directly.

For formal complaints which must move beyond the first step, the student shall prepare a written statement of his/her complaint which shall set forth:

1. The specific nature of the complaint and a brief statement of the facts giving rise to it.
2. The manner in which and extent to which the student believes s/he has been adversely affected.
3. The relief sought by the student.
4. The reasons why the student feels s/he is entitled to the relief sought.
5. Date of submission.

	The complaint may then be submitted, in return, to the building principal, the Superintendent, and the Board: 1. With a suitable period of time allowed at each level for the hearing of the complaining and the preparation of a response. 2. At each level, the student shall be afforded the opportunity to be heard personally by the school authority. 3. With the opportunity to withdraw the complaint should it be resolved before reaching the Board level. At each step beyond the first, the school authority hearing the complaint may call in the student's parent/guardian or other individuals which may have information in resolving the complaint. References: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: STUDENT EXPRESSION/ DISSEMINATION OF MATERIALS ADOPTED: August 12, 2015 REVISED: August 14, 2019 June 9, 2022

220. STUDENT EXPRESSION / DISSEMINATION OF MATERIALS

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to disseminate nonschool materials to others as a part of that expression. The Board also recognizes that the exercise of that right is not unlimited and must be balanced with the district's responsibility to maintain a safe and orderly school environment and to protect the rights of all members of the school community.[1]

This policy addresses student expression in general as well as dissemination of expressive materials that are not part of district-sponsored activities (nonschool materials).

This policy does not apply to materials sought to be disseminated as part of the curricular or extracurricular programs of the district, which shall be regulated separately as part of the school district’s educational program.

Definitions

For the purposes of this policy, dissemination shall mean students distributing or publicly displaying nonschool materials to others:

On school property or during school-sponsored activities by placing such materials upon desks, tables, on or in lockers, walls, doors, bulletin boards, or easels; by handing out such materials to other persons; or by any other manner of delivery to others; or

At any time or location when creating or sending information using email, websites, online platforms, social media channels or other technological means that are owned, provided or sponsored by the school district.

Expression means verbal, written, technological or symbolic representation or communication.

	Nonschool materials means any printed, technological or written materials, regardless of form, source or authorship, that are not prepared as part of the curricular or approved extracurricular programs of the district. This includes, but is not limited to, fliers, invitations, announcements, pamphlets, posters, online discussion areas and digital bulletin boards, personal websites and the like.
Authority	Limitations on Student Expression Students have the right to express themselves unless such expression is likely to or does materially and substantially disrupt or interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights. Student expression is prohibited to the extent that it:[1] 1. Violates federal, state or local laws, Board policy or district rules or procedures; 2. Is defamatory, obscene, lewd, vulgar or profane;[2] 3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/vaping products, alcohol or illegal drugs; 4. Incites violence, advocates use of force or threatens serious harm to the school or community; 5. Materially and substantially disrupts or interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions; 6. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs; or 7. Violates written district procedures on time, place and manner for dissemination of otherwise protected expression. Student expression that occurs on school property or at school-sponsored events, or occurs at any time or place when created or communicated using district-provided equipment, email, websites or other technological resources, is subject to this policy. The limitations, prohibitions and requirements of this policy shall apply to expression that occurs outside the foregoing circumstances only when and to the extent that the out-of-school expression:[1][2][3][4] 1. Incites violence, advocates use of force or otherwise threatens serious harm directed at students, staff or the school environment;

2. Materially and substantially disrupts or interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions; or

3. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs.

Dissemination of Nonschool Materials

The Board requires that dissemination of nonschool materials shall occur only at the places and during the times set forth in written procedures. Such procedures shall be written to permit the safe and orderly operation of schools, while recognizing the rights of students to engage in protected expression.[1][3]

The Board requires that students who wish to disseminate nonschool materials on school property shall obtain approval by submitting them at least one (1) school day in advance to the building principal or designee, who shall forward a copy to the Superintendent.[1]

If the nonschool materials include matters prohibited by this policy, the building principal or designee shall promptly notify the students of the nature of the violation and that they may not disseminate the materials until the violation is corrected and the materials are resubmitted for approval.

If notice of disapproval is not given during the period between submission and the time for the planned dissemination, students may consider the request approved and proceed with dissemination as requested, subject to all other established procedures and requirements relating to time, place and manner of dissemination. Students may nonetheless be directed to cease or suspend dissemination if it is later determined that the materials or the dissemination of them are in violation of this policy or implementing rules and procedures.

Students who disseminate printed nonschool materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Printed nonschool materials displayed in a fixed location of a school building shall bear the date when placed in each location. The district may remove the materials within ten (10) days of the posting or other reasonable time as stated in applicable procedures.

Review of Student Expression

Review of nonschool materials proposed for dissemination shall be conducted promptly so as to avoid unreasonable delay in dissemination.

	School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable. Student-initiated religious expression is permissible, and apart from regarding time, place and manner, shall not be restricted unless the expression violates some other aspect of this policy, e.g., because it is independently determined to be in violation of this policy for reasons other than the religious nature of the content. Appeal of the reviewer's decision may be made to the Superintendent and then to the Board, in accordance with Board policy and district procedures.[5]
Delegation of Responsibility	The Superintendent shall assist the building principal in determining the designation of the places and times nonschool materials may be disseminated in each school building. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit dissemination of nonschool materials to noninstructional times. When student dissemination of nonschool materials or other student expression violates this policy, the building principal may determine what if any disciplinary or other consequences should be imposed. Disciplinary actions shall be in accordance with applicable Board policy and the Code of Student Conduct.[6][7] The Superintendent shall ensure that building principals and other staff involved in reviewing nonschool materials proposed for dissemination and evaluating whether violations of this policy have occurred receive training regarding applicable standards and procedures. Special emphasis shall be given to understanding the limitations on school officials' authority to regulate off-campus student expression, as well as the need to articulate in detail the nature and extent of disruption to or interference with the school environment thought to be caused by on or off-campus student expression and the specific manner by which the student expression involved is thought to have caused it. This Board policy and any procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

	Legal References 1. 22 PA Code 12.9 2. 22 PA Code 12.2 3. 24 P.S. 510 4. 24 P.S. 511 5. Pol. 219 6. Pol. 113.1 7. Pol. 218 Pol. 816 Mahanoy Area School District v. B.L., 594 U.S. (2021)

STUDENT EXPRESSION/DISSEMINATION OF MATERIALS

These procedures address the dissemination by students of nonschool materials that are not part of the curricular or extracurricular program of the district. Materials sought to be disseminated as part of the curricular or extracurricular program of the district will be regulated as part of the district's educational program and are not subject to the time, place and manner provisions set forth herein.

Students may disseminate nonschool materials, provided that the form of expression and/or the use of public school facilities and equipment is/are in accordance with Board Policy 220 (Student Expression/Dissemination of Materials), the Code of Student Conduct, these procedures and the school dress code, if applicable. It is the responsibility of students intending to disseminate nonschool materials to become familiar with the provisions of Board Policy 220 and pertinent provisions of the Code of Student Conduct.

The district has no responsibility to assist students in or to provide facilities for the dissemination of nonschool materials.

Dissemination of Nonschool Materials

The dissemination by students of all nonschool materials will be governed by the following procedures:

1. All nonschool materials, together with a copy of the plan of dissemination, must be submitted to the building principal no later than one (1) week prior to the date of the requested dissemination. The building principal will forward such information to the Superintendent or designee for approval. The plan will set forth in detail the desired time, place and manner of dissemination, as well as the individuals involved.

2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to disseminate such material must provide in writing their name, address, telephone number and organization, if any. This information will be filed in the building principal's office.

3. The Superintendent or designee will review the material, determine if it constitutes expression that is prohibited by Board policy, and inform the building principal or designee of the decision. The building principal or designee will notify the student(s) planning to disseminate nonschool materials of the decision to grant or deny permission. If the decision is to not permit the dissemination, the building principal or designee will specify the reasons for the decision as well as the changes in the content of the material or in the plan of dissemination which must be made, if any, in order to secure such permission. If the student(s) desiring to disseminate such material make(s) such changes in a manner satisfactory to the Superintendent or designee prior to the planned dissemination, the building principal or designee may then grant permission to disseminate.

Time -

When permission has been granted, students may disseminate approved nonschool materials only after the official end of school.

Place -

Nonschool materials may not be disseminated during any regularly scheduled class unless specifically authorized by the Superintendent or designee.

Manner -

All nonschool materials must bear the district disclaimer.

> DISCLAIMER: THE FREEPORT AREA SCHOOL DISTRICT IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT, SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE DISTRICT'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

All approved nonschool materials displayed in a fixed location shall be officially dated and the district shall remove the materials within ten (10) school days.

Any student who disseminates materials will be responsible for cleaning any resulting litter, including any discarded pamphlets, fliers or other documents.

No student will harass or otherwise interfere with the dissemination of approved nonschool materials by student(s), nor may a student in any way compel or coerce a student to accept any materials.

Disciplinary Consequences

Any student who violates any provision of Board Policy 220 or these procedures will be subject to disciplinary action, in accordance with Board policy and the Code of Student Conduct, which may in appropriate cases include suspension and/or expulsion from school.

Student Handbook

A copy of this procedure will be referenced in student handbooks.

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: DRESS AND GROOMING

ADOPTED: August 12, 2015

REVISED: January 18, 2023
May 13, 2026

221. DRESS AND GROOMING

Purpose

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.

Authority

The Board has the authority to impose limitations on students' dress in school. The Board will not interfere with the right of students and their parents/guardians to make decisions regarding their appearance, except when their choices disrupt the educational program of the schools or constitute a health or safety hazard.[1][2]

The Board directs compliance with Board policy and law prohibiting discrimination, including but not limited to protections addressing:[3][4]

1. Hairstyles, including but not limited to hairstyles such as locs, braids, twists, coils, Bantu knots, afros and extensions.

2. Religious creed including head covering and hairstyles historically associated with religious creeds.

Students may be required to wear certain types of clothing while participating in physical education classes, technical education, extracurricular activities or other situations where special attire may be required to ensure the health or safety of the student.[2]

The Board directs district staff to support students experiencing educational instability by waiving penalties related to a delay in compliance with Board policy or school rules related to dress and grooming.[5]

Delegation of Responsibility

The building principal or designee shall be responsible to monitor student dress and grooming, and to enforce Board policy and school rules governing student dress and grooming.

The Superintendent or designee shall ensure that all school rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.[2]

Staff members shall be instructed to demonstrate, by example, positive attitudes and compliance with Board policy and school rules related to dress and grooming.[6]

	Legal References 1. 24 P.S. 1317.3 2. 22 PA Code 12.11 3. 43 P.S. 951 et seq 4. Pol. 103 5. Pol. 251 6. Pol. 325

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TOBACCO AND VAPING PRODUCTS

ADOPTED: August 12, 2015

REVISED: August 8, 2018
February 13, 2019
March 12, 2020
January 17, 2024
June 12, 2024

222. TOBACCO AND VAPING PRODUCTS

Purpose

The Board recognizes that tobacco and vaping products, including electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to prohibit student possession, use, purchase and sale of tobacco and vaping products.

Definition

For purposes of this policy, **tobacco product** encompasses not only tobacco but also vaping products including electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:[1][2]

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

3. Any product containing, made or derived from either:

    a. Tobacco, whether in its natural or synthetic form; or

    b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

Authority	The Board prohibits possession, use, purchase or sale of tobacco products, regardless of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.[1][2][5] The Board prohibits student possession or use of products marketed and sold as tobacco cessation products or for other therapeutic purposes, except as authorized in the Board's Medication policy.[3] The Board prohibits student possession of any form of medical marijuana at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.[4] The Board authorizes the confiscation and disposal of tobacco products prohibited by this policy. 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 law enforcement and Board policies.[6][7][8][9][10][11]
Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations to implement this policy. The Superintendent or designee shall notify students, parents/guardians and staff about the Board's tobacco and vaping products policy by publishing information in student handbooks, parental newsletters, posters and by other efficient methods, such as posted notices, signs and on the district website, Code of Student Conduct, and district newsletter.[2] <u>Reporting</u> *Parental Report –* The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a tobacco product, immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[11][12][13] *Annual School Safety and Security Incidents Report –*

	The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco products by students to the PA Department of Education on the required form.[11][14][15] *Law Enforcement Incident Report –* The Superintendent or designee may report incidents of possession, use or sale of tobacco products 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 law enforcement agency 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 law enforcement and Board policies.[1][2][11][12][14][15][16]
Guidelines	A student who violates this policy shall be subject to prosecution initiated by the district and, if convicted, shall be required to pay a fine for the benefit of the district, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative.[2] The possession, distribution, acquisition, use or being under the influence of a controlled substance while attending school or any school-sponsored activity will result in a recommendation for expulsion for a minimum of 45 days subject to a stipulated adjudication approved by or a formal hearing before the Board of School Directors. Students found in violation of this Tobacco and Vaping Policy shall have the tobacco product or device defined above confiscated and disposed of by the school's Administration. This property shall be considered forfeited and not subject to being returned. Additionally, the student be subject to the following consequences: *First offense*: The usage or possession of tobacco/nicotine products will result in one day in-school suspension, one day out-of-school suspension, INDEPTH, and community-based intervention class Smokeless Saturday Participation. *Second offense*: The usage or possession of nicotine substances and/or vapes will result in three to ten days out-of-school suspension and a citation referral to the District Magistrate. *Multiple offenses*: The usage or possession of nicotine substances and/or vapes may result in alternative placement and a citation referral to the District Magistrate. *Additional Offense Recommendations* *Offense:* Three days of ISS, referral to the District Magistrate, and loss of privileges for 45 days, including hallway privileges, cell phone privileges, extra-curricular activities, and driving privileges (if applicable).

	Tampering with devices installed to detect use of tobacco products shall be deemed a violation of this policy and subject to disciplinary action.[17] **Legal References:** 1. 18 Pa. C.S.A. 6305 2. 18 Pa. C.S.A. 6306.1 3. Pol. 210 4. Pol. 227 5. 20 U.S.C. 7973 6. 22 PA Code 10.23 7. 20 U.S.C. 1400 et seq 8. Pol. 103.1 9. Pol. 113.1 10. Pol. 113.2 11. Pol. 805.1 12. 22 PA Code 10.2 13. 22 PA Code 10.25 14. 24 P.S. 1306.2-B 15. 24 P.S. 1319-B 16. 22 PA Code 10.22 17. Pol. 218 24 P.S. 510 20 U.S.C. 7114 20 U.S.C. 7118 20 U.S.C. 7971 et seq 34 CFR Part 300 Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: USE OF MOTOR VEHICLES

ADOPTED: August 12, 2015

REVISED:

223. USE OF MOTOR VEHICLES

1. Purpose

The Board regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility by parents/guardians and students.

2. Authority
SC 779

The Board shall permit the use of motor vehicles by secondary students in accordance with district administrative regulations, provided that such students are licensed drivers, have parental permission when they are minors, and have been granted permission by the building principal to drive a motor vehicle on school grounds.

The Board shall not be responsible for motor vehicles that are lost, stolen, or damaged, or for injuries arising from their use.

Any unauthorized vehicles will be subject to towing at the owner's expense.

3. Delegation of Responsibility

The building principal or designee shall disseminate administrative regulations for operating and parking of authorized motor vehicles to affected students.

The building principal or designee shall establish standards for granting permits, which contain the warning that infraction of rules may result in revocation of the permit.

References:

School Code – 24 P.S. Sec. 510, 779, 1519

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: CARE OF SCHOOL PROPERTY

ADOPTED: August 12, 2015

REVISED:

224. CARE OF SCHOOL PROPERTY

1. Purpose

The Board believes that the schools should help students learn to respect property and develop feelings of pride in community institutions.

2. Authority

The Board charges each student in the district's schools with responsibility for the proper care of the school property, school supplies and equipment entrusted to the student's use.

SC 777
Pol. 218, 233

It is the policy of the Board that students who willfully cause damage to school property shall be subject to disciplinary measures. Students and others who damage or deface school property may be prosecuted and punished under law. Parents/Guardians shall be held accountable for the actions of their child.

The Board may report to appropriate juvenile authorities any student whose damage of school property is serious or chronic in nature. In no case shall referral to juvenile authorities be made without prior notification to the student's parent/guardian.

3. Delegation of Responsibility
SC 109, 801

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent shall submit a report on incidences of vandalism to the Board on each occurrence.

Vandalism reports shall include the number and kind of incident, cost to the district, and related information the Superintendent deems necessary.

References:

School Code – 24 P.S. Sec. 109, 777, 801

Board Policy – 000, 218, 233

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	225. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SEARCHES

ADOPTED: August 12, 2015

REVISED: March 22, 2018

226. SEARCHES

1. Purpose	The Board acknowledges the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the district'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.
2. Authority **Pa. Const., Art. I Sec. 8** **SC 510** **Title 22 Sec. 12.14** **U.S. Const., Amendment IV**	School officials have the authority to lawfully search students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and 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 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.
Pol. 218.1, 223, 227	The district 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.
3. Delegation of Responsibility	The Board authorizes the administration to conduct searches of students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions in accordance with the standards set forth in this policy.

Title 22 **Sec. 12.14**	The Superintendent or designee, in consultation with the district solicitor, shall develop guidelines and procedures to implement this policy, and shall ensure that school staff 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. Students, parents/guardians and staff shall be notified at least annually, or more often if deemed appropriate by administration, about the standards and procedures in effect pursuant to this policy.
4. Guidelines **Title 22** **Sec. 12.14**	<u>Individualized Suspicion Searches</u> Students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, may be searched 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 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. In determining whether reasonable suspicion exists, the principal or designee always should 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 a search should be limited to the place or places the item sought is believed to be. Examination by school staff of text messages, call logs, files, images or other data contained in a student's mobile telephone or other electronic device, without the student's consent, normally constitutes a search that must be justified by reasonable suspicion that material in violation of law, district policy or school rules, or evidence of such a violation, is contained in the particular files, directories or other data locations being examined in the device.

	Random Or General Searches Without Individualized Suspicion Under certain circumstances, random or general searches of students and their belongings, including student 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. 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. Random or general searches for weapons may be conducted when there are circumstances, information or events tending to indicate increased likelihood that students may be armed or headed for physical confrontation because of community strife or tensions, or as a continuation or escalation of a prior incident, in or out of school, which threatens to spill over into school, into a school-sponsored activity, or into other times and places that students are under school supervision. Random or general searches for controlled substances may be conducted when there are circumstances, events or information tending to indicate significant drug use, possession or trafficking among students in school. Metal / Weapons Detection System and Devices The Board of School Directors authorizes the use of metal/weapon detection scanning systems and devices, including walk-through units and handheld wands, for the regulation of entry of students, staff and/or the general public into school facilities and school-sponsored activities, whether on or off school grounds, under the direction of the Superintendent.

	The Superintendent may authorize daily metal/weapon detector screenings, using school personnel, school police officers and/or security personnel to operate the metal/weapons detection systems and/or devices, when the Superintendent determines such daily screenings are necessary or warranted to promote school safety. Alternatively, the Superintendent may authorize metal detector screenings on selected days to address particular safety concerns, such as following articulated threats, or on days on which special events such as athletic competitions, social events or dignitary visits are held, using school personnel, school police officers and/or security personnel to operate the metal/weapons detection systems and/or devices. School officials may conduct a search of the individual or person and may inspect the contents of any backpack, book bag, purse, parcel, jacket or other clothing or item that activates the metal detector for the limited purpose of determining whether a weapon is concealed. Staff will be instructed to insure that people with disabilities will be thoroughly screened while being sensitive to each person's condition. Students and staff who refuse to cooperate in or attempt to evade metal/weapon detector screenings may be subject to disciplinary action. Members of the public who refuse to submit to the screening process shall be denied access to the school building/facilities/event and any such person shall be required to leave school property immediately. The Superintendent and/or his designee shall develop and distribute administrative procedures to utilize when conducting searches using metal/weapons detection systems and devices. When metal/weapon detection scanning systems and devices are in use, notices shall be posted at the building entrances notifying entrants that they are subject to metal/weapon detector screenings. Similar notice of such screenings will be annually provided to parents and students in the Parent-Student Handbook or similar publication. Nothing in this policy requires the use of a metal/weapon detection system or security screening device.
Pol. 805	Random or general searches not based on individualized suspicion must be approved in advance by the Superintendent or designee, in consultation with the district solicitor. Coordination with law enforcement officials will be accomplished as provided in the memorandum of understanding with the applicable law enforcement agency.

	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.
Pol. 223	The administration may establish rules and procedures governing certain privileges enjoyed by students, such as the privilege of parking a vehicle on school grounds, that make the student's consent to random searches or inspections a condition of access to the privilege.
	Searches By Or At The Request Of Law Enforcement Officials
Pol. 805	The legal standards governing searches initiated by school officials are less strict than the standards applicable to law enforcement authorities in many situations. When searches of students, student belongings, vehicles or lockers are conducted by or at the request of law enforcement officials, with or without the involvement of school staff, the law enforcement officials are solely responsible for ensuring that a warrant has been issued or that the circumstances otherwise permit the search to be lawfully conducted in accordance with the standards applicable to law enforcement actions. School staff will not interfere with or obstruct searches initiated by law enforcement, but may assist when law enforcement officials have requested such assistance and have represented that a warrant has been issued or that they otherwise have proper authority for a lawful search.
	Locker Inspections And Searches Lockers are assigned to or otherwise made available to students as a convenience for the safe storage of books, clothing, school materials and limited personal property, and to facilitate movement between classes and activities and to and from school. Such lockers are and shall remain the property of the school district, and to the extent students have any expectation of privacy of lockers at all, it is very limited. No student may place or keep in a locker any substance or object that is prohibited by law, Board policy or school rules, or that constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself. 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.

Students are exclusively responsible for locking their assigned lockers to ensure the security of their personal belongings and school property entrusted to them. Students are permitted to secure their assigned lockers only with locks provided by the district, or if the district does not provide locks, personal combination locks for which the combination has been provided to designated school staff.

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 principal or a designated staff person shall be present whenever a student locker is inspected for cleanliness or is searched. The principal 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.

<u>Searches Involving Removal Of Clothing Or Examination Beneath Clothing</u>

Searches of students involving the removal of undergarments or examination beneath undergarments are subject to stricter standards than are required to justify other searches of a student's person or belongings. Such searches are permitted only when the basis for suspicion establishes either:

1. That the reasons for believing that the items being searched for are concealed specifically inside undergarments are stronger reasons than grounds that would support only a more general reasonable suspicion that the student is in possession of the items or has them somewhere on the student's person; or,

2. That the quantity or nature of the items being sought present a higher level of danger to the school population than other kinds of contraband.

Searches involving the removal of or examination beneath any clothing of a student, other than jackets, coats or other outerwear, shall be conducted only by a staff person of the same gender as the student, with at least one (1) other staff person 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 sex.

Searches involving the removal of undergarments or examination beneath undergarments will be conducted only after consultation with the district solicitor.

	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, district 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 principal 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. References: Pennsylvania Constitution – PA Const. Art. I, Sec. 8 School Code – 24 P.S. Sec. 510 State Board of Education Regulations – 22 PA Code Sec. 12.14 United States Constitution – Amendment IV Board Policy – 218.1, 223, 227, 805 In re F.B., 555 Pa. 661, 726 A.2d 361, 368 (1999) Commonwealth v. Cass, 551 Pa. 25, 709 A.2d 350, 355-56 (1998) Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (U.S. 2009)

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: CONTROLLED SUBSTANCES/ PARAPHERNALIA ADOPTED: August 12, 2015 REVISED: June 9, 2022 June 12, 2024

227. CONTROLLED SUBSTANCES/PARAPHERNALIA

Purpose

The Board recognizes that the use and abuse of controlled substances as defined in this policy is a serious problem with legal, physical and social implications for the whole school community. The purpose of this policy is to prohibit student possession, use and/or distribution of controlled substances, except as permitted by applicable state or federal law and Board policy.[1][2]

Definitions

For purposes of this policy, **controlled substances** shall include:[3][4]

1. Any controlled substance prohibited by federal or Pennsylvania laws.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal laws.
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy.[1][2]

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.

	For purposes of this policy, **look-alike drug** shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.
Authority	The Board prohibits students from using, possessing, distributing and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities.[5][6][7] The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy. 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 law enforcement and Board policies.[8][9][10][11][12][13] <u>Off-Campus Activities</u> This policy shall also apply to student conduct that occurs off school property or during non-school hours to the same extent as provided in Board policy on student discipline.[14]
Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations to identify and control substance abuse in the schools which: 1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence or distributing controlled substances.[15][16][17] 2. Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student use of controlled substances. 3. Provide education concerning the dangers of abusing controlled substances. 4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.
Guidelines	Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[14][18][19]

	The Superintendent or designee shall immediately report required incidents and may report discretionary incidents involving the prohibited possession, use or sale of controlled substances 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 law enforcement agency 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 law enforcement and Board policies.[13][15][16][20][21][22] The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving the prohibited possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[13][20][23] In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of prohibited possession, use or sale of controlled substances to the PA Department of Education on the required form.[13][15][16] In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized. No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian. <u>Anabolic Steroids</u> The Board prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid.[24] Students shall be made aware of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their unauthorized use, possession, purchase or sale could subject students to suspension, expulsion and/or criminal prosecution.[18][25]

Reasonable Suspicion/Testing

If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva or the administration of a Breathalyzer test.

Legal References

1. Pol. 210
2. Pol. 210.1
3. 35 P.S. 780-102
4. 21 U.S.C. 812
5. 24 P.S. 510
6. 24 P.S. 511
7. 22 PA Code 12.3
8. 22 PA Code 10.23
9. 20 U.S.C. 1400, *et seq.*
10. Pol. 103.1
11. Pol. 113.1
12. Pol. 113.2
13. Pol. 805.1
14. Pol. 218
15. 24 P.S. 1306.2-B
16. 24 P.S. 1319-B
17. 42 Pa. C.S.A. 8337
18. Pol. 233
19. Pol. 236
20. 22 PA Code 10.2
21. 22 PA Code 10.21
22. 22 PA Code 10.22
23. 22 PA Code 10.25
24. 35 P.S. 807.1
25. 35 P.S. 807.2

22 PA Code 403.1
35 P.S. 780-101, *et seq.*
35 P.S. 807.1, *et seq.*
20 U.S.C. 7114
20 U.S.C. 7118
21 U.S.C. 801, *et seq.*
34 CFR Part 300
Pol. 122
Pol. 805
Pol. 823

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT GOVERNMENT

ADOPTED: August 12, 2015

REVISED:

228. STUDENT GOVERNMENT

1. Purpose

The Board acknowledges the importance of offering students the opportunity to participate in self government within the schools.

The purpose of student government shall be to develop student leadership, provide a learning experience in democratic decision-making, and offer another avenue toward the realization of district goals.

2. Authority
SC 511

The Board establishes that students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board.

The Board will recognize the Student Council as the official voice of the student body for students in grades 7-12.

The charter, constitution or bylaws of the organization for student government shall be:

1. Duly adopted by the members of the student body it represents.
2. Approved by the principal, who shall be accountable for its activities.
3. Submitted to the Board for its information.

SC 511

The Board shall appoint a qualified member of the faculty to serve as an advisor for student government activities.

3. Delegation of Responsibility

The Superintendent shall develop administrative regulations to implement this policy.

References:

School Code – 24 P.S. Sec. 511

Board Policy – 618

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT FUNDRAISING

ADOPTED: August 12, 2015

REVISED:

229. STUDENT FUNDRAISING

1. Purpose

The Board acknowledges that solicitation of funds from students must be limited because compulsory attendance laws make the student a captive donor and such solicitation may disrupt the educational program of the schools.

2. Definition

For purposes of this policy, student fundraising shall include solicitation and collection of money by students in exchange for goods or services.

3. Authority

The Board prohibits the collection of money by a student for personal benefit in school buildings, on school property or at any school-sponsored activity.

4. Delegation of Responsibility
SC 511

Collection of money by approved school organizations may be permitted by the building principal in accordance with administrative regulations established by the Superintendent.

The Superintendent or designee shall develop administrative regulations to implement this policy.

The building principal shall distribute this policy and relevant procedures to each student organization granted permission to solicit funds.

Pol. 618

Funds solicited shall be controlled by Policy 618.

References:

School Code – 24 P.S. Sec. 511

Board Policy – 000, 618

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: PUBLIC PERFORMANCES BY STUDENTS

ADOPTED: August 12, 2015

REVISED:

230. PUBLIC PERFORMANCES BY STUDENTS

1. Purpose

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

2. Authority
SC 511

The Board endorses public performances by students when they constitute a learning experience that contributes to the educational program; they do not interfere with other scheduled activities; and the circumstances of the event do not pose a threat to the health, safety or well-being of the students who are involved.

3. Delegation of Responsibility

All requests for public performances by student groups require the approval of the Board.

The Superintendent or designee shall develop administrative regulations to implement this policy.

4. Guidelines

Parental permission shall be sought and obtained before students may participate.

When public performances are scheduled as a regular part of a course of study taken for credit, students will be informed in advance of their obligation to participate; and they will be excused from participation only in accordance with the rules and procedures governing school attendance.

No student, group of students or employees of this Board may receive compensation for the performance in public of students organized as a school representative.

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

References:

School Code – 24 P.S. Sec. 511

Board Policy – 000, 204

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: SOCIAL EVENTS AND CLASS TRIPS

ADOPTED: August 12, 2015

REVISED:

231. SOCIAL EVENTS AND CLASS TRIPS

1. Purpose

The Board recognizes the value of student social events and class trips in enhancing and enriching the school experience for students.

2. Authority

SC 511

The Board shall make school facilities available and provide appropriate staff for social events within the school facilities that have been approved by the Board.

SC 517

Class trips and social events that take place outside of school facilities require approval by the Board.

After the event has been approved, arrangements for its scheduling shall be delegated to the administration. The Superintendent is authorized to make a decision in cases where time is not sufficient for Board action.

SC 510

As voluntary participants in school social events and class trips, students shall be held responsible for compliance with district policies and rules. Infractions of those policies or rules will be subject to the same disciplinary measures applied during the regular school program.

Participation in school events is not a right and may be denied to any student who has demonstrated disregard for Board policies, administrative regulations or school rules.

3. Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations governing the conduct of student social events and class trips.

References:

School Code – 24 P.S. Sec. 510, 511, 517

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT INVOLVEMENT IN DECISION-MAKING

ADOPTED: August 12, 2015

REVISED:

232. STUDENT INVOLVEMENT IN DECISION-MAKING

1. Purpose

The Board believes that students should participate in the governance of school activities at levels appropriate to their ages and competencies because:

1. Students should have a part in determining activities that affect their lives.
2. As an institution fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision-making.
3. As part of their educational development, students should be provided experiences and decision-making roles to prepare them for the future.
4. Students are a valuable resource whose contributions can aid and benefit the programs of the schools.

2. Authority

The Board directs that students be invited to participate in activities appropriate to their maturity and competency, leading to administrative decision-making.

Suggestions for improvement may be offered by any student, provided they are of a constructive nature and contribute toward the realization of the district's educational goals.

3. Delegation of Responsibility

The Superintendent or designee shall develop rules to implement this policy which:

1. Provide for submission, consideration, and response to constructive student suggestions.
2. Designate the manner by which students shall be selected for participation in school matters.

Ensure that student participation is fairly representational of the whole student body.

	References: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: SUSPENSION AND EXPULSION ADOPTED: August 12, 2015 REVISED: February 13, 2020 January 18, 2023

233. SUSPENSION AND EXPULSION

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.[1][6][7]

Guidelines

Exclusion From School - Suspension

The principal or person in charge of the school 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 Superintendent in writing when the student is suspended.[1][7]

No student may be suspended without notice of the reasons for which the student is suspended and an opportunity to be heard on their 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, and the district shall offer to hold it within the first five (5) days of the suspension.[1][6]

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

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.[6]

Due Process Requirements for Informal Hearing[6]

1. The student and parent/guardian shall be given written notice of the reasons for the suspension.
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 district 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 the student 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][6]

The district 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 district 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, a duly authorized committee of the Board, or a qualified hearing examiner appointed by the Board, and upon action taken by the Board after the hearing.[1][6][7]

Expulsion Hearings

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

The formal hearing shall observe the due process requirements of:[6]

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 the student 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 their 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.

	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 and work, and shall be permitted to complete assignments pursuant to established guidelines.[1][10] 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 district 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 their 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 eighteen (18) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[1][10][11] 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 district 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.[12][13]
Delegation of Responsibility	The Superintendent 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.[14]

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.[15][16]

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 References

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. 22 PA Code 12.8
7. 24 P.S. 1318
8. 2 Pa. C.S.A. 101 et seq
9. 2 Pa. C.S.A. 101
10. Pol. 204
11. 24 P.S. 1326
12. Pol. 113
13. Pol. 113.1
14. Pol. 218
15. Pol. 216
16. Pol. 113.4
22 PA Code 12.3

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: PREGNANT/PARENTING/ MARRIED STUDENTS

ADOPTED: August 12, 2015

REVISED: October 9, 2024
March 12, 2025

234. PREGNANT/PARENTING/MARRIED STUDENTS

Purpose

A student who is eligible to attend district schools and is married and/or pregnant/parenting shall not be denied admission to the district or an educational program solely because of marriage, pregnancy, pregnancy-related conditions or potential or actual parenthood.[1]2][3][4][5]

Definitions

Pregnancy, as defined in state regulations, shall include the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.[6]

Authority

The Board directs that students who are married or experiencing pregnancy, pregnancy-related conditions or parenting shall have equal access to the same educational programs, activities and services provided to other district students.[2][3]

The Board directs district staff to make reasonable modifications to Board policies, administrative regulations and school rules as necessary to provide equal access to the district's educational program for a student experiencing pregnancy, pregnancy-related conditions or parenting. Reasonable modifications may include, but are not limited to:[7]

1. Breaks during class to address lactation needs or health needs, including eating, drinking and restroom use.
2. Intermittent absences to attend medical appointments, in accordance with Board policy.[8]
3. Voluntary leave of absence as deemed medically necessary by the student's licensed healthcare provider.[8]
4. Access to online or homebound instruction, or other separate but comparable program of the district's educational programs and activities.[9][10]
5. Changes in schedule or course sequence.

	6. Extensions of time for coursework or rescheduling of tests and examinations. 7. Allowing the student flexibility in sitting and standing, and changes in physical space or supplies, including carrying water. 8. Access to appropriate facilities for addressing lactation needs. 9. Counseling. The district shall not require documentation for establishing reasonable modifications or providing equal access to educational programs and activities unless such documentation is required in accordance with law or other Board policies and administrative regulations.[3][7][8][9][11]
Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations for implementing this policy. **Legal References:** 1. 24 P.S. 1326 2. 22 PA Code 12.1 3. Pol. 103 4. Pol. 200 5. Pol. 201 6. 16 PA Code 41.204 7. Pol. 103.1 8. Pol. 204 9. Pol. 117 10. Pol. 124 11. Pol. 123 43 P.S. 951 et seq 16 PA Code 41.201 et seq 22 PA Code 4.4 22 PA Code 12.4 20 U.S.C. 1232g 29 U.S.C. 794 34 CFR Part 99 Pol. 146

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT RIGHTS/SURVEYS

ADOPTED: August 12, 2015

REVISED:

235. STUDENT RIGHTS/SURVEYS

1. Purpose	This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.
2. Definition	Personal information means individually identifiable information including a student's or parent's/guardian's name, address, telephone number, or social security number.
3. Authority **SC 510** **Title 22** **Sec. 4.4, 12.1, 12.3, 12.4, 12.9**	The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of district students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Board policy and school rules. Surveys conducted by outside agencies, organizations and individuals shall be approved by the Board, based on the Superintendent's recommendation, prior to administration to students.
4. Guidelines **Title 22** **Sec. 12.2, 12.3**	Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Board policies and school rules and regulations; respect for the rights of students, administrators, and others; and expression of ideas and opinions in a respectful manner.
Title 22 **Sec. 12.3** **Pol. 218**	A listing of students' rights and responsibilities shall be included in the Code of Student Conduct, which shall be distributed annually to students and parents/guardians.
20 U.S.C. **Sec. 1232h**	A student who has reached the age of eighteen (18) years possesses the full rights of an adult and may authorize those school matters previously handled by a parent/guardian.

	Instructional Materials
Pol. 105.1	The parent/guardian shall be notified annually that all instructional materials, including teachers' manuals, audiovisuals, and other supplementary instructional material used in the instructional program shall be available for inspection by the parents/guardians of students, in accordance with Board policy. Instructional materials do not include tests or academic assessments.
	Surveys/Evaluations
	All surveys and instruments used to collect information from students shall relate to the district's educational objectives.
Title 22 Sec. 12.41 20 U.S.C. Sec. 1232h	The parent/guardian shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the building principal.
Title 22 Sec. 4.4 20 U.S.C. Sec. 1232h	No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning: 1. Political affiliations or beliefs of student or parent/guardian. 2. Mental and psychological problems of the student or family. 3. Sexual behavior or attitudes. 4. Illegal, antisocial, self-incriminating or demeaning behavior. 5. Critical appraisals of other individuals with whom respondents have close family relationships. 6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers. 7. Religious practices, affiliations, or beliefs of the student or parent/guardian. 8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Title 22 Sec. 4.4 20 U.S.C. Sec. 1232h	However, such survey, analysis or evaluation may be conducted on a voluntary basis, provided that the student and parent/guardian have been notified of their right to inspect all related materials and to opt the student out of participation.
20 U.S.C. Sec. 1232h	The district shall implement procedures to protect student identity and privacy when a survey contains any of the restricted subject areas listed above. <u>Collection Of Information For Marketing</u>
20 U.S.C. Sec. 1232h	The parent/guardian has the right to inspect the material and opt out the student from participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information. This does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students.
5. Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations consistent with law and Board policy to ensure that student rights under specific conditions are properly recognized and maintained.
20 U.S.C. Sec. 1232h	The Superintendent or designee shall annually notify the parent/guardian concerning: 1. Contents of this policy and its availability.
Title 22 Sec. 12.3	2. Contents of the Code of Student Conduct. 3. Notice of rights and approximate dates that any surveys requesting personal information may be scheduled. 4. Administrative regulations to request access to survey instruments prior to administration. 5. Administrative regulations for opting students out of participation in surveys.

	References: School Code – 24 P.S. Sec. 510 State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.2, 12.3, 12.4, 12.9, 12.41, 403.1 No Child Left Behind Act – 20 U.S.C. Sec. 1232h Board Policy – 105.1, 218

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT ASSISTANCE PROGRAM

ADOPTED: August 12, 2015

REVISED:

236. STUDENT ASSISTANCE PROGRAM

1. Purpose

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

2. Definition
Title 22
Sec. 12.16

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 the community.

3. Authority
SC 1547
Title 22
Sec. 12.42

The Board shall provide a Student Assistance Program (SAP) that assists district employees in identifying issues and providing assistance to students experiencing difficulties in learning and academic achievement.

4. Delegation of Responsibility

The Superintendent or designee shall develop, implement, maintain and monitor a Student Assistance Program (SAP) that complies with state regulations.

5. Guidelines

The Student Assistance 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.
5. Providing information on community resources and options to deal with the problem.

	6. Establishing links with resources to help resolve the problem. 7. Collaborating with the parent/guardian and agency when students are involved in treatment through a community agency. 8. Providing a plan for in-school support services for the student during and after treatment. References: School Code – 24 P.S. Sec. 1547 State Board of Education Regulations – 22 PA Code Sec. 12.16, 12.41, 12.42 PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. Sec. 8337 Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: THREAT ASSESSMENT ADOPTED: September 9, 2021 REVISED: November 10, 2022 October 9, 2024 May 13, 2026

236.1. THREAT ASSESSMENT

Purpose

The Board is committed to protecting the health, safety and welfare of its students and the school community and providing the resources and support to address identified student needs. The Board adopts this policy to address student behavior that may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.[1]

Authority

The Board directs the Superintendent or designee, in consultation with the School Safety and Security Coordinator, to establish a threat assessment team and develop procedures for assessing and intervening with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.[1]

The established procedures must include protocols for the timely consultation between the team and law enforcement, juvenile justice agencies, county agencies, health care providers or behavioral service providers, as appropriate, to refer students whose behavior indicates a potential threat for additional interventions or supports, including the exchange of relevant information in accordance with federal and state law.[1][2][3]

Definitions

Behavioral service providers – includes, but is not limited to, a state, county or local behavioral health service provider, crisis intervention center or psychiatric hospital. The term includes a private service provider which contracts with a state, county or local government to act as a behavioral health agency.[4]

Bias – the attitudes or beliefs we have about a person or group that affects our understanding, actions and decisions in a conscious or subconscious manner.

Individualized Management Plan – a plan developed for a student who is referred to the threat assessment team that documents the concerns that brought a student to the team's attention, as well as the resources and supports a student might need based on the information gathered during the assessment.

	Threat assessment – a fact-based process for the assessment of and intervention with students whose behaviors may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.
Delegation of Responsibility	The Superintendent or designee, in consultation with the School Safety and Security Coordinator, shall appoint individuals to a threat assessment team at each school building in the district.[1] The Superintendent or designee shall designate a member of the team as team leader for the threat assessment team.[1] The threat assessment team shall include the School Safety and Security Coordinator and individuals with expertise in school health; counseling, school psychology or social work; special education; and school administration.[1] The Superintendent or designee may assign additional staff members or designated community resources to the threat assessment team for assessment and response support. The Superintendent or designee shall develop and implement administrative regulations to support the threat assessment process.
Guidelines	<u>Training</u> The Superintendent or designee shall ensure that threat assessment team members are provided individual and/or group training annually on:[1] 1. Responsibilities of threat assessment team members. 2. Process of identifying, reporting, assessing, responding to and intervening with threats. 3. Identifying and avoiding racial, cultural or disability bias.[9][10] 4. Confidentiality requirements under state and federal laws and regulations, and Board policies.[5][7][11][12][13] Threat assessment team training shall be credited toward professional education requirements and school safety and security training requirements for staff, in accordance with applicable law and Board policy.[1][7][15][16][17][18] Information for Students, Parents/Guardians and Staff The district shall annually notify students, staff and parents/guardians about the existence and purpose of the threat assessment team through posting information on the district website, publishing in handbooks and through other appropriate methods.[1]

The threat assessment team shall make available age-appropriate informational materials to students regarding recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other district reporting hotlines or methods. Informational materials shall be available for review by parents/guardians.[1][8][9][19][20][21]

The threat assessment team shall make available informational materials for school employees regarding recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other district reporting hotlines or methods. Information for school employees shall include a list of the staff members who have been appointed to the threat assessment team.[1][8][9][19][21]

The district shall annually provide mandatory training for school staff on identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities or the community, in accordance with law, Board policy and the standards specified by the state's School Safety and Security Committee.[7][17]

Reporting and Identification

The threat assessment team shall document, assess and respond to reports received regarding students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.[1]

The threat assessment team shall assist in assessing and responding to reports that are received through the Safe2Say Something Program identifying students who may be a threat to themselves or others.[1][7]

The threat assessment team shall assist in assessing and responding to reports of students exhibiting self-harm or suicide risk factors or warning signs, as identified in accordance with applicable law and Board policy.[1][8]

When the threat assessment team has made a preliminary determination that a student's reported behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others, the team shall immediately take the following steps:[1]

1. Notify the Superintendent or designee and School Safety and Security Coordinator of the reported threat.

2. Notify the building principal of the school the student attends of the reported threat, who shall notify the student's parent/guardian of the reported threat.

When a reported student's behavior indicates that there may be an imminent threat to the safety of the student or others, or an emergency situation, a threat assessment team member shall take immediate action, which may include promptly reporting to the appropriate law enforcement agency and school administration.[1][6][7][22]

Where a threat assessment team member has reasonable cause to suspect that a reported situation indicates that a student may be a victim of child abuse, the member shall make a report of suspected child abuse in accordance with law and Board policy.[1][23][24]

Inquiry and Assessment

In investigating, assessing and responding to threat reports, the threat assessment team shall make a determination if the report should be addressed under one or more specific Board policies or administrative regulations, based on the subject matter of the report and the requirements of law, regulations and Board policy, including, but not limited to, reports involving:

1. Discrimination/Harassment.[9][19]
2. Bullying/Cyberbullying.[21]
3. Suicide Awareness, Prevention and Response.[8]
4. Hazing.[25]
5. Dating Violence.[26]

Members of the threat assessment team shall engage in an assessment of the reported student behavior that may indicate a threat, in accordance with training and established procedures. This process may include, but is not limited to:

1. Interviewing the student, other students, staff, parents/guardians or others regarding the subject(s) of the reported threat.
2. Reviewing existing academic, health and disciplinary records and assignments, as appropriate, regarding the subject(s) of the report.
3. Conducting searches of lockers, storage spaces and other possessions on school property as applicable, in accordance with applicable law, regulations and Board policy.[27]
4. Examining outside resources such as social media sites, in coordination with law enforcement, or contacting law enforcement, juvenile probation or community agencies to request additional information about the subject(s) of the report, in accordance with law, regulations and Board policies.

5. Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Student Assistance Program team or others.[5][10][28][29][30][31]

The threat assessment team shall establish and implement procedures, in accordance with the district's memorandum of understanding with each law enforcement agency having jurisdiction over school property, to address situations where the investigation of a reported threat shall be transferred to the appropriate law enforcement agency.[6][22]

The threat assessment team may request that the county agency or juvenile probation department consult and cooperate with the team in assessing the student who is the subject of a preliminary determination regarding a threat.[1]

When assessment of a student's behavior determines that it is not a threat to the student, other students, school employees, school facilities, the community or others, the threat assessment team shall document the assessment and may refer the student to other appropriate resources such as a child study team, the Student Assistance Program team, an IEP or Section 504 Team or other district supports and services.

Response and Intervention

The threat assessment team shall develop an Individualized Management Plan for each student identified and assessed as posing a threat to the student, other students, school employees, school facilities, the community or others. The plan should document the team's evaluation of the threat and recommendations for disposition of the threat, including the information gathered during the assessment and recommendations for response and intervention.

Following notification to the student's parent/guardian, the threat assessment team may refer the student to an appropriate program or take action to address the reported situation in accordance with applicable Board policy, which may include, but is not limited to:[1]

1. A referral to the Student Assistance Program.[5]
2. A referral to the appropriate law enforcement agency.[6][7][22]
3. An appropriate evaluation to determine whether the student is a qualified student with a disability in need of a Section 504 Service Agreement or in need of special education services through an Individualized Education Program (IEP), in accordance with applicable law and Board policy.[10][28][31]

4. A referral to the student's IEP Team to review and address the student's IEP and/or Positive Behavior Support Plan. This could include, but is not limited to, a manifestation determination or functional behavioral assessment in accordance with applicable law, regulations and Board policy.[28][29][30][31]

5. A referral to the student's Section 504 Team to review and address the student's Section 504 Service Agreement and/or Positive Behavior Support Plan.[10]

6. With prior parental consent, a referral to a behavioral service provider, health care provider or county agency.[32]

7. Addressing behavior in accordance with applicable discipline policies and the Code of Student Conduct.[33][34][35][36]

8. Ongoing monitoring of the student by the threat assessment team, a child study team, Student Assistance Program team or other appropriate school personnel.

9. Taking steps to address the safety of any potential targets identified by the reported threat.[7][37]

School Safety and Security Incident Reporting –

For reporting purposes, the term incident means 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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[22][38][39][40]

When a reported threat also meets the definition of an incident, in accordance with reporting requirements, the Superintendent or designee shall immediately report required incidents, if not previously reported by district staff, 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 law enforcement agency 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 law enforcement and Board policies.[22][33][38][39][41][42][43]

The Superintendent or designee shall notify the parent/guardian, if not previously notified by district staff, of any student directly involved in an incident on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Superintendent or designee will inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian.[22][39][44]

Students With Disabilities –

When reporting an incident committed by a student with a disability or referring a student with a disability to a law enforcement agency, the district 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 district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[2][3][11][13][45][46]

Monitoring and Management

If a student has an Individualized Management Plan, the threat assessment team shall monitor the Individualized Management Plan and coordinate with the designated team or resource to provide support and follow-up assessment as necessary. Follow-up assessments, referrals, re-entry plans and other supports shall be documented as part of the student's Individualized Management Plan.

The threat assessment team, in coordination with other appropriate teams and supports, shall determine when the student's Individualized Management Plan is no longer needed for disposition of the threat(s), and may transfer appropriate information in accordance with applicable law, regulations and Board policy.[5][8][10][11][13][28]

Records Access and Confidentiality

In order to carry out their duties and facilitate the timely assessment of and intervention with students whose behavior may indicate a threat, the threat assessment team shall have access to the following student information to the extent permitted under applicable law and regulations:[1]

1. Student health records.[47][48]
2. Prior school disciplinary records.[11][13][49]
3. Records related to adjudication under applicable law and regulations.[49][50][51][52][53][54]

4. Records of prior behavioral or mental health or psychological evaluations or screenings maintained by the district.

5. Other records or information that may be relevant to evaluating a threat or determining treatment or referral options for a student that are maintained by the district.

The threat assessment team shall use all information or records obtained in fulfilling the team's duty in accordance with law to evaluate a threat or to recommend disposition of a threat. Team members shall not redisclose any record or information obtained or otherwise use any record of a student beyond the purpose for which the disclosure was made to the team, in accordance with law.[1]

The threat assessment team shall maintain confidentiality and handle all student records in accordance with applicable law, regulations, Board policy, the Student Records Plan and the district's legal and investigative obligations.[2][3][5][8][11][12][13][21][49][55]

Threat assessment members whose other assignments and roles require confidentiality of specific student communications, in accordance with law, shall ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Board policy and administrative regulations.[12][56][57][58][59]

Annual Board Report

The threat assessment team shall provide the required information to the Superintendent, in consultation with the School Safety and Security Coordinator, to annually develop and present to the Board, at an executive session, a report outlining the district's approach to threat assessment, which shall include:[1]

1. Verification that the district's threat assessment team and process complies with applicable law and regulations.

2. The number of threat assessment teams assigned in the district, and their composition.

3. The total number of threats assessed that year.

4. A summary of interactions with outside law enforcement agencies, juvenile probation and behavioral service providers.

5. An assessment of the district's threat assessment team(s) operation.

6. Recommendations for improvement of the district's threat assessment processes.

7. Any additional information required by the Superintendent or designee.

	The annual threat assessment report shall be presented as part of the annual report to the Board by the School Safety and Security Coordinator on district safety and security practices.[1][6] The threat assessment team's information addressing verification of compliance with law and regulations, the number of threat assessment teams assigned in the district and their composition, the total number of threats assessed that year, and additional information required by the Superintendent or designee shall be included in the School Safety and Security Coordinator's annual report on district safety and security practices that is submitted to the state's School Safety and Security Committee.[1][6][60] **Legal References** 1. 24 P.S. 1302-E 2. 20 U.S.C. 1232g 3. 34 CFR Part 99 4. 24 P.S. 1301-E 5. Pol. 236 6. Pol. 805.2 7. Pol. 805 8. Pol. 819 9. Pol. 103 10. Pol. 103.1 11. Pol. 113.4 12. Pol. 207 13. Pol. 216 14. Pol. 146.1 15. 24 P.S. 1205.2 16. 24 P.S. 1205.5 17. 24 P.S. 1310-B 18. Pol. 333 19. Pol. 104 20. Pol. 105.1 21. Pol. 249 22. Pol. 805.1 23. 23 Pa. C.S.A. 6311 24. Pol. 806 25. Pol. 247 26. Pol. 252 27. Pol. 226 28. Pol. 113 29. Pol. 113.1 30. Pol. 113.2 31. Pol. 113.3 32. Pol. 146 33. Pol. 218 34. Pol. 218.1 35. Pol. 218.2

	36. Pol. 233 37. Pol. 709 38. 24 P.S. 1319-B 39. 22 PA Code 10.2 40. 35 P.S. 780-102 41. 24 P.S. 1306.2-B 42. 22 PA Code 10.21 43. 22 PA Code 10.22 44. 22 PA Code 10.25 45. 20 U.S.C. 1415 46. 34 CFR Part 300 47. 24 P.S. 1409 48. Pol. 209 49. Pol. 216.1 50. 24 P.S. 1304-A 51. 24 P.S. 1305-A 52. 24 P.S. 1307-A 53. 42 Pa. C.S.A. 6341 54. Pol. 218.3 55. 24 P.S. 1304-D 56. 22 PA Code 12.12 57. 42 Pa. C.S.A. 5945 58. 42 Pa. C.S.A. 8337 59. 42 CFR Part 2 60. 24 P.S. 1309-B 20 U.S.C. 1400 et seq 35 P.S. 7601 et seq Pol. 203.1 PA Commission on Crime and Delinquency, School Safety and Security Committee Model K-12 Threat Assessment Procedures and Guidelines

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: ELECTRONIC DEVICES ADOPTED: August 12, 2015 REVISED: August 13, 2020 September 3, 2020 June 9, 2022

237. ELECTRONIC DEVICES

Purpose

The Board adopts this policy in order to support an educational environment that is orderly, safe and secure for district students and employees, while also recognizing that electronic devices may provide a positive contribution when used for educational purposes.

Definition

Electronic devices shall include all devices that can take photographs; record, play or edit audio or video data; store, transmit or receive calls, messages, text, data or images; operate online applications; or provide a wireless, unfiltered connection to the Internet.

Authority

The Board prohibits use of electronic devices by students during the school day in district buildings; on district property; on district buses and vehicles; and during the time students are under the supervision of the district.[1]

The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

Exceptions

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

1. Health, safety or emergency reasons.
2. An Individualized Education Program (IEP) or Section 504 Service Agreement.[2][3]
3. Classroom or instructional-related activities, under the supervision of the classroom teacher.
4. Other reasons determined appropriate by the building principal.

	The District shall not be liable for the loss, damage or misuse of any electronic device. Electronic Images and Photographs The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing. Because such violations may constitute a crime under state and/or federal law, the district may report such conduct to state and/or federal law enforcement agencies.
Delegation of Responsibility	The Superintendent or designee shall annually notify students, parents/guardians and employees about the Board's electronic device policy. The Superintendent or designee shall develop administrative regulations to implement this policy.
Guidelines	Violations of this policy by a student shall result in disciplinary action and shall result in confiscation of the electronic device.[4][7][8] **Legal References** 1. 24 P.S. 510 2. Pol. 103.1 3. Pol. 113 4. Pol. 218 5. Pol. 815 6. Pol. 235 7. Pol. 226 8. Pol. 233

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	238. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: FOREIGN EXCHANGE STUDENTS

ADOPTED: August 12, 2015

REVISED: May 9, 2018

239. FOREIGN EXCHANGE STUDENTS

Purpose

In order to promote cultural awareness and understanding, and to provide diverse experiences to district students, the Board shall admit foreign exchange students into district schools.

Authority

The Board shall accept foreign exchange students who meet the criteria established in Board policy and administrative regulations.

The Board shall accept exchange students on a J-1 Visa who reside within the district as participants in group-sponsored exchange programs approved by the Board. Exchange students on a J-1 Visa shall not be required to pay tuition.

The Board shall accept privately sponsored exchange students on a F-1 Visa for attendance only in secondary schools upon payment of tuition at the established district rate; tuition payments may not be waived. The period of attendance shall not exceed twelve (12) months.

The Board reserves the right to limit the number of foreign exchange students admitted to the schools based on space availability and qualifying criteria.

Delegation of Responsibility

The Superintendent or designee shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission to district schools and recommending admission of students to the Board.

All potential organizations or individuals applying for admission shall forward the request to the Superintendent or designee by June 1 preceding the school year of attendance.

Guidelines

Foreign exchange students shall comply with all enrollment and immunization requirements for students. Once admitted, all exchange students shall be subject to all Board policies, administrative regulations and rules governing all district students.[1][2]

	The district shall administer the Home Language Survey to foreign exchange students enrolling in district schools. Students identified as English Learners shall be assessed and provided appropriate instruction in accordance with the district's Language Instruction Educational Program (LIEP) and Board policy.[3][4][5][6] **Legal References** 1. Pol. 203 2. Pol. 200 3. 20 U.S.C. 6801 et seq. 4. 22 PA Code 11.11 5. 42 U.S.C. 2000d et seq. 6. Pol. 138 22 PA Code 4.74 8 U.S.C. 1101 22 CFR Part 62

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	240. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	241. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

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	242. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

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	243. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

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	244. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	245. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: SCHOOL WELLNESS ADOPTED: August 12, 2015 REVISED: October 12, 2016; May 10, 2017; April 18, 2018; October 10, 2018; June 29, 2020; August 12, 2021; May 10, 2023

246. SCHOOL WELLNESS

Purpose

Freeport Area School District recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education and promotion, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.

Authority

The Board adopts this policy based on the recommendations of the Wellness Committee and in accordance with federal and state laws and regulations.[1][2]

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 nutrition guidelines.
3. Physical education courses and opportunities for developmentally appropriate physical activity during the school day.
4. Curriculum and programs for grades K-12 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 Superintendent or designee shall be responsible for the implementation and oversight of this policy to ensure each of the district's schools, programs and curriculum is compliant with this policy, related policies and established guidelines or administrative regulations.[1][2] Each building principal or designee shall annually report to the Superintendent or designee regarding compliance in his/her school.[2] Staff members responsible for programs related to school wellness shall report to the Superintendent or designee regarding the status of such programs. The Superintendent or designee shall annually report to the Board on the district's compliance with law and policies related to school wellness. The report may include: 1. Assessment of school environment regarding school wellness issues. 2. Evaluation of food services program. 3. Review of all foods and beverages sold in schools for compliance with established nutrition guidelines. 4. Listing of activities and programs conducted to promote nutrition and physical activity. 5. Recommendations for policy and/or program revisions. 6. Suggestions for improvement in specific areas. 7. Feedback received from district staff, students, parents/guardians, community members and the Wellness Committee. The Superintendent 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:[1][2] 1. The extent to which each district 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 district in attaining the goals of this policy.

	At least once every three (3) years, the district 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.[2] The district shall annually inform and update the public, including parents/guardians, students, and others in the community, about the contents, updates and implementation of this policy via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods. This annual notification shall include information on how to access the School Wellness policy; information about the most recent triennial assessment; information on how to participate in the development, implementation and periodic review and update of the School Wellness policy; and a means of contacting Wellness Committee leadership.[1][2]
Guidelines	<u>Recordkeeping</u> The district shall retain records documenting compliance with the requirements of the School Wellness policy, which shall include:[2][3] 1. The written School Wellness policy. 2. Documentation demonstrating that the district has informed the public, on an annual basis, about the contents of the School Wellness policy and any updates to the policy. 3. Documentation of efforts to review and update the School Wellness policy, including who is involved in the review and methods used by the district to inform the public of their ability to participate in the review. 4. Documentation demonstrating the most recent assessment on the implementation of the School Wellness policy and notification of the assessment results to the public. <u>Wellness Committee</u> The district shall establish a Wellness Committee comprised of, but not necessarily limited to, at least one (1) of each of the following: School Board member, district administrator, district food service representative, student, parent/guardian, school health professional, physical education teacher and member of the public. It shall be the goal that committee membership will include representatives from each school building and reflect the diversity of the community.[1]

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing, implementing and periodically reviewing and updating a School Wellness policy that complies with law to recommend to the Board for adoption.

The Wellness Committee shall review and consider evidence-based strategies and techniques in establishing goals for nutrition education and promotion, physical activity and other school based activities that promote student wellness as part of the policy development and revision process.[2]

Nutrition Education

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.[5][6][7]

Nutrition education in the district shall teach, model, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.

Nutrition education lessons and activities shall be age-appropriate.

Nutrition curriculum shall teach behavior-focused skills, which may include menu planning, reading nutrition labels and media awareness.

Nutrition education shall be integrated into other subjects such as math, science, language arts and social sciences to complement but not replace academic standards based on nutrition education.

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

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

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs.

	District staff shall cooperate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition. Consistent nutrition messages shall be disseminated and displayed throughout the district, schools, classrooms, cafeterias, homes, community and media. District schools shall offer resources about health and nutrition to encourage parents/guardians to provide healthy meals for their children. Physical Activity District schools shall contribute to the effort to provide students opportunities to accumulate at least sixty (60) minutes of age-appropriate physical activity daily, as recommended by the Centers for Disease Control and Prevention. Opportunities offered at school will augment physical activity outside the school environment, such as outdoor play at home, sports, etc. Students shall participate daily in a variety of age-appropriate physical activities designed to achieve optimal health, wellness, fitness and performance benefits. Age-appropriate physical activity opportunities, such as outdoor and indoor recess, before and after school programs, during lunch, clubs, intramurals and interscholastic athletics, shall be provided to meet the needs and interests 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. District schools shall partner with parents/guardians and community members and organizations, such as YMCAs, Boys & Girls Clubs, local and state parks, hospitals, etc., to institute programs that support lifelong physical activity. Physical activity shall not be used or withheld as a form of punishment. Physical Education A sequential physical education program consistent with curriculum regulations and Health, Safety and Physical Education academic standards shall be developed and implemented. All district students must participate in physical education.[6][7][9] Quality physical education instruction that promotes lifelong physical activity and provides instruction in the skills and knowledge necessary for lifelong participation shall be provided.

	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. 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 varied and comprehensive curriculum that promotes both team and individual activities and leads to students becoming and remaining physically active for a lifetime shall be provided in the physical education program. Adequate amounts of planned instruction shall be provided in order for students to achieve the proficient level for the Health, Safety and Physical Education academic standards. A local assessment system shall be implemented to track student progress on the Health, Safety and Physical Education academic standards. 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. Safe and adequate equipment, facilities and resources shall be provided for physical education courses. Physical education shall be taught by certified health and physical education teachers. Appropriate professional development shall be provided for physical education staff. <u>Other School Based Activities</u> Safe drinking water shall be available and accessible to students, without restriction and at no cost to the student, at all meal periods and throughout the school day.[10][11][12][13] Nutrition professionals who meet hiring criteria established by the district and in compliance with federal regulations shall administer the school meals program. Professional development and continuing education shall be provided for district nutrition staff, as required by federal regulations.[8][14][15][16] District schools shall provide adequate space, as defined by the district, for eating and serving school meals. Students shall be provided a clean and safe meal environment.

	District schools shall implement alternative service models to increase school breakfast participation where possible, such as breakfast served in the classroom, "grab & go breakfast" and breakfast after first period to reinforce the positive educational, behavioral and health impacts of a healthy breakfast. Meal periods shall be scheduled at appropriate hours, as required by federal regulations and as defined by the district.[10] Students shall have access to hand washing or sanitizing before meals and snacks. Access to the food service operation shall be limited to authorized staff. Nutrition content of school meals shall be available to students and parents/guardians. Students and parents/guardians may be involved in menu selections through various means, such as taste testing and surveys. To the extent possible, the district shall utilize available funding and outside programs to enhance student wellness. The district shall provide appropriate training to all staff on the components of the School Wellness policy. Goals of the School Wellness policy shall be considered in planning all school based activities. Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness. Administrators, teachers, food service personnel, students, parents/guardians and community members shall be encouraged to serve as positive role models through district programs, communications and outreach efforts. The district shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for children by communicating relevant information through various methods. The district shall maintain a healthy school environment to optimize conditions for learning and minimize potential health risks to students, in accordance with the district's school environmental health program and applicable laws and regulations.

Nutrition Guidelines for All Foods/Beverages at School

All foods and beverages available in district schools during the school day shall be offered to students with consideration for promoting student health and reducing obesity.

Foods and beverages provided through the National School Lunch or School Breakfast Programs shall comply with established federal nutrition standards.[10][11][14][15]

Foods and beverages offered or sold at school-sponsored events outside the school day, such as athletic events and dances, shall offer healthy alternatives in addition to more traditional fare.

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.[2][17][18]

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 the jurisdiction of the school that students may access during the school day.[2][17]

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.[2][17]

The district may impose additional restrictions on competitive foods, provided that the restrictions are not inconsistent with federal requirements.[17]

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.[19]

The district 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 elementary and middle school buildings, and up to ten (10) exempt fundraisers in high school buildings. 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.[17]

The district shall establish administrative regulations to implement fundraising activities in district schools, including procedures for requesting a fundraiser exemption.

Non-Sold Competitive Foods -

Non-sold competitive foods available to students, which may include but are not limited to foods and beverages offered as rewards and incentives, at classroom parties and celebrations, or as shared classroom snacks, shall meet or exceed the standards established by the district.

If the offered competitive foods do not meet or exceed the Smart Snacks in School nutrition standards, the following standards shall apply:

1. Rewards and Incentives: Foods and beverages shall not be used as a reward for classroom or school activities unless the reward is an activity that promotes a positive nutrition message (e.g., guest chef, field trip to a farm or farmers market, etc.).

2. Classroom Parties and Celebrations: Classroom parties/celebrations with food/beverages shall be limited to no more than one (1) per month in each classroom. When possible, foods/beverages for parties and celebrations shall be provided by the food service department to help prevent food safety and allergy concerns.

3. Shared Classroom Snacks: Shared classroom snacks are permitted in district schools following directives from staff and pre-approval.

The district shall provide a list of suggested nonfood ideas and healthy food and beverage alternatives to parents/guardians and staff, which may be posted via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods.

Marketing/Contracting -

Any foods and beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School) and comply with established Board policy and administrative regulations.[2][17]

	Exclusive competitive food and/or beverage contracts shall be approved by the Board, in accordance with provisions of law. Existing contracts shall be reviewed and modified to the extent feasible to ensure compliance with established federal nutrition standards, including applicable marketing restrictions.[20] Management of Food Allergies in District Schools The district shall establish Board policy and administrative regulations to address food allergy management in district schools in order to:[21] 1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions. 2. Ensure a rapid and effective response in case of a severe or potentially life-threatening allergic reaction. 3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities. Safe Routes to School The district shall cooperate with local municipalities, public safety agency, police departments and community organizations to develop and maintain safe routes to school.

	Legal References 1. 42 U.S.C. 1758b 2. 7 CFR 210.31 3. 7 CFR 210.15 4. 24 P.S. 1422 5. 24 P.S. 1513 6. Pol. 102 7. Pol. 105 8. Pol. 808 9. 24 P.S. 1512.1 10. 7 CFR 210.10 11. 7 CFR 220.8 12. 24 P.S. 701 13. 24 P.S. 742 14. 42 U.S.C. 1751 et seq 15. 42 U.S.C. 1773 16. 7 CFR 210.30 17. 7 CFR 210.11 18. 7 CFR 220.12 19. Pol. 229 20. 24 P.S. 504.1 21. Pol. 209.1 24 P.S. 1337.1 24 P.S. 1422.3 P.L. 111-296 7 CFR Part 210 7 CFR Part 220 Pol. 103 Pol. 103.1

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: HAZING ADOPTED: September 14, 2016 REVISED: February 13, 2019; August 13, 2020; August 12, 2021; October 9, 2024 March 12, 2025

247. HAZING

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[1]

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:[2]

1. The person acts with reckless indifference to the health and safety of the student; or

	2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student. **Organizational hazing** occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.[3][4] Any activity, as described above, shall be deemed a violation of this policy regardless of whether:[5] 1. The consent of the student was sought or obtained, or 2. The conduct was sanctioned or approved by the school or organization. **Student activity or organization** means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization.[6][7] For purposes of this policy, **bodily injury** shall mean impairment of physical condition or substantial pain.[8] For purposes of this policy, **serious bodily injury** shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.[8]
Authority	The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.[4][5][7][9][10] No student, parent/guardian, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing. The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

	Discrimination/Harassment Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination or harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a hazing investigation, potential issues of discrimination or harassment are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination or harassment as well as the incidents of alleged hazing.[11][12]
Delegation of Responsibility	Students, parents/guardians, coaches, sponsors, volunteers and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal or designee. When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[13][14]
Guidelines	In addition to posting this policy on the district's publicly accessible website, the district shall inform students, parents/guardians, sponsors, volunteers and district employees of the district's policy prohibiting hazing, including district rules, penalties for violations of the policy and the program established by the district for enforcement of the policy by means of distribution of written policy, publication in handbooks, presentation at an assembly, verbal instructions by the coach or sponsor at the start of the season or program, and posting of notice/signs.[4] This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization, together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct.[7]

	Complaint Procedure A student who believes that they have been subject to hazing is encouraged to promptly report the incident to the building principal or designee. Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy. The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Board policies. Interim Measures/Law Enforcement Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning. Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to law enforcement consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to law enforcement at every stage of the proceeding. The decision to report a matter to law enforcement should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with law enforcement in this regard.[15]

Referral to Law Enforcement and School Safety and Security Incident Reporting –

For purposes of reporting hazing incidents to law enforcement in accordance with school safety and security reporting, 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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[16][17][18]

The Superintendent 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 law enforcement agency 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 law enforcement and Board policies.[16][17][19][20][21][22]

The Superintendent 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 Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[17][22][23]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the PA Department of Education on the required form.[16][19][22]

Confidentiality

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

Retaliation

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if the individual complies with the requirements under law, subject to the limitations set forth in law.[15]

	Students – If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. The student may also be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.[4][7][15][24][25] *Nonstudent Violators/Organizational Hazing -* If the investigation results in a substantiated finding that a coach, sponsor or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, the coach, sponsor or volunteer shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor or volunteer, and/or dismissal from district employment.[26] If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district. *Criminal Prosecution –* Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[4]

	Legal References: 1. 18 Pa. C.S.A. 2802 2. 18 Pa. C.S.A. 2803 3. 18 Pa. C.S.A. 2804 4. 18 Pa. C.S.A. 2808 5. 18 Pa. C.S.A. 2806 6. 18 Pa. C.S.A. 2801 7. 24 P.S. 511 8. 18 Pa. C.S.A. 2301 9. Pol. 122 10. Pol. 123 11. Pol. 103 12. Pol. 103.1 13. 24 P.S. 1302-E 14. Pol. 236.1 15. 18 Pa. C.S.A. 2810 16. 24 P.S. 1319-B 17. 22 PA Code 10.2 18. 35 P.S. 780-102 19. 24 P.S. 1306.2-B 20. 22 PA Code 10.21 21. 22 PA Code 10.22 22. Pol. 805.1 23. 22 PA Code 10.25 24. Pol. 218 25. Pol. 233 26. Pol. 317 18 Pa. C.S.A. 2801 et seq 22 PA Code 10.23 Pol. 113.1 Pol. 916

DISCRIMINATION/HARASSMENT/BULLYING/
HAZING/DATING VIOLENCE/RETALIATION
REPORT FORM

***Note**: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Your Child ☐ Another Student ☐ A District Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Conduct, Hazing, Harassing or Other Discrimination You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

_____	_____
Signature of Person Making the Report	Date
_____	_____
Received By	Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under the Code of Student Conduct and/or other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the student or district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Reporter's Child ☐ Another Student ☐ Another Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Bullying

☐ Hazing ☐ Dating Violence ☐ Other _____

Nature of the Report (check all that apply):

☐ Race
☐ Color
☐ Religion
☐ Sexual Orientation
☐ National Origin
☐ Marital Status
☐ Handicap/Disability
☐ Hazing
☐ Age
☐ Religious Creed
☐ Sex
☐ Sexual Harassment (Title IX)
☐ Ancestry
☐ Pregnancy or Related Conditions
☐ Bullying
☐ Dating Violence

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

VI. Safety Concerns

Are there safety concerns that may require emergency removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students
☐ Policy 104. Discrimination/Harassment Affecting Staff
☐ Policy 234. Pregnant/Parenting/Married Students
☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

□ A district employee implicitly or explicitly conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

□ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

□ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Policy 317.1. Educator Midconduct
☐ Policy 806. Child Abuse
☐ Other _____

☐ Policy 103 Discrimination/Harassment Affecting Students: Attachment 2

Discrimination Complaint Procedures

□ Policy 104 Discrimination/Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures

□ Policy 103. Discrimination/Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
□ Policy 104. Discrimination/Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

   If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals including the Superintendent and upon advice of legal counsel and upon the request of law enforcement or child welfare agency, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.

5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

☐ Yes ☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

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FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	248. RESERVED

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: BULLYING/CYBERBULLYING ADOPTED: August 12, 2015 REVISED: November 14, 2018; February 13, 2019; August 13, 2020; August 12, 2021; March 13, 2024; October 9, 2024; March 12, 2025

249. BULLYING/CYBERBULLYING

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Definitions

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

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

Bullying, as defined in this policy, includes cyberbullying.

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]

Authority

The Board prohibits all forms of bullying by district students.[1]

The Board encourages students who believe they or others have been bullied to promptly report such incidents to the building principal or designee.

Students are encouraged to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

	The Board directs that verbal and written complaints of bullying shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be bullying under this policy but merits review and possible action under other Board policies. When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[2][3] <u>Discrimination/Harassment</u> Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination or harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a bullying investigation, potential issues of discrimination or harassment are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination or harassment as well as the incidents of alleged bullying.[4][5] <u>Confidentiality</u> Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the district’s legal and investigative obligations. <u>Retaliation</u> Reprisal or retaliation relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.
Delegation of Responsibility	Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying. The Superintendent or designee shall develop administrative regulations to implement this policy. The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[1] The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.[1]

	District administration shall annually provide the following information with the school safety and security incident report:[1][6] 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][7][8] This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website.[1] <u>Education</u> The district may develop, implement and evaluate bullying prevention and intervention programs and activities. Programs and activities shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][9][10][11] <u>Consequences for Violations</u> A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[1][7][12] 1. Counseling within the school. 2. Parental conference. 3. Loss of school privileges. 4. Transfer to another school building, classroom or school bus. 5. Exclusion from school-sponsored activities. 6. Detention. 7. Suspension. 8. Expulsion. 9. Counseling/Therapy outside of school. 10. Referral to law enforcement officials.

	Legal References 1. 24 P.S. 1303.1-A 2. 24 P.S. 1302-E 3. Pol. 236.1 4. Pol. 103 5. Pol. 103.1 6. Pol. 805.1 7. Pol. 218 8. 22 PA Code 12.3 9. 20 U.S.C. 7118 10. 24 P.S. 1302-A 11. Pol. 236 12. Pol. 233 Pol. 113.1

DISCRIMINATION/HARASSMENT/BULLYING/
HAZING/DATING VIOLENCE/RETALIATION
REPORT FORM

***Note**: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

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Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

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I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Your Child ☐ Another Student ☐ A District Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Conduct, Hazing, Harassing or Other Discrimination You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

_____	_____
Signature of Person Making the Report	Date
_____	_____
Received By	Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under the Code of Student Conduct and/or other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the student or district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Reporter's Child ☐ Another Student ☐ Another Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Bullying

☐ Hazing ☐ Dating Violence ☐ Other _____

Nature of the Report (check all that apply):

☐ Race
☐ Color
☐ Religion
☐ Sexual Orientation
☐ National Origin
☐ Marital Status
☐ Handicap/Disability
☐ Hazing
☐ Age
☐ Religious Creed
☐ Sex
☐ Sexual Harassment (Title IX)
☐ Ancestry
☐ Pregnancy or Related Conditions
☐ Bullying
☐ Dating Violence

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

VI. Safety Concerns

Are there safety concerns that may require emergency removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students
☐ Policy 104. Discrimination/Harassment Affecting Staff
☐ Policy 234. Pregnant/Parenting/Married Students
☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

□ A district employee implicitly or explicitly conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

□ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

□ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Policy 317.1. Educator Midconduct
☐ Policy 806. Child Abuse
☐ Other _____

☐ Policy 103 Discrimination/Harassment Affecting Students: Attachment 2

Discrimination Complaint Procedures

□ Policy 104 Discrimination/Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures

□ Policy 103. Discrimination/Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
□ Policy 104. Discrimination/Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

   If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals including the Superintendent and upon advice of legal counsel and upon the request of law enforcement or child welfare agency, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.

5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

☐ Yes ☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

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FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT RECRUITMENT

ADOPTED: August 12, 2015

REVISED:

250. STUDENT RECRUITMENT

1. Authority
51 P.S.
Sec. 20221 et seq
10 U.S.C.
Sec. 503
20 U.S.C.
Sec. 7908

In accordance with law, the Board shall permit disclosure of required student information about secondary students to representatives of postsecondary institutions and to representatives of the Armed Forces of the United States.

Equitable access to secondary students shall be granted to postsecondary education representatives, military recruiters and prospective employers.

2. Guidelines
10 U.S.C.
Sec. 503
20 U.S.C.
Sec. 7908

Postsecondary institutions and military recruiters shall have access to secondary students' names, addresses and telephone numbers, unless the student or parent/guardian requests that such information not be released without prior written parental consent.

51 P.S.
Sec. 20222
10 U.S.C.
Sec. 503
20 U.S.C.
Sec. 7908

The district shall notify parents/guardians of the right of the secondary student or parent/guardian to request that student information not be released to representatives of postsecondary institutions and/or military recruiters without prior written parental consent.

51 P.S.
Sec. 20222

The district shall provide a list of graduating seniors, which shall be available to military recruiters by the first day of the academic year of graduation.

Military Personnel

24 P.S.
Sec. 2402

Military recruiters and all other members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to wear their official military uniforms while on district property.

3. Delegation of Responsibility

The building principal shall determine under what conditions and when access to secondary students will be provided to representatives of postsecondary institutions, military recruiters and prospective employers.

	The building principal reserves the right to deny access to students when such access will materially and substantially interfere with the proper and orderly operation and discipline of the school; is likely to cause violence or disorder; or will constitute a violation of the rights of other students.
51 P.S. Sec. 20222	The Superintendent or designee shall notify parents/guardians prior to the end of the student's junior year about the provisions of this policy. The notice shall include: 1. Notice that the school routinely discloses names, addresses and telephone numbers of junior and senior students to postsecondary institutions and military recruiters, subject to a parent's/guardian's or secondary student's request not to disclose such information without prior written parental consent. 2. Explanation of the parent's/guardian's or secondary student's right to request that information not be disclosed without prior written parental consent. 3. Procedures for how the parent/guardian or secondary student can opt out of the public, nonconsensual disclosure of such information, and the method and timeline for doing so. Parents/guardians or students must be given at least 21 calendar days to opt out of disclosure. References: State Board of Education Regulations – 22 PA Code Sec. 403.1 Military Visitors – 24 P.S. Sec. 2402 Military Affairs – 51 P.S. Sec. 20221 et seq. National Defense Authorization Act for Fiscal Year 2002 – 10 U.S.C. Sec. 503 No Child Left Behind Act – 20 U.S.C. Sec. 7908

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENTS EXPERIENCING HOMELESSNESS, FOSTER CARE AND OTHER EDUCATIONAL INSTABILITY

ADOPTED: August 12, 2015

REVISED: January 11, 2017
January 18, 2023
September 13, 2023

251. STUDENTS EXPERIENCING HOMELESSNESS, FOSTER CARE AND OTHER EDUCATIONAL INSTABILITY

Purpose

The Board recognizes the challenges encountered by students experiencing homelessness, foster care and other educational instability. The Board is committed to facilitating the immediate enrollment; eliminating barriers to the attendance, education and graduation; and providing additional supports in compliance with federal and state laws, regulations and Board policy, for such students.[1][2][3][4][5][6][7][8]

Authority

The Board directs the district to collaborate with school staff, other school districts, local agencies and other entities in supporting the needs of students experiencing educational instability.

The Board shall ensure that students experiencing educational instability have equal access to the same educational programs, activities and services provided to other district students.[1][2][3][4][5][6][7]

The Board authorizes the Superintendent to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers include, but are not limited to, requirements regarding:[1][2][3][4][5][6][7]

1. Dress code.[9]
2. Transportation.[10]
3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classes.[11][12][13][14][15][16][17]

	4. Fees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials, lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or replacement, summer school or credit recovery, technology and graduation regalia.[9][13][14][15][18][19][20][21][22] 5. Graduation.[19] 6. Registration deadlines. It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.
Definitions	**Student Experiencing Educational Instability** means a student who has experienced one (1) or more changes in school enrollment during a single school year due to any of the following:[4] 1. Homelessness.[1][3][7] 2. An adjudication of:[23][24] a. Dependency relating to child protective services and juvenile matters; b. Delinquency, if disclosed by the student's parent/guardian; or c. As part of court-ordered services under a voluntary placement or custody agreement. A student experiencing foster care may also qualify as a student experiencing educational instability as defined above, if such circumstances apply.[25] **Enroll or Enrollment** means attending classes and participating fully in school activities.[26] **Additional costs** means the difference between what the district spends to transport a resident student to the student's assigned school and the cost to transport a child in foster care to the child's school of origin.

Foster care means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.[25]

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[26]

1. Children and youths who are:
    a. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
    b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
    c. Living in emergency, transitional or domestic violence shelters; or
    d. 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 in which the student experiencing educational instability was last enrolled.

- The school of origin for a homeless child or youth - the last school in which the homeless child or youth was enrolled when permanently housed or the school in which the homeless child or youth was last enrolled, including preschool.[27]

	• The school of origin for a child in foster care - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin is the school the child is attending immediately prior to each change in placement.[8] • When the homeless child or youth, or child in foster care, completes the final grade level served by the school of origin, the school of origin shall become the designated receiving school at the next grade level for all feeder schools. **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.[26]
Delegation of Responsibility	The Board designates the School Counselor/Homeless Liaison to serve as the district's point of contact for students experiencing educational instability.[4][5][27] The name and contact information of the district's point of contact shall be included in the student's education records and provided to the student's education decision maker.[4] The district's point of contact shall ensure outreach and coordination with the following, as appropriate to each individual student's needs:[4][5][27] 1. Local children and youth agency to: a. Establish formal mechanisms to ensure that the district is promptly notified when a child enters foster care or changes foster care placements; b. Develop a protocol on how to make best interest determinations; and c. Develop and coordinate transportation procedures. 2. Other local service agencies and entities that provide services to students experiencing educational instability. 3. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities. 4. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[11][28]

5. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's point of contact, in consultation with the school counselor, school social worker, home and school visitor or school psychologist and the student's Individualized Education Program (IEP) team or Section 504 Team, shall:[4]

1. Facilitate the student's expedited consultation with the school counselor or other mental health professionals, as appropriate.

2. Facilitate the prompt placement of the student in appropriate courses.

3. Connect the student with educational services that meet the student's specific needs.

4. Immediately request the prior school entity, county agency and the student's education decision maker to provide the complete student information and records, including an IEP or Section 504 service agreement, if applicable. Within ten (10) business days, the prior school entity located within Pennsylvania, including schools with residential placements, shall provide the requested information and records to ensure proper transfer of course credits, grades and an IEP or Section 504 service agreement, if applicable.

5. Develop and execute a graduation plan in collaboration with the student in grades nine (9) through twelve (12). The graduation plan shall be customized to meet the specific needs of the student and shall detail the courses necessary for on-time graduation and transition to postsecondary education or the workforce. The graduation plan shall be included in the student's education records.

Additional Responsibilities to Support Homeless Students -

The district's point of contact 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.[27]

The district's point of contact 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.[27]

	Training The district's point of contact shall provide professional development and training to school staff on the education needs of students experiencing educational instability. Additional Training to Support Homeless Students - The district's point of contact 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.[27] The district's point of contact shall arrange professional development programs for school staff, including office staff.[27] School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[27] 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.
Guidelines	Students enrolled in this district experiencing educational instability shall be provided support and services, as appropriate to each individual student's needs, in accordance with Board policy.[4] Minimal documentation shall be required for a student experiencing educational instability to qualify for supports and services. Information used to determine that a student is experiencing educational instability may be confirmed verbally, in writing or by another manner by shelter providers, outreach workers, case managers, juvenile probation officers and others. Parents/Guardians and students have the authority to determine what information shall be shared with the district.

Information related to the student's educational instability status shall be confidential and disclosed by the point of contact or other administrators only to other school staff who have a legitimate need to know unless authorized by the student or parent/guardian.[29][30]

Enrollment

Except when an unaccompanied youth or the parents/guardians of a homeless youth request otherwise, it shall be presumed that a student experiencing educational instability shall continue to be enrolled in their school of origin unless it is determined that it is not in the student's best interest to remain in the school of origin.[5][27]

In accordance with the homeless child's or youth's best interest, the district shall continue to enroll a homeless student in the student's school of origin within the district while the student remains homeless and through the end of the academic year in which the student obtains permanent housing.[27]

An unaccompanied youth or the parents/guardians of a homeless student may request enrollment in any grade-appropriate school within the district regardless of the district attendance area where the student is actually living or a school of origin in another district.[27]

The district's point of contact shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where the student will be enrolled.[27]

Best Interest Determination -

The best interest determination shall be made in accordance with federal and state laws and regulations, court orders and established local procedures.

In making a best interest determination, the district shall:[5][27]

1. In the case of a homeless child or unaccompanied youth, give priority to the request of the parent/guardian or unaccompanied youth.

2. Consider student-centered factors related to impact of mobility on achievement, education, appropriateness of the current educational setting, health and safety, and proximity to living arrangements including foster care placement.

The cost of transportation shall not be used as a factor in the best interest determination.

Documentation related to the best interest determination shall be maintained in the student's education record.[29][30]

Timeliness of Enrollment -

When a school receives a student experiencing educational instability, the school shall immediately enroll the student and begin instruction, even if:[4][5][7][29][30][31][32][33][34][35]

1. The student is unable to produce records normally required for enrollment.[27][31]

2. The application or enrollment deadline has passed.[27][31][32]

The district's point of contact shall immediately contact the school last attended by the student to obtain relevant academic or other records.[27]

The district may require a parent/guardian to submit contact information.

Grade Level Assignment -

If the district is unable to determine the student's grade level due to missing or incomplete records, the district may administer tests or utilize appropriate means to determine the student's assignment within the school.[36]

Dispute Resolution

If a dispute involving a student experiencing educational instability arises, the concern shall be addressed and/or resolved at the lowest appropriate level in accordance with Board policy, unless otherwise stated below.[37]

Dispute Resolution for Homeless Students -

If the district determines that it is not in the student's best interest to attend the school of origin or the school requested by the unaccompanied youth or parent/guardian, the district shall provide the unaccompanied youth or parent/guardian with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the unaccompanied youth or parent/guardian and shall include information regarding the right to appeal.[27]

If a dispute arises over eligibility, enrollment or school selection:[27]

1. The parent/guardian or unaccompanied youth shall be referred to the district's point of contact, who shall assist in the dispute resolution process.

2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.

3. The district's point of contact 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 file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Dispute Resolution for Students in Foster Care -

If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in their school of origin, pending resolution of the dispute.[2]

Students Discharged From Foster Care

A student who has been discharged from foster care may be permitted to finish the school year in this district, if appropriate, without payment of tuition.[38]

Education Records

Information about a student's educational instability 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.[29][30][39]

The district may disclose personally identifiable information from the education records of a student without written consent of the parent/guardian or the eligible student if the disclosure is:[29][30][39]

1. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.

2. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student's case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

Comparable Services

Students experiencing educational instability shall be provided services comparable to those offered to other district students including, but not limited to:[3][27][40]

1. Transportation services.[10]
2. School nutrition programs.[21]
3. Career and technical education.[12]
4. Educational programs for which the student meets the eligibility criteria, such as:
    a. Services provided under Title I or similar state or local programs.[41]
    b. Programs for English Learners.[42]
    c. Programs for students with disabilities.[11]
    d. Programs for gifted and talented students.[16]

Transportation for Homeless Students -

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the district.[3][10][27]

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[27]

Transportation for Students in Foster Care –

The district shall ensure that children in foster care needing transportation to their school of origin promptly receive transportation in a cost-effective manner.[6][10]

To ensure that transportation for children in foster care to their school of origin is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.[6]

The transportation plan shall address the following:[6]

1. The procedure the district and local children and youth agency will follow to provide transportation for children in foster care in a cost-effective manner and in accordance with applicable law.[8]

2. How transportation costs will be covered if additional costs are incurred. Options include:

    a. The local children and youth agency agrees to reimburse the district;

    b. The district agrees to pay for the cost;[6]

    c. The district and the local children and youth agency agree to share the costs; or

    d. The district of origin, the district of foster residence, and the placing children and youth agency agree to share the costs.

3. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student's ability to remain in the school of origin during the dispute resolution process.

The district shall submit the local transportation plan, including any updates or revisions, to the Pennsylvania Department of Education.

Transportation shall be provided to children in foster care in accordance with the local transportation plan regardless of whether transportation is provided to district students.

Course Credit and Graduation

The district shall ensure that each student experiencing educational instability in grades nine (9) through twelve (12) is provided with a graduation plan to facilitate the student's timely graduation. The graduation plan shall specify the courses and other requirements necessary for the student to graduate. The district's efforts to ensure that the student experiencing educational instability graduates in a timely manner may include:[4][5][6]

1. Waiving a specific course required for graduation if similar coursework has been satisfactorily completed in another school entity or the student has demonstrated competency in that content area. Evidence as to whether coursework has been satisfactorily completed and the amount of full or partial credit assigned, may be determined through any of the following:[4][19]

    a. Competency demonstration, which could include, but is not limited to:

        i. Submission of an essay, presentation or project.

ii. Recognition that the student has already successfully completed a higher-level course, an experiential learning opportunity or internship that demonstrates competence in the content area.

b. Performance on an examination.

c. Successful completion of a career and technical education course.

d. Other evidence or method determined appropriate by the district.

2. If a specific course requirement cannot be waived, the district shall provide an alternative or modified course of study that is currently offered to students and that will assist the student with acquiring the required work or competency requirements by the anticipated graduation date.

3. If, after considering full and partial course credits, waiving courses or providing alternative courses of study, the district determines that the student meets the established graduation requirements, the student shall be allowed to participate in the graduation ceremony and graduate with their peers.

If the student is determined not eligible for graduation, the district may request a high school diploma from the prior school entity. The prior school entity may issue a diploma if the student meets the prior school entity's graduation requirements.

Keystone Diploma –

In any school year for which demonstration of proficiency on a Keystone exam is required for graduation, a student who has successfully satisfied the graduation requirements may obtain a secondary school diploma known as the Keystone Diploma from the PA Department of Education, if both of the following provisions apply:[4][43]

1. All other graduation options have been exhausted.

2. The student is unable to obtain a diploma from the student's prior or receiving school entity.

The district's point of contact shall assist the student in determining the student's eligibility for a Keystone Diploma and, if eligible, obtaining the Keystone Diploma from the PA Department of Education.[4][43]

Students with Disabilities –

Students experiencing educational instability who have an IEP shall maintain the right to special education and the right to graduate either through attainment of credits or through the completion of the goals established in their IEP, in accordance with applicable law, regulations, Board policy, administrative regulations and state guidance.[11][19]

	Legal References 1. 22 PA Code 11.18 2. 24 P.S. 1305 3. 24 P.S. 1306 4. 24 P.S. 1331.1 5. 20 U.S.C. 6311 6. 20 U.S.C. 6312 7. 42 U.S.C. 11431 et seq. 8. 42 U.S.C. 675 9. Pol. 221 10. Pol. 810 11. Pol. 113 12. Pol. 115 13. Pol. 121 14. Pol. 122 15. Pol. 123 16. Pol. 114 17. Pol. 231 18. Pol. 124 19. Pol. 217 20. Pol. 223 21. Pol. 808 22. Pol. 110 23. 23 Pa. C.S.A. 6301 et seq. 24. 42 Pa. C.S.A. 6301 et seq. 25. 45 CFR 1355.20 26. 42 U.S.C. 11434a 27. 42 U.S.C. 11432 28. Pol. 103.1 29. Pol. 113.4 30. Pol. 216 31. Pol. 200 32. Pol. 201 33. Pol. 203 34. Pol. 204 35. Pol. 209 36. Pol. 206 37. Pol. 906 38. Pol. 202 39. 20 U.S.C. 1232g 40. Pol. 146 41. Pol. 918 42. Pol. 138 43. 24 P.S. 121 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 Basic Education Circular, August 1, 2022: Act 1 of 2022 - Assisting Students Experiencing Education Instability Ensuring Educational Stability for Foster Care Youth - Transportation Plan Guide

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: DATING VIOLENCE

ADOPTED: August 12, 2015

REVISED: August 13, 2020; January 14, 2021; August 12, 2021; October 9, 2024; March 12, 2025

252. DATING VIOLENCE

Purpose

The purpose of this policy is to maintain a safe, positive learning environment for all students that is free from dating violence. Dating violence is inconsistent with the educational goals of the district and is prohibited at all times.

Definitions

Dating partner shall mean a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.[1]

Dating violence shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person's dating partner.[1]

Authority

The Board encourages students who have been subjected to dating violence to promptly report such incidents.

The district shall investigate promptly all complaints of dating violence and shall administer appropriate discipline to any student who violates this policy.[2]

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[3][4]

Discrimination/Harassment

Every report of alleged dating violence that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination or harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a dating violence investigation, potential issues of discrimination or harassment are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination or harassment as well as the incidents of alleged dating violence.[5][6]

Guidelines	Discipline of Student Convicted or Adjudicated of Sexual Assault Upon notification of a conviction or adjudication of a student in this district for sexual assault against another student enrolled in this district, the district shall comply with the disciplinary requirements established by state law and Board policy.[7][8] Complaint Procedure When a student believes that they have been subject to dating violence, the student is encouraged to promptly report the incident, orally or in writing, to the building principal. The building principal shall conduct a timely, impartial, and comprehensive investigation of the alleged dating violence. The building principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The complainant and the accused shall be informed of the outcome of the investigation.[1] If the investigation results in a substantiated finding of dating violence, the building principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Student Conduct.[1][2] The district shall document the corrective action taken and, where not prohibited by law, inform the complainant. This policy on dating violence shall be:[1] 1. Published in the Code of Student Conduct. 2. Published in the Student Handbook. 3. Made available on the district's website, if available. 4. Provided to parents/guardians. Dating Violence Training The district may provide dating violence training to guidance counselors, nurses, and mental health staff at the high school as deemed necessary. At the discretion of the Superintendent, parents/guardians and other staff may also receive training on dating violence.[1]

	Dating Violence Education The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.[1][9] A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program.[1][10] At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.[1][11] **Legal References** 1. 24 P.S. 1553 2. Pol. 218 3. 24 P.S. 1302-E 4. Pol. 236.1 5. Pol. 103 6. Pol. 103.1 7. Pol. 218.3 8. 24 P.S. 1318.1 9. 71 P.S. 611.13 10. Pol. 105.1 11. Pol. 105.2 22 PA Code 12.12 20 U.S.C. 1232g

DISCRIMINATION/HARASSMENT/BULLYING/
HAZING/DATING VIOLENCE/RETALIATION
REPORT FORM

***Note**: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Your Child ☐ Another Student ☐ A District Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Conduct, Hazing, Harassing or Other Discrimination You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

Is there anything else you wish the Title IX Coordinator to know at this time?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

_____	_____
Signature of Person Making the Report	Date
_____	_____
Received By	Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under the Code of Student Conduct and/or other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the student or district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Reporter's Child ☐ Another Student ☐ Another Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Bullying

☐ Hazing ☐ Dating Violence ☐ Other _____

Nature of the Report (check all that apply):

☐ Race
☐ Color
☐ Religion
☐ Sexual Orientation
☐ National Origin
☐ Marital Status
☐ Handicap/Disability
☐ Hazing
☐ Age
☐ Religious Creed
☐ Sex
☐ Sexual Harassment (Title IX)
☐ Ancestry
☐ Pregnancy or Related Conditions
☐ Bullying
☐ Dating Violence

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Does the complainant believe the conduct will continue? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act? If unsure, contact the Director of Special Education.

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

Identify additional evidence that may be helpful in the course of the investigation.

VI. Safety Concerns

Are there safety concerns that may require emergency removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Harassment Affecting Students
☐ Policy 104. Discrimination/Harassment Affecting Staff
☐ Policy 234. Pregnant/Parenting/Married Students
☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

□ A district employee implicitly or explicitly conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

□ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

□ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Policy 252. Dating Violence
☐ Policy 317.1. Educator Midconduct
☐ Policy 806. Child Abuse
☐ Other _____

☐ Policy 103 Discrimination/Harassment Affecting Students: Attachment 2

Discrimination Complaint Procedures

□ Policy 104 Discrimination/Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures

□ Policy 103. Discrimination/Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
□ Policy 104. Discrimination/Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

   If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals including the Superintendent and upon advice of legal counsel and upon the request of law enforcement or child welfare agency, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.

5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

☐ Yes ☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

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FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

	253. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: PUPILS TITLE: EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN ADOPTED: February 14, 2024 REVISED: October 9, 2024

254 EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Purpose

The Board recognizes the challenges encountered by children of military families due to the frequent moves and deployment of their parents/guardians. The Board is committed to eliminating barriers to student attendance, education and graduation; and to providing additional supports to children of military families in compliance with federal and state laws, regulations and Board policy.

Definitions

Active duty – means full-time duty status in the active uniformed services of the United States, including members of the National Guard and reserve on active duty orders.[1][2]

Children of military families - means a school-aged child, enrolled in kindergarten through twelfth grade, normally residing in the household of an active duty member or in accordance with applicable law. Specifically, this includes children of:[3][4]

1. Active duty members of the uniformed services.
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement.
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.
4. Members of the National Guard or reserve who are required to move to perform responsibilities in their service, which results in the child having to transfer from a public school in another state to a public school in this state.[4]

	This does not include the children of:[3] 1. Inactive members of the National Guard and military reserves. 2. Members of the uniformed services now retired, except as otherwise stated in this policy. 3. Veterans of the uniformed services, except as otherwise stated in this policy. 4. Other United States Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services. **State Council** – an entity to coordinate the state's participation and compliance among its government agencies, school entities and military installations. **Uniformed services** – means the U.S. armed forces, Commissioned Corps of the National Oceanic and Atmospheric Administration, and the Commissioned Corps of the Public Health Service.[5] **U.S. armed forces** – means the Army, Navy, Air Force, Marine Corps, Coast Guard and Space Force.[5]
Authority	The Board directs the district to comply with the provisions of the Interstate Compact on Educational Opportunity for Military Children (Compact) and this Board policy by:[3][6] 1. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from previous school districts or variations in entrance/age requirements.[7][8][9][10] 2. Facilitating the student placement process through which children of military families are disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.[11][12][13][14][15] 3. Facilitating the qualification and eligibility for enrollment, educational programs and participation in extracurricular, academic, athletic and social activities.[16][17][18] 4. Facilitating the on-time graduation of children of military families.[19]

	5. Providing for the promulgation and enforcement of administrative rules implementing the provisions of the Compact. 6. Providing for the uniform collection and sharing of information between and among states, schools and military families under the Compact. 7. Promoting coordination between the Compact and other compacts affecting military children. 8. Promoting flexibility and cooperation between the educational system, parents/guardians and the student in order to achieve educational success for the student. Advance Enrollment In addition to the provisions of the Compact, the district shall enroll children of a parent/guardian who is an active duty member of the U.S. armed forces, including a reserve component, that has received official military orders to transfer into or within Pennsylvania, prior to establishing residency in this district.[7][9][20] The parent/guardian shall provide the following:[7][20][21] 1. A copy of the official military order. 2. Proof of intent to move into this district, which may include:[20] a. A signed contract to buy a home. b. A signed lease agreement. c. A statement from the parent/guardian stating their intent to move into the district. Within forty-five (45) days after the arrival date specified in the military orders, the parent/guardian shall provide the district with proof of residence in this district.[20] The Board shall ensure that children of military families have equal access to the same educational programs, activities and services provided to other district students.
Delegation of Responsibility	The Superintendent shall be authorized to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment, placement and attendance of children of military families.[7][8][9][12][16][17][19][22] The Superintendent or designee shall collaborate with the military family education liaison designated by the State Council, school staff, sending schools, local agencies and other entities in supporting the needs of children of military families.

Guidelines	Children of military families enrolled in this district shall be provided support and services, as appropriate to each individual student's needs, in accordance with the Compact and Board policy.[23][24][25][26][27] **Legal References** 1. 10 U.S.C. 12301 et seq 2. 10 U.S.C. 12401 et seq 3. 24 P.S. 7302 4. 24 P.S. 1184 5. 10 U.S.C. 101 6. 24 P.S. 7301 7. Pol. 200 8. Pol. 201 9. Pol. 202 10. Pol. 216 11. Pol. 127 12. Pol. 204 13. Pol. 206 14. Pol. 212 15. Pol. 215 16. Pol. 122 17. Pol. 123 18. Pol. 231 19. Pol. 217 20. 24 P.S. 1302.1 21. 24 P.S. 1302 22. Pol. 203 23. Pol. 103.1 24. Pol. 113 25. Pol. 114 26. Pol. 138 27. Pol. 918 Pol. 113.4 Pol. 115 Pol. 146 Pol. 209 Interstate Compact on Educational Opportunity for Military Children (MIC3)

EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN
COMPACT RULES

The guidelines to implement the Interstate Compact on Educational Opportunity for Military Children including, but not limited to:

- Transfer of education records and enrollment
- Student placement and attendance
- Student eligibility
- Oversight, enforcement and dispute resolution

are contained in the Compact Rules posted at https://mic3.net/wp-content/uploads/2020/06/MIC3-Rules-Book_Dec2023_WEB_1-10-24.pdf

FREEPORT AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: CREATING A POSITION

ADOPTED: April 12, 2017

REVISED:

301. CREATING A POSITION

1. Authority

Positions for administrative, professional and support employees shall be established by the Board in order to provide the effective leadership and management necessary to operate district schools and to provide quality educational programs and services, consistent with the needs of the schools and the resources of the community.

SC 1001, 1106, 1107
Title 22 Sec. 4.4

The need for creating positions shall be determined by the Board, based on the recommendation of the Superintendent. The Board reserves for itself the final determination of the number and type of staff positions deemed necessary for effective management of the district and operation of the schools.

Pol. 328

The initial salary or salary range for a new position shall be determined by the Board when creating the position, based upon the recommendation of the Superintendent and supporting documentation.

In the exercise of its authority to create a new position, the Board shall give primary consideration to the following:

1. Effective management of district programs.
2. Number of students enrolled.
3. Special needs of students.
4. Operational needs of the district.
5. Financial resources of the school community.

The Superintendent shall be responsible for recommending a new or additional administrative, professional or support position.

2. Delegation of Responsibility	Recommendations for a new or additional position shall include: **1.** Job description clearly stating the duties for which the position was created. **2.** Title that conforms with the appropriate certificate if certification is required. **3.** Supporting data and other rationale relevant to the recommendation. The Board may, through the Superintendent, seek the advice of administrative staff when creating a new position or increasing the number of employees in existing positions.
Pol. 104	The Superintendent or designee shall be responsible to maintain a comprehensive and up-to-date job description for all positions in the district. Job descriptions shall be prepared in accordance with relevant federal and state laws and regulations. **References:** School Code – 24 P.S. Sec. 1001, 1075, 1106, 1107 State Board of Education Regulations – 22 PA Code Sec. 4.4 Board Policy – 104, 328

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: EMPLOYMENT OF SUPERINTENDENT/ ASSISTANT SUPERINTENDENT

ADOPTED: April 12, 2017

REVISED: January 17, 2018

302. EMPLOYMENT OF SUPERINTENDENT/ ASSISTANT SUPERINTENDENT

1. Purpose

The Board places the primary responsibility and authority for the administration of the district in the Superintendent and Assistant Superintendent. Therefore, selection of a Superintendent or Assistant Superintendent is critical to the effective leadership and management of the district.[1]

Authority

During the last year of the Superintendent's term or any other time the position of Superintendent becomes vacant, the Board shall meet to appoint, by a majority vote of all members of the Board, a properly qualified district Superintendent. The appointed Superintendent shall enter into a written contract with the Board for a term of three (3) to five (5) years.[2][3][4]

An Assistant Superintendent shall be appointed by a majority vote of all members of the Board upon nomination of the Superintendent. An Assistant Superintendent may serve through the term of the Superintendent or enter into a contract for a term of three (3) to five (5) years.[2][3][5][6]

At a public Board meeting occurring at least ninety (90) days prior to the expiration date of the Superintendent's or an Assistant Superintendent's term of office, the Board meeting agenda shall include an item requiring affirmative action by five (5) or more Board members to notify the Superintendent or Assistant Superintendent that the Board intends to retain him/her or that other candidates will be considered for the office. If the Board fails to take such action, the term of office which the Superintendent or Assistant Superintendent is serving shall be extended one (1) time for a one-year period. Prior to the end of the one-year extension, the Board shall take action necessary to retain the Superintendent or Assistant Superintendent. If no action is taken prior to the conclusion of the one-year extension, the term of office for the current Superintendent or Assistant Superintendent shall terminate.[4][6]

Guidelines	Anytime the Board votes to retain a Superintendent or Assistant Superintendent, the Superintendent may be retained for a term of three (3) to five (5) years, and the Assistant Superintendent may be retained for a term of three (3) to five (5) years or for a term extending through the term of the Superintendent.[4][6] Whenever the Board finds it impossible or impractical to immediately fill a vacancy in the office of Superintendent or Assistant Superintendent, the Board may appoint an acting Superintendent or Assistant Superintendent to serve not longer than one (1) year from the time of appointment.[7] <u>Recruitment and Assessment of Candidates</u> The Board shall actively seek candidates who meet the qualifications and requirements for the position of Superintendent and/or Assistant Superintendent. When undertaking a search to fill the position of Superintendent or Assistant Superintendent, recruitment procedures shall be prepared and may include the following: Preparation of a job description for the position, written in accordance with the requirements of federal and state laws and regulations.[8] Preparation of written qualifications, in addition to applicable state requirements, for all applicants.[9][10][11][12][13] Recruitment, screening and evaluation of candidates shall be conducted in accordance with Board policy, Board established leadership criteria and state and federal law.[8] The Board shall determine prior to interviewing finalists which expenses associated with such interviews will be reimbursed by the school district. A candidate's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board. <u>Pre-Employment Requirements</u> The district shall conduct an employment history review in compliance with state law prior to issuing an offer of employment to a candidate. Failure to accurately report required information shall subject the candidate to discipline up to, and including, denial of employment or termination if already hired, and may subject the candidate to civil and criminal penalties. The district may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment and may report the information as permitted by law.[14]

A candidate shall not be employed until the individual has complied with the mandatory background check requirements for criminal history and child abuse and the district has evaluated the results of that screening process.[15][16]

Each candidate shall report, on the designated form, all arrests and convictions as specified on the form. Candidates shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment, termination if already hired, and/or criminal prosecution.[16]

Before entering the duties of the office, the Superintendent or Assistant Superintendent shall take and subscribe to the oath of office prescribed by law.[17]

After receiving a conditional offer of employment but prior to beginning employment, the candidate shall undergo medical examinations, as required by law and as the Board may require at Board expense. [18]

Employment Contracts

An individual shall not be employed as Superintendent or Assistant Superintendent unless s/he has signed an employment contract expressly stating the terms and conditions of employment. The written contract shall:[4]

Contain the mutual and complete agreement between the Superintendent or Assistant Superintendent and the Board with respect to the terms and conditions of employment.

Consistent with state certification requirements, specify the duties, responsibilities, job description and performance expectations, including performance standards and assessments as required by law.[19][20][21][22][23]

Incorporate all provisions relating to compensation and benefits to be paid to or on behalf of the Superintendent or Assistant Superintendent.[6][24]

Specify the term of employment and state that the contract shall terminate immediately, except as otherwise provided by law, upon the expiration of the term unless the contract is allowed to extend automatically as required by law.[4]

Specify the termination, buyout and severance provisions, including all postemployment compensation and the period of time in which the compensation shall be provided. Termination, buyout and severance provisions may not be modified during the course of the contract or in the event a contract is terminated prematurely.

	Contain provisions relating to outside work that may be performed, if any.[25][26] State that any modification to the contract must be in writing. State that the contract shall be governed by the laws of the Commonwealth. Limit compensation for unused sick leave in employment contracts for Superintendents and/or Assistant Superintendents who have no prior experience as a district Superintendent or Assistant Superintendent to the maximum compensation for unused sick leave under the school district's administrative compensation plan in effect at the time of the contract. Limit transferred sick leave from previous employment to not more than thirty (30) days for Superintendents and/or Assistant Superintendents who have no prior experience as a district Superintendent or Assistant Superintendent. Specify postretirement benefits and the period of time in which the benefits shall be provided. <u>Removal/Severance</u> A Superintendent or Assistant Superintendent may be removed from office and have their contracts terminated, after a hearing, by a majority vote of all members of the Board and in accordance with law. The Board shall publicly disclose at the next regularly scheduled meeting the removal from office of a Superintendent or Assistant Superintendent.[27][28] Any negotiated severance of employment prior to the end of the term of the Superintendent's or Assistant Superintendent's specified contract term shall be limited to either:[4] The equivalent of one (1) year's compensation and benefits due under the contract, if the severance agreement takes effect two (2) or more years prior to the end of the contract term; or The equivalent of one-half (1/2) of the total compensation and benefits due under the contract for the remainder of the term, if the severance agreement takes effect less than two (2) years prior to the end of the contract term.

	Legal References 1. 24 P.S. 1001 2. 24 P.S. 508 3. 24 P.S. 1071 4. 24 P.S. 1073 5. 24 P.S. 1076 6. 24 P.S. 1077 7. 24 P.S. 1079 8. Pol. 104 9. 22 PA Code 49.41 10. 22 PA Code 49.42 11. 24 P.S. 1002 12. 24 P.S. 1003 13. 24 P.S. 1078 14. 24 P.S. 111.1 15. 23 Pa. C.S.A. 6344 16. 24 P.S. 111 17. 24 P.S. 1004 18. Pol. 314 19. 24 P.S. 1073.1 20. 24 P.S. 1081 21. 24 P.S. 1082 22. Pol. 003 23. Pol. 312 24. 24 P.S. 1075 25. 24 P.S. 1007 26. 24 P.S. 1008 27. 2 Pa. C.S.A. 551, et seq. 28. 24 P.S. 1080 18 Pa. C.S.A. 9125 22 PA Code 49.171 22 PA Code 49.172 22 PA Code 8.1, et seq. 23 Pa. C.S.A. 6301, et seq. 24 P.S. 108 24 P.S. 1418 28 PA Code 23.43 28 PA Code 23.44 28 PA Code 23.45 42 U.S.C. 12101, et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	303. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: EMPLOYMENT OF DISTRICT STAFF

ADOPTED: April 12, 2017

REVISED:

304. EMPLOYMENT OF DISTRICT STAFF

1. Authority

The Board places substantial responsibility for the effective management and operation of district schools and the quality of the educational program with its administrative, professional and support employees.

SC 406, 508, 1089, 1106, 1107, 1142-1152
Title 22
Sec. 4.4
Pol. 328

The Board shall, by a majority vote of all members, approve the employment; set the compensation; and establish the term of employment for each administrative, professional and support employee employed by the district.

Approval shall normally be given to the candidates for employment recommended by the Superintendent.

SC 1111

No teacher shall be employed who is related to any member of the Board, as defined in law, unless such teacher receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant, who shall not vote.

The Board authorizes the use of professional and support employees prior to Board approval when necessary to maintain continuity of the educational program and services. Retroactive employment shall be recommended to the Board at the next regular Board meeting.

An employee's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board.

SC 1109, 1201
Title 22
Sec. 49.1 et seq.

A candidate for employment in the district shall not receive a recommendation for employment without evidence of his/her certification when such certification is required.

SC 111, 111.1 **Title 22** **Sec. 8.1 et seq.** **23 Pa. C.S.A.** **Sec. 6301 et seq.**	A candidate shall not be employed until s/he has complied with the mandatory background check requirements for criminal history and child abuse and an employment history review, and the district has evaluated the results of that screening process.
SC 111, 111.1	Each candidate shall report, on the designated forms, arrests and convictions as required by law, along with information regarding prior employment, including investigations, findings, discipline and other information relating to past abuse or sexual misconduct allegations. Candidates shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such information may subject the individual to denial of employment, termination if already hired, criminal prosecution, civil penalties and professional discipline.
SC 1204.1	The district shall use the Standard Application for Teaching Positions but may also establish and implement additional application requirements for professional employees.
2. Delegation of Responsibility **Pol. 104**	Employment of staff will be in accordance with Board policy, state and federal laws and regulations, and administrative policy and practice. Staff vacancies that represent opportunities for professional advancement or diversification shall be made known to district employees so they may apply for such positions.
42 U.S.C. **Sec. 12112**	The Superintendent or designee may apply necessary screening procedures to determine a candidate's ability to perform the job functions of the position for which a candidate is being considered. The Superintendent or designee shall seek recommendations from former employers and others in assessing the candidate's qualifications. Recommendations and references shall be retained confidentially and for official use only.
SC 1109, 1201 **Title 22** **Sec. 49.1 et seq.**	Each certificated administrative and professional employee employed by the district shall be responsible for maintaining a valid certificate when such certificate is required by law.

	Title I Requirements
Title 22 **Sec. 403.2, 403.4** **20 U.S.C.** **Sec. 6319, 7801**	All elementary, middle and secondary teachers employed by the district who teach core academic subjects shall be highly qualified, as defined by federal law and state regulations.
Title 22 **Sec. 403.4, 403.5** **20 U.S.C.** **Sec. 6319, 7801**	The principal of a school providing Title I programs to students shall annually attest that professional staff teaching in such programs are highly qualified and paraprofessionals providing instructional support in such programs meet required qualification, in accordance with federal law and state regulations. The written certifications shall be maintained in the district office and the school office and shall be available to the public, upon request.
Title 22 **Sec. 403.2, 403.5** **20 U.S.C.** **Sec. 6319**	All full time paraprofessionals providing instructional support in a program supported by Title I funds shall have a secondary school diploma or a recognized equivalent and one (1) of the following: 1. At least two (2) years of study at an institution of higher learning. 2. Associate's degree or higher degree. 3. Evidence of meeting a rigorous standard of quality through a state or local assessment. Title I paraprofessionals who solely coordinate parental involvement activities or act as translators are exempt from the above qualifications.
	Special Education Paraprofessionals
Title 22 **Sec. 14.105** **Pol. 113**	All full time instructional paraprofessionals hired by the district, who work under the direction of a certificated staff member to support and assist in providing instructional programs and services to students with disabilities or eligible students, shall have a secondary school diploma and one (1) of the following: 1. At least two (2) years of postsecondary study. 2. Associate's degree or higher degree. 3. Evidence of meeting a rigorous standard of quality through a state or local assessment.

Title 22 Sec. 14.105	Instructional paraprofessionals shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year.
	<u>Personal Care Assistants</u>
Title 22 Sec. 14.105	A personal care assistant provides one-to-one support and assistance to a student, including support and assistance in the use of medical equipment.
	Full time personal care assistants shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year. The twenty (20) hours of training may include training required by the School-Based Access Program.
	<u>Educational Interpreters</u>
Title 22 Sec. 14.105	An educational interpreter is an individual who provides students who are deaf or hard of hearing with interpreting or transliterating services in an educational setting. To serve as an educational interpreter, an individual shall meet the qualifications set forth in law and regulations.
	References:
	School Code – 24 P.S. Sec. 108, 111, 406, 508, 1089, 1106, 1107, 1109, 1109.2, 1111, 1142-1152, 1201, 1204.1
	State Board of Education Regulations – 22 PA Code Sec. 4.4, 8.1 et seq., 14.105, 49.1 et seq., 403.2, 403.4, 403.5
	Criminal History Record Information Act – 18 Pa. C.S.A. Sec. 9125
	Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.
	No Child Left Behind Act – 20 U.S.C. Sec. 6319, 7801
	Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.
	Board Policy – 000, 104, 113, 328

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: EMPLOYMENT OF SUBSTITUTES

ADOPTED: April 12, 2017

REVISED:

305. EMPLOYMENT OF SUBSTITUTES

1. Authority

Qualified and competent substitutes for professional and support employees shall be employed by the district in order to provide continuity in the educational programs, operations and services of the schools.

SC 406, 1101, 1106, 1148

The Board shall approve annually the names of potential substitute employees and the positions in which they may substitute.

Additional names may be added to the list of substitutes by the Board during the school year.

Approval shall normally be given to the candidates for employment recommended by the Superintendent.

Utilization of substitutes prior to approval by the Board is authorized when their use is required to maintain continuity in the educational program and services of the district. Retroactive approval shall be recommended to the Board at the next regular Board meeting.

SC 111, 111.1
Title 22
Sec. 8.1 et seq.
23 Pa. C.S.A.
Sec. 6301 et seq.

A candidate shall not be employed until the individual has complied with the mandatory background check requirements for criminal history and child abuse and an employment history review, and the district has evaluated the results of that screening process.

SC 111, 111.1

Each candidate shall report, on the designated forms, arrests and convictions as required by law, along with information regarding prior employment, including investigations, findings, discipline and other information relating to past abuse or sexual misconduct allegations. Candidates shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such information may subject the individual to denial of employment, termination if already hired, criminal prosecution, civil penalties and professional discipline.

	A candidate's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board. <u>Compensation</u> Daily substitutes shall be paid on a per diem basis at a rate set periodically by the Board for the various classes of employees. Long-term substitutes shall be compensated at the rate specified in the collective bargaining agreement.
2. Delegation of Responsibility	Employment of substitutes will be in accordance with Board policy, state and federal laws and regulations, and administrative policy and practice. The administration may seek recommendations from former employers and others to assess the candidate's qualifications. Recommendations and references shall be retained confidentially and for official use only. The Superintendent or designee shall prepare a written statement for all approved substitutes informing them of their employment status. A copy of this statement shall be placed in the employee's personnel file. **References:** School Code – 24 P.S. Sec. 108, 111, 406, 1101, 1106, 1148 State Board of Education Regulations – 22 PA Code Sec. 8.1 et seq. Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq. Board Policy – 000, 104

FREEPORT AREA SCHOOL DISTRICT

SECTION: **EMPLOYEES**

TITLE: ***RESERVED***

ADOPTED:

REVISED:

	306. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: **EMPLOYEES**

TITLE: **STUDENT TEACHERS/ INTERNS**

ADOPTED: April 12, 2017

REVISED:

307. STUDENT TEACHERS/INTERNS

Authority

The Board encourages cooperation with colleges and universities within the state to assist in the training of student teachers and interns.

The Board establishes that district schools shall accept student teachers and interns from accredited institutions with which the district has a cooperative agreement approved by the Board.[1]

The Board directs that student teachers and interns shall not be accepted into district schools unless they have complied with the mandatory background check requirements for criminal history and child abuse and the district has evaluated the results of those screening processes.[2][3]

Delegation of Responsibility

The Superintendent or designee shall be responsible to assign student teachers and interns to the schools.

Recommendations for selection of cooperating teachers shall be made by the building principal, with the agreement of the college or university supervisor.

The Superintendent or designee shall ensure distribution of student teachers throughout the district so that no single group of students or teachers will be subject to excessive student teacher classroom hours.

Student teachers and interns shall comply with the health examination requirements of the state and Board policy applicable to district staff.[4][5][6][7][8]

While serving in district schools, student teachers and interns shall be responsible for their conduct to the supervising teacher/administrator and building principal.

Guidelines	Arrest or Conviction Reporting Requirements Prior to being accepted into district schools, student teachers and interns shall report, on the designated form, arrests and convictions as specified on the form. Student teachers and interns shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form.[2] While serving in district schools, student teachers and interns shall use the designated form to report to the Superintendent or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law.[2] While serving in district schools, a student teacher or intern shall be required to report to the Superintendent or designee, in writing, within seventy-two (72) hours of notification, that s/he has been listed as a perpetrator in the Statewide database, in accordance with the Child Protective Services Law.[9] A student teacher or intern shall be required to submit a current criminal history background check report if the Superintendent or designee has a reasonable belief that the student teacher or intern was arrested or has been convicted of an offense required to be reported by law, and the student teacher or intern has not notified the Superintendent or designee.[2] Failure to accurately report such arrests and convictions may subject the student teacher or intern to disciplinary action up to and including dismissal from the program and criminal prosecution.[2][9] Observers Student teachers, interns and faculty of other educational institutions shall be offered the opportunity to visit district schools and observe classes. Such observers must be treated as any other visitor and shall be under the direct supervision of the principal or designee.[10]

	Legal References 1. 24 P.S. 510 2. 24 P.S. 111 3. 23 Pa. C.S.A. 6344 4. 24 P.S. 1418 5. 28 PA Code 23.43 6. 28 PA Code 23.44 7. 28 PA Code 23.45 8. Pol. 314 9. 23 Pa. C.S.A. 6344.3 10. Pol. 907 22 PA Code 8.1, et seq. 23 Pa. C.S.A. 6301, et seq.

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: EMPLOYMENT CONTRACT/ BOARD RESOLUTION ADOPTED: April 12, 2017 REVISED: December 11, 2024

308. EMPLOYMENT CONTRACT/BOARD RESOLUTION

Authority

The Board the authority under law to prescribe employment conditions for district personnel.[1][2][3][4][5]

For the mutual benefit and protection of the district and its employees, the Board directs that, as the policy of this school district:

1. Professional employees, as defined in the School Code, shall sign an employment contract upon employment, which shall continue in force unless terminated by the employee by written resignation presented sixty (60) days in advance or terminated by the Board in accordance with law. The contract shall specify those issues required by law.[5][6]

2. Temporary professional employees, upon attaining tenure status, shall sign a contract for professional employees.[7][8]

3. Noncertificated administrative and support employees shall be employed through a contract or Board resolution.[1][2][3]

The Board shall be notified promptly of any misunderstanding arising from the application of a given contract or Board resolution, or any error in salary paid to the employee.

Willful misrepresentation of facts material to employment and determination of salary shall be considered cause for dismissal of the employee.

Definition

Resignation - a voluntary termination of employment with the district initiated by the employee, and includes resignations in lieu of termination, negotiated resignations, resignations for purposes of retirement and all other forms of voluntary termination of employment, in accordance with applicable law, regulations and Board policy.

Guidelines	Resignations All district employees shall submit a written, dated and signed resignation, with required prior notice, to the Superintendent of designee in order to terminate an employment contract or Board resolution with the district. The resignation must specify the date upon which the resignation will be effective. All resignations submitted by district employees shall comply with the terms specified in the applicable employment contract. Professional employees shall submit a resignation notice at least sixty (60) days prior to the resignation's effective date, in accordance with law and Board policy.[5][6] Noncertificated administrative and support employees shall submit a resignation notice at least two (2) weeks prior to the resignation's effective date.
Delegation of Responsibility	The Board authorizes the Superintendent or designee to accept all district employee resignations on behalf of the Board. The Superintendent or designee shall report all employee resignations and their acceptance at the next regular Board meeting. A resignation accepted by the Superintendent or designee is irrevocable, absent Board action to the contrary. The Superintendent may submit their resignation to the Board President. The Board shall take official action on acceptance of the resignation, in accordance with the terms specified in the Superintendent's written contract. The Superintendent's resignation shall be irrevocable once accepted by action of the Board. [9][10] **Legal References:** 1. 24 P.S. 406 2. 24 P.S. 510 3. 24 P.S. 1089 4. 24 P.S. 1109.2 5. 24 P.S. 1121 6. 24 P.S. 1101 7. 24 P.S. 1108 8. Pol. 313 9. 24 P.S. 1073 10. Pol. 302 11. 24 P.S. 1077 Pol. 317

SECTION: EMPLOYEES

ADOPTED: SUPPLEMENTAL CONTRACTS

REVISED: April 12, 2017

FREEPORT AREA SCHOOL DISTRICT

	308.1. SUPPLEMENTAL CONTRACTS
1. Purpose	Supplemental contracts may be provided for duties to be performed in addition to those covered by the standard employment contract. Examples would include, but are not restricted to, cocurricular and extracurricular activities, teaching summer school and participation in inservice programs. The Board may employ individuals already under contract to the district or people outside the district to perform these duties. Payment for these duties is a prerogative of the Board, as may be indicated in a collective bargaining agreement or majority action of the Board. In the case of all activities in which supplemental pay is provided, the Board reserves the right to withhold payment or reduce the amount in cases where the supplemental employee's performance was rated as unsatisfactory by the Superintendent or designee. **References:** School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: ASSIGNMENT AND TRANSFER

ADOPTED: April 12, 2017

REVISED:

309. ASSIGNMENT AND TRANSFER

1. Authority

The assignment and transfer of administrative, professional and support employees within the district shall be determined by the management, supervisory, instructional and operational needs of the schools and the school district.

SC 508, 510

The Board shall approve the initial assignment of all employees at the time of employment. Transfers after initial assignment shall be approved as follows:

1. The Board shall approve the assignment of an administrative employee that involves a transfer from one building to another or a move to a position requiring a certificate or credentials other than those required for the employee's present position.

2. Authority shall be granted to the Superintendent to make assignments of professional employees that involve a transfer from one building or grade level to another or a move to a position requiring a certificate other than that required for the employee's present position. The Board shall be informed of these changes at the next regular Board meeting.

3. Transfers of support employees subsequent to initial employment may be made by the Superintendent or designee. The Board shall be informed of these changes at the next regular Board meeting.

2. Delegation of Responsibility

The Superintendent or designee shall, in considering any assignment or transfer, base the decision on the following (as well as consideration of requests for voluntary transfers):

20 U.S.C. Sec. 6312

1. Assurance that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field or inexperienced teachers.

2. Need to balance specific certifications and skills among the schools.

3. Student population and grade levels within the district schools.

4. Impact of proposed assignment on the educational program.

5. Employee's background, experience and preparation for the position.

6. Employee's success in former positions.

7. Employee's desire for professional growth.

8. Employee's length of service in the district and in the position presently held.

9. Recommendations of the employee's administrative supervisors.

10. Administrative and operational efficiency advanced by the proposed assignment.

Vacancies shall be publicized to all appropriate employees.

Before new employees are sought, requests for transfer to a vacant position will be considered.

The request of a professional or support employee who voluntarily requests reassignment or transfer shall be honored to the extent that the transfer does not conflict with the educational program and operation of the school district.

If a support employee who has successfully completed a probationary period applies for and receives reassignment to a different classification, s/he shall be considered probationary in the new classification. In the event said employee is unsuccessful during the probationary period in the new classification, s/he will be entitled to reinstatement to the original classification that is not filled by a permanent employee. If no position is available, the employee entitled to reinstatement shall be given the same re-employment preference which is applied to persons who have been laid off.

This policy shall not prevent reassignment of an employee during the school year for good cause, as determined by the Board.

	References: School Code – 24 P.S. Sec. 111, 508, 510 State Board of Education Regulations – 22 PA Code Sec. 8.1 et seq. Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq. No Child Left Behind Act – 20 U.S.C. Sec. 6312

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: TELEWORK ADOPTED: January 14, 2021 REVISED:

309.1 TELEWORK

Purpose

The Board recognizes that in certain limited circumstances it may be necessary to allow or require district employees to work remotely in order to maintain continuity of district educational programs and operations.[1]

The Board adopts the following policy to establish district rules for employees who telework from a remote work location.

Definitions

Remote work location – a worksite other than an employee's regularly assigned place of work, typically the employee's residence.

Telework/Teleworking – when directed or approved by the Superintendent and/or his/her designee, the performance of the assigned essential functions of an employee's job at a remote work location via electronic means in accordance with the employee's usual expected standards of performance and other approved or agreed-upon terms.

Teleworking agreement – a written agreement that details the terms and conditions to permit an employee to engage in teleworking.

Teleworking employee – a district employee who can perform all of their assigned essential job duties at a remote work location. The employee must have a suitable designated workspace at the remote work location and access to any computer and telecommunications equipment necessary for the completion of tasks.

Delegation of Responsibility

The Board directs the Superintendent or designee to develop procedures that outline circumstances under which employees may telework and the expectations for such employees while teleworking.

Guidelines

<u>General Conditions</u>

Employees whose physical presence at their regularly assigned place of work is essential to the performance of their duties may not be permitted to telework.

An employee may not telework as a replacement for leave.[6][7][8][9]

Attendance at the employee's regularly assigned place of work for onsite meetings, conferences, training sessions, and other school business activities may be required on scheduled telework days.

Nonexempt employees shall not be permitted to work overtime or during non-working hours while teleworking without authorization from the employee's immediate supervisor, in accordance with law and Board policy.[10][11]

All teleworking employees shall be subject to and shall comply with the same Board policies, administrative regulations, and standards of conduct as are expected under normal working conditions.

Emergency Conditions

In the event that local, state or federal officials, or any similar authority with appropriate jurisdiction, declare an emergency condition that prevents or discourages public gatherings due to a public health or safety concern, or closes school buildings, or if determined by the Superintendent as necessary to mitigate a public health or safety risk, the Board authorizes the Superintendent or his/her designee to permit individual employees or designated classifications of employees to telework in accordance with established procedures or as otherwise directed.[1]

For district employees unable to perform their assigned essential job duties while teleworking, such employees may be required to take any available accrued leave, whether paid or unpaid, in accordance with applicable Board policies or provisions of an administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.[6][7][8][9]

Legal References

1. Pol. 805
2. Pol. 113.4
3. Pol. 216
4. Pol. 324
5. Pol. 708
6. Pol. 334
7. Pol. 335
8. Pol. 336
9. Pol. 339
10. Pol. 330
11. Pol. 332

Pol. 815
Pol. 824

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: ABOLISHING A POSITION

ADOPTED: April 12, 2017

REVISED:

310. ABOLISHING A POSITION

1. Authority

The Board is responsible for providing the administrative, professional and support staff necessary for implementation of the educational program and the effective operation of the schools, and to do so efficiently and economically.

SC 406, 524, 1106
Title 22 Sec. 4.4

The Board recognizes its responsibility to maintain positions consistent with the management, supervisory, instructional and operational needs of the schools and the school district.

SC 1124

In the exercise of its authority to reduce staff or abolish positions, the Board shall give primary consideration to the effect upon the educational program and shall ensure that elimination of a program is approved by the Department of Education.

SC 1124, 1125.1
Pol. 311

Reduction in staff as a result of the abolishment of positions shall be in accordance with law and Board policy.

SC 1124

Abolishment of positions affecting certificated administrative and professional employees may occur due to such factors as:

1. Substantial decline in student enrollment.

2. Curtailment or alteration of a program due to a substantial decline in class or course enrollments or to conform to standards of organization or educational activities required by law or recommended by the Pennsylvania Department of Education.

3. Consolidation of schools that makes it unnecessary to retain the full staff.

	Abolishment of noncertificated administrative and support positions may occur due to such factors as: 1. Substantial decline in student enrollment. 2. Changes in the district's organizational structure. 3. Changes in the district's facilities or technology. 4. Changes in the district's economic resources and tax base.
2. Delegation of Responsibility	The Superintendent shall recommend annually to the Board the abolishment of unnecessary positions. **References:** School Code – 24 P.S. Sec. 406, 524, 1106, 1124, 1125.1 State Board of Education Regulations – 22 PA Code Sec. 4.4 Board Policy – 311

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: REDUCTION OF STAFF

ADOPTED: April 12, 2017

REVISED: January 17, 2018
October 10, 2018

311. REDUCTION OF STAFF

Authority

The Board is responsible for maintaining appropriate numbers of administrative, professional and support employees to effectively manage and operate the district and its schools. This policy establishes the manner in which necessary reductions of staff shall be accomplished.[1][2][3]

In the exercise of its authority to reduce staff through suspensions (furloughs) and elimination of positions, the Board shall give primary consideration to the staffing needs of the district, the effect upon the educational program and the financial stability of the district, and shall ensure compliance with law, regulations, collective bargaining agreements, individual contracts and Board resolutions.[4][5][6]

The Board shall not prevent any professional employee from engaging in another occupation during the period of suspension.[5]

Nothing in this policy shall be construed to limit the cause for which a temporary professional employee, or any employee other than a professional employee, may be suspended.[5]

Delegation of Responsibility

The Superintendent shall be responsible for the continuous review of the efficiency and effectiveness of district organization and staffing, and shall present recommendations for reduction in staff for Board consideration when such actions are deemed to be in the best interests of the district.

The Superintendent shall consult with the district solicitor as necessary to ensure that reduction of staff is implemented in accordance with applicable laws.[4][5]

Guidelines	Employees Other Than Professional Employees and Temporary Professional Employees The employment status of employees other than professional employees and temporary professional employees may be terminated or temporarily suspended whenever deemed necessary in the best interests of the school district, subject to limitations and procedures provided for in collective bargaining agreements, if any. Temporary Professional Employees The employment status of a temporary professional employee may be nonrenewed when the employee's position has been eliminated or when the conditions for which professional employees may be suspended otherwise exist, subject to limitations and procedures provided for in collective bargaining agreements, if any. Professional Employees The necessary number of professional employees may be suspended for the following reasons:[4] 1. Substantial decrease in student enrollment in the district. 2. Curtailment or alteration of the educational program as a result of substantial decline in class or course enrollments or to conform with standards of organization or educational activities required by law or recommended by the Pennsylvania Department of Education. Such curtailment or alteration must be recommended by the Superintendent, agreed to by the Board, and approved by the Pennsylvania Department of Education. If not prevented by an existing or future provision of a collective bargaining agreement or employment contract, such a suspension may be effectuated without approval of the Pennsylvania Department of Education provided that, where an educational program is altered or curtailed, the district shall notify the Pennsylvania Department of Education of such action. 3. Consolidation of schools, whether within the district, through a merger of districts, or as a result of Joint Board agreements, when such consolidation makes it unnecessary to retain the full staff of professional employees.

4. When new school districts are established as the result of reorganization of school districts and such reorganization makes it unnecessary to retain the full staff of professional employees.

5. Economic reasons that require a reduction in professional employees; however, the district is prohibited from using an employee's compensation in the suspension determination. A Superintendent knowingly in violation of this prohibition shall have a letter from the Secretary of Education placed in his/her permanent employee record.

Economic Suspension Requirements -

The Board may suspend professional employees for economic reasons if all of the following apply:[4]

1. The Board approves the proposed suspensions by a majority vote of all school directors at a public meeting.

2. No later than sixty (60) days prior to the adoption of the final budget, the Board adopts a resolution of intent to suspend professional employees in the following fiscal year, setting forth:

    a. The economic conditions necessitating the proposed suspensions and how the economic conditions will be alleviated by the proposed suspensions, including:

        i. The total cost savings expected from the proposed suspensions.

        ii. A description of other cost-saving actions taken by the Board, if any.

        iii. The projected district expenditures for the following fiscal year with and without the proposed suspensions.

        iv. The projected total district revenues for the following fiscal year.

    b. The number and percentage of employees to be suspended who are:

        i. Professional employees assigned to provide instruction directly to students.

ii. Administrative staff.

iii. Professional employees who are not assigned to provide instruction directly to students and who are not administrative staff.

c. The impact of the proposed suspensions on academic programs to be offered to students following the proposed suspensions, as well as the impact on academic programs to be offered to students if the proposed suspensions are not undertaken, compared to the current school year, and the actions if any, that will be taken to minimize the impact on student achievement.

Professional Employees Assigned to Provide Instruction Directly to Students -

Suspensions, due to economic reasons, of professional employees assigned to provide instruction directly to students may be approved by the Board only if the Board also suspends at least an equal percentage proportion of administrative staff, except when all of the following apply:[4]

1. The Secretary of Education determines that the district's operations are already sufficiently streamlined or that the suspension of administrative staff would cause harm to the school stability and student programs.

2. The Secretary of Education submits the determination to the State Board of Education.

3. The State Board of Education approves the determination by a majority of its members.

The Board may choose to exempt from this requirement any five (5) administrative positions, one of which shall be the Business Manager or another staff member with the primary responsibility of managing the district's business operation.[4]

Order of Suspensions

Data necessary for computation of each professional employee's performance rating and seniority status shall be recorded and maintained to ensure compliance with the required order for suspensions.[7][8]

Performance Evaluation Rating -

Professional employees shall be suspended, within the area of certification required by law for the professional employee's current position, in the following order based on the two (2) most recent annual performance evaluations:[5][7][8]

1. Consecutive unsatisfactory ratings.

2. One (1) unsatisfactory rating and one (1) satisfactory rating.

3. Consecutive satisfactory ratings which are either consecutive ratings of proficient, or a combination of one (1) proficient or distinguished rating and one (1) needs improvement rating.

4. Consecutive satisfactory ratings which are consecutive distinguished, or a combination of one (1) rating of proficient and one (1) rating of distinguished.

Seniority -

When the number of professional employees within each certification area receiving the same performance rating is greater than the number of suspensions, professional employees with the least seniority within each certification area shall be suspended before employees with greater seniority having the same performance rating.[5]

In addition, professional employees shall be realigned to ensure that employees with more seniority have the opportunity to fill other positions within the district for which they are certificated and which are currently filled by less senior employees with the same or lower overall performance rating.

Seniority shall continue to accrue during a suspension and all approved leaves of absence.[5]

When there is or has been a consolidation of schools, departments or programs, all professional employees shall retain the seniority rights they had prior to the reorganization or consolidation.[5]

Reinstatement

Suspended professional employees, or professional employees demoted for reasons of this policy, shall be reinstated within the area of certification required by law for the vacancy being filled in the district, in the inverse order by which they were suspended and on the basis of their seniority within the district.[5]

No new appointment shall be made while there is a suspended or demoted professional employee available who is properly certificated to fill such vacancy.[5]

Positions from which professional employees are on approved leaves of absence shall be considered temporary vacancies.[5]

To be considered available, suspended professional employees shall annually report in writing to the Board their current address and intent to accept the same or similar position when offered.[5]

A suspended professional employee enrolled in a college program during a period of suspension and who is recalled shall be given the option of delaying a return to service until the end of the current semester.[5]

Local Agency Law Hearings

The decision to suspend a professional employee shall be considered an adjudication for the purposes of the Local Agency Law, and a professional employee subject to such a decision shall have the right to a Local Agency Law hearing before the Board, if a hearing is requested within ten (10) days after being notified of suspension.[5][9]

A decision to nonrenew the employment of a temporary professional employee whose position has been eliminated or who is being nonrenewed for reasons for which professional employees may be suspended, shall be considered an adjudication for purposes of the Local Agency Law, and the employee shall be entitled to a Local Agency Law hearing, if a hearing is requested within ten (10) days after being notified of the decision to nonrenew.[9]

Legal References

1. 22 PA Code 4.4
2. 24 P.S. 1106
3. 24 P.S. 406
4. 24 P.S. 1124
5. 24 P.S. 1125.1
6. 24 P.S. 524
7. 24 P.S. 1123
8. Pol. 313
9. 2 Pa. C.S.A. 551, et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: PERFORMANCE ASSESSMENT OF SUPERINTENDENT/ ASSISTANT SUPERINTENDENT

ADOPTED: April 12, 2017

REVISED:

312. PERFORMANCE ASSESSMENT OF SUPERINTENDENT/ ASSISTANT SUPERINTENDENT

1. Authority
SC 1073.1

The Board shall conduct a formal written performance assessment of the Superintendent and Assistant Superintendent annually as required by law. A timeframe for the assessment shall be included in the employment contract.

SC 1073.1

The employment contract shall include objective performance standards mutually agreed to in writing by the Board and the Superintendent and by the Board and the Assistant Superintendent. The objective performance standards may be based upon any or all of the following:

1. Achievement of annual measurable objectives established by the district.
2. Achievement on Pennsylvania System of School Assessment (PSSA) tests.
3. Achievement on Keystone Exams.
4. Student growth as measured by the Pennsylvania Value-Added Assessment System.
5. Attrition rates or graduation rates.
6. Financial management standards.
7. Standards of operational excellence.
8. Any additional criteria deemed relevant and mutually agreed to by the Board and Superintendent or Assistant Superintendent.

SC 1073.1

The mutually agreed upon performance standards shall be posted on the district website.

SC 1073.1	Upon completion of the annual performance assessment, the date of the assessment and whether or not the Superintendent and Assistant Superintendent have met the agreed upon objective performance standards shall be posted on the district website. **References:** School Code – 24 P.S. Sec. 1073.1, 1080 Board Policy – 302

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: EVALUATION OF EMPLOYEES

ADOPTED: April 12, 2017

REVISED:

313. EVALUATION OF EMPLOYEES

1. Authority

Evaluation is a continuing process in which the administrative, professional and support employees and the respective supervisors cooperatively identify strengths and weaknesses in an individual's job performance. Employee evaluations shall be used to assess and improve performance, encourage professional growth, promote positive behavior, and facilitate attainment of district goals and objectives.

The objectives of the district evaluation plans for employees are:

1. To identify, improve and reinforce the skills, attitudes and abilities that enable an employee to be effective in achieving district goals.

2. To identify and suggest ways to improve on weaknesses that prevent an employee from achieving district goals.

SC 510

The Board shall approve plans for regular, periodic evaluations of administrative, professional and support employees. The Board shall be informed periodically about the results of evaluations.

SC 1123

The evaluation plan for tenured professional employees shall utilize the state-approved evaluation forms or district-specific forms approved by the Board.

2. Delegation of Responsibility

Evaluations shall be conducted by administrators and supervisors designated by the Superintendent.

The Superintendent or designee shall ensure that evaluation procedures for district staff shall have the following characteristics:

1. Clear and unambiguous in intent and language.

2. Establish reasonable standards.

	3. Apply in a consistent and uniform manner to all employees in the same class. 4. Available to employees for review before they are applied. 5. Reviewed and updated periodically. 6. Referred to the Board for information purposes. 7. Consistent with the applicable administrative compensation plan, individual contract, collective bargaining agreement or Board resolution. Each observation shall be followed by a conference between the evaluator and the employee. Both parties to the conference shall sign the evaluation form and retain a copy for their records. Following the conference, the employee shall have the right to submit a written disclaimer of the evaluation; the disclaimer shall be attached to the report. <u>Temporary Professional Employees</u>
SC 1108	Each temporary professional employee shall be observed by an appropriate supervisor and notified of individual progress and status at least twice each year during the first three (3) years of employment. Administrators responsible for supervising temporary professional employees shall make every effort to assist such staff members in improving deficiencies disclosed by observation and evaluation, and may conduct additional observations and evaluations of employees who are marginally competent.
SC 1108	The Superintendent shall certify the evaluations of all temporary professional employees during the last four (4) months of the initial three (3) years of employment, as required by law. **References:** School Code – 24 P.S. Sec. 510, 1108, 1122, 1123 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: PHYSICAL EXAMINATION ADOPTED: April 12, 2017 REVISED: November 12, 2020 October 11, 2023

314. PHYSICAL EXAMINATION

Purpose

In order to certify the fitness of administrative, professional and support employees to discharge efficiently the duties they will be performing and to protect the health of students and staff, the Board shall require physical examinations of all district employees prior to beginning employment and may require health monitoring to prevent the transmission of communicable diseases in the school setting.

Definitions

A **physical examination**, for purposes of this policy, shall mean a general examination by a licensed physician, certified registered nurse practitioner or a licensed physician assistant.

Health monitoring, for purposes of this policy, shall mean screening or monitoring an employee for specific symptoms that may indicate the presence of a communicable disease, in accordance with guidance from state and local health officials.

Authority

After receiving an offer of employment but prior to beginning employment, all candidates shall undergo physical examinations, as required by law and as the Board may require. As a condition to an offer of employment, candidates shall provide proof of immunizations against Diphtheria, Tetanus with Pertussis, Hepatitis B, Measles, Mumps, Rubella, and Varicella. A candidate shall be exempt from immunization requirements who objects in writing to such immunization(s) on bona fide religious grounds or whose physician certifies that the candidate's physical condition contraindicates immunization [1][2][3]

The Board requires that all employees undergo a tuberculosis examination upon initial employment, in accordance with regulations of the PA Department of Health.[1][4]

The Board may require an employee to undergo a physical examination at the Board's request.[1]

	An employee who presents a signed statement that a physical examination is contrary to the employee's religious beliefs shall be examined only when the Secretary of Health determines that facts exist indicating that certain conditions would present a substantial menace to the health of others in contact with the employee if the employee is not examined for those conditions.[5][6]
Guidelines	<u>Health Monitoring and Communicable Diseases</u> The district may require employees to participate in health monitoring by designated staff to check for signs and symptoms of communicable diseases in accordance with guidance issued by state and local health officials and the Board-approved health and safety plan. An employee may request an alternative method of monitoring as a religious accommodation, and designated district staff shall assess and respond to such request in accordance with applicable law, regulations and Board policy. A request for an accommodation that would unreasonably impair workplace safety or cause undue hardship will not be granted.[7] An employee with a health condition that may render a monitoring method ineffective should notify designated staff so that alternative or supplemental methods may be considered.[7] Employees exhibiting symptoms that indicate health concerns shall be referred to the school nurse or designated staff for further assessment, and may be excluded from school facilities in accordance with regulations of the PA Department of Health or guidance from state or local health officials for specified diseases and infections conditions. Employees may return to school facilities when the criteria for readmission following a communicable disease have been met, in accordance with law, regulations or guidance from state or local health officials.[8][9][10][11]
Delegation of Responsibility	The results of all required physical examinations shall be made known to the Superintendent on a confidential basis and discussed with the employee. Medical records and other health information of an employee shall be maintained confidentially and kept in a file separate from the employee's personnel file.[3][12]

	Legal References 1. 24 P.S. 1418 2. 28 PA Code 23.43 3. 42 U.S.C. 12112 4. 28 PA Code 23.44 5. 24 P.S. 1419 6. 28 PA Code 23.45 7. Pol. 104 8. 28 PA Code 27.71 9. 28 PA Code 27.72 10. Pol. 334 11. Pol. 335 12. 42 U.S.C. 2000ff et seq. 24 P.S. 1416 42 U.S.C. 12101 et seq. U.S. Equal Employment Opportunity Commission – Guidance on COVID-19, ADA, Rehabilitation Act and Other Equal Employment Opportunity Laws U.S. Equal Employment Opportunity Commission – Questions and Answers on Religious Discrimination in the Workplace

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: HIV INFECTION

ADOPTED: April 12, 2017

REVISED:

314.1. HIV INFECTION

1. Purpose

The Board is committed to providing a safe, healthy environment for its students and employees and adopts this policy to safeguard the health and well-being of students and employees while protecting the rights of the individual. This policy shall apply to all administrative, professional and support staff employed by the district.

2. Definitions
35 P.S. Sec. 7603

AIDS - Acquired Immune Deficiency Syndrome.

HIV Infection - refers to the disease caused by the HIV or human immunodeficiency virus.

Infected employee - refers to district employees diagnosed as having the HIV virus, including those who are asymptomatic.

3. Authority
SC 510
Pol. 334, 335, 339

The Board directs that the established Board policies and procedures and administrative regulations relative to illnesses among district employees shall also apply to infected employees.

The Board shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for employment.

4. Delegation of Responsibility

The Superintendent or designee shall be responsible for developing and releasing information concerning infected employees.

All district employees shall maintain a respectful working climate and shall not participate in physical or verbal harassment of any individual or group, including infected employees.

Building principals shall notify district employees, students and parents/guardians about current Board policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.

Pol. 104, 334, 335, 339	Infected employees whose employment is interrupted or terminated shall be entitled to available medical leave and medical disability benefits. Such employees shall be informed by the appropriate administrator of benefits, leave, and alternatives available to them through state and federal laws, Board policies, collective bargaining agreements, individual contracts and the retirement system.
5. Guidelines	Confidentiality
35 P.S. Sec. 7607	District employees with knowledge of an infected employee's condition shall not disclose that information without prior written consent of the employee, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act. Infection Control Universal precautions shall be followed for exposure to bodily fluids. Employees shall treat all body fluids as hazardous and follow universal precautions. The school district shall maintain reasonably accessible equipment and supplies necessary for infection control. Employees shall notify the school nurse of all incidents of exposure to bodily fluids. Staff Development The district shall provide opportunities for employees to participate in inservice education on HIV Infection. Designated district employees may receive additional, specialized training appropriate to their positions and responsibilities. **References:** School Code – 24 P.S. Sec. 510 PA Confidentiality of HIV-Related Information Act – 35 P.S. Sec. 7601 et seq. Board Policy – 000, 104, 334, 335, 339

FREEPORT AREA SCHOOL DISTRICT

SECTION: **EMPLOYEES**

TITLE: ***RESERVED***

ADOPTED:

REVISED:

	315. ***RESERVED***

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: NONTENURED EMPLOYEES

ADOPTED: April 12, 2017

REVISED:

316. NONTENURED EMPLOYEES

1. Authority
SC 510, 1089, 1101

It is the policy of the Board that certain administrative and professional staff members shall be employed with the understanding that the assigned job functions are not governed by tenure law.

SC 1089, 1101

Nontenured administrative and professional employees shall include any position in which provision for tenure is not made by law.

References:

School Code – 24 P.S. Sec. 510, 1089, 1101

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: CONDUCT/DISCIPLINARY PROCEDURES ADOPTED: April 12, 2017 REVISED: June 11, 2025

317. CONDUCT/DISCIPLINARY PROCEDURES

Authority

All administrative, professional and support employees are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of district schools 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.[1][2]

The Board directs that all district employees shall be informed of conduct that is required and is prohibited during work hours and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[3][4]

Delegation of Responsibility

All district employees shall comply with state and federal laws and regulations, Board policies, administrative regulations, rules and procedures. District employees shall endeavor to maintain order, perform assigned job functions and carry out directives issued by supervisors.[3]

Certificated employees shall comply with the Code of Professional Practice and Conduct for Educators, in accordance with applicable law and regulations.[1]

When engaged in assigned duties, district 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.[2]
3. Causing intentional damage to district property, facilities or equipment.
4. Forceful or unauthorized entry to or occupation of district facilities, buildings or grounds.

5. Use, possession, distribution, or sale of alcohol, drugs or other illegal substances.[5]

6. Use of profane language.

7. Breach of confidential student, staff or district information.

8. Failure to comply with directives of district officials, security officers or law enforcement officers.[6]

9. Carrying or possessing a weapon on school grounds without authorization from the appropriate school administrator.

10. Violation of Board policies, administrative regulations, rules or procedures.[6]

11. Violation of federal, state, or applicable municipal laws or regulations.[6]

The district may take disciplinary action for employee conduct that occurs during or outside of assigned duties when such conduct has a direct nexus to or obstructs, disrupts, or interferes with the teaching, research, service, operations, administrative or disciplinary functions of the district, or any district-sponsored activity.

Prior to considering demotion or dismissal of an employee, and at other times when employee conduct has been reported, the Superintendent or designee shall investigate allegations that an employee has violated Board policies, administrative regulations, rules or procedures and shall recommend appropriate action to the Board, in accordance with applicable law and regulations.[4][6][8][9]

When demotion or dismissal charges are filed against a certificated administrative or professional employee, a Board hearing shall be provided as required by applicable law. Noncertificated administrative and support employees may be entitled to a Local Agency Law hearing, at the employee's request.[4][6][8][9][10][11][12][13][14][15][16][17]

Arrest or Conviction Reporting Requirements

Employees shall use the designated form to report to the Superintendent or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law.[18][19]

Employees shall also report to the Superintendent 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.[20]

The Superintendent may also receive notice from the PA Department of Education when a certificated educator has a pending record of arrest, indictment or charge entered upon their state record in the Teacher Information Management System (TIMS).

An employee shall be required to submit new criminal history background checks if the Superintendent 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 Superintendent or designee.[18][21]

An employee shall be required immediately to submit a new child abuse history certification if the Superintendent 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.[20][21]

Failure to accurately report such occurrences may subject the employee to disciplinary action up to and including termination and criminal prosecution.[18][20]

Legal References:
1. 22 PA Code 235.1 et seq
2. Pol. 824
3. 24 P.S. 510
4. 24 P.S. 514
5. Pol. 351
6. 24 P.S. 1122
7. 24 P.S. 1151
8. 24 P.S. 1121
9. 24 P.S. 1127
10. 24 P.S. 1126
11. 24 P.S. 1128
12. 24 P.S. 1129
13. 24 P.S. 1130
14. 24 P.S. 1131
15. 24 P.S. 1132
16. 24 P.S. 1133
17. 2 Pa. C.S.A. 551, et seq.
18. 24 P.S. 111
19. 24 P.S. 2070.9a
20. 23 Pa. C.S.A. 6344.3
21. Pol. 806

23 Pa. C.S.A. 6301, et seq.
24 P.S. 2070.1a, et seq.
Neal Follman v. School District of Philadelphia (Department of Education), 320 A.3d 882 (Commw. Ct. 2024)
Pol. 317.1

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: ATTENDANCE AND TARDINESS ADOPTED: April 12, 2017 REVISED: November 12, 2020

318. ATTENDANCE AND TARDINESS

Authority

Punctual and reliable attendance by administrative, professional and support employees is essential for the operation of district schools. Therefore, a prerequisite for efficient performance of job functions by employees is the punctual commencement and proper completion of all assigned duties.[1][2]

The district shall establish processes for staff to report unexpected absences, which shall be addressed in accordance with Board policy and an applicable individual contract, collective bargaining agreement or Board resolution.[3][4][5][6]

Delegation of Responsibility

It shall be the responsibility of the Superintendent or designee to assess penalties when a district employee fails to meet attendance requirements.

Whether tardiness is excusable shall be determined by the immediate supervisor.

The Superintendent is authorized to direct district employees who are repeatedly tardy not to report at all on those days when they do not report on time, and to suffer appropriate wage penalties.

Legal References:

1. 24 P.S. 510
2. Pol. 332
3. Pol. 334
4. Pol. 335
5. Pol. 336
6. Pol. 339

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: OUTSIDE ACTIVITIES

ADOPTED: April 12, 2017

REVISED:

319. OUTSIDE ACTIVITIES

1. Authority

The Board recognizes that administrative, professional and support employees do have the right to private lives and associations with others outside of school. However, the Board has a responsibility to evaluate employees' effectiveness in discharging assigned duties and responsibilities.

SC 510

Therefore, when nonschool activities directly impact upon an employee's effectiveness within the school district, the Board reserves the right to evaluate the effect of such activities on the individual's completion of responsibilities and assignments.

The Board does not endorse, support, nor assume liability for any district staff member who conducts nonschool, outside activities in which district students or employees may participate.

2. Delegation of Responsibility

The Superintendent or designee shall disseminate this policy so that employees may avoid situations in which personal interests, activities, and associations may conflict with the interests of the district.

The following guidelines are provided for the information and direction of staff members:

1. Do not utilize school material for personal gain. Copyrights to materials or equipment developed, processed, or tested by district employees in the performance of district activities in fulfillment of the terms of their employment, reside with and may be claimed by the district.

2. Do not use school property or school time to solicit or accept customers for private enterprise.

3. Do not use school time for outside activities when there is no valid reason to be excused from assigned duties.

	References: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: FREEDOM OF SPEECH BY EMPLOYEES ADOPTED: April 12, 2017 REVISED: June 11, 2025

320. FREEDOM OF SPEECH BY EMPLOYEES

Authority

The Board respects employees' freedom of speech. Public school employees do not surrender their rights to free speech merely because of their status as an employee of the school district. The Board acknowledges the right of administrative, professional and support employees as private citizens in a democratic society to speak on issues of public concern.

The Board adopts this policy to clarify situations in which an employee's expression could conflict with the district's interests, when the employee is not engaged in assigned duties. In such instances, the district, in coordination with the school solicitor, must balance the employee's interests regarding freedom of expression on issues of public concern as a private citizen against the interests of this district in promoting the efficient and effective functioning and educational purpose of the district.

In situations in which a district employee is not engaged in the performance of assigned duties, the employee's freedom of speech may be addressed when the employee's speech impacts efficiency or constitutes a reasonable likelihood of disruption, as indicated by any one of the following:

1. Impairing discipline by superiors or harmony among co-workers;
2. Having a detrimental impact on close working relationships requiring loyalty and confidence;
3. Impeding the performance of the duties of the employee that conducted the speech; or
4. Interfering with the operations of the school district.

Any decisions based on the above listing shall take into consideration all of the facts of each individual situation and shall include consultation with the school solicitor.

	Legal References: 22 PA Code 235.1, et seq. PA Const. Art. I Sec. 7 U.S. Const. Amend. I Connick v. Myers, 461 U.S. 138 (1983) Dougherty v. Sch. Dist. of Philadelphia, 772 F.3d 979, 991 (3d Cir. 2014) Garcetti v. Ceballos, 547 U.S. 410 (2006) Natalie Munroe v. Central Bucks School District, 805 F.3d 454 (3d Cir. 2019) Pickering v. Board of Education, 391 U.S. 563 (1968) Pol. 816

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: POLITICAL ACTIVITIES

ADOPTED: April 12, 2017

REVISED:

321. POLITICAL ACTIVITIES

1. Authority

The Board recognizes and encourages the right of administrative, professional and support employees, as citizens, to engage in political activity. However, district time, resources, property or equipment, paid for by taxpayers, may not be used for political purposes by district employees when performing assigned duties.

SC 510

Employees shall not engage in political activities during assigned work hours on property under the jurisdiction of the Board.

The collection and/or the solicitation for campaign funds or campaign workers by employees is prohibited on school property during assigned working hours.

The use of students for writing or addressing partisan political materials is prohibited.

The following situations are exempt from the provisions of this policy:

1. Discussion and study of politics and political issues when applicable to the curriculum and appropriate to classroom studies.

2. Conduct of student elections and connected campaigning.

3. Conduct of employee representative elections.

District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

References:

School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: GIFTS

ADOPTED: April 12, 2017

REVISED:

322. GIFTS

1. Authority

The Board considers the acceptance of gifts by administrative, professional and support employees an undesirable practice.

SC 510

It is the policy of the Board that staff members not accept gifts of significant value, as determined by the immediate supervisor.

2. Delegation of Responsibility

The Superintendent or designee may approve acts of generosity to individual district employees in unusual situations.

References:

School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: TOBACCO AND VAPING PRODUCTS

ADOPTED: April 12, 2017

REVISED: February 13, 2019
March 12, 2020
June 12, 2024

323. TOBACCO AND VAPING PRODUCTS

Purpose

The Board recognizes that tobacco and vaping products, including electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to regulate use of tobacco and vaping products by district employees and contracted personnel.

Definition

For purposes of this policy, **tobacco product** encompasses not only tobacco but also vaping products including electronic cigarettes (e-cigarettes). **Tobacco products**, for purposes of this policy and in accordance with state law, shall be defined to include the following:[1][2]

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

3. Any product containing, made or derived from either:

    a. Tobacco, whether in its natural or synthetic form; or

    b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following:[1][2]

	1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. 2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. Federal law requires the district to maintain a drug-free workplace, at which marijuana of any kind is prohibited.[3][4]
Authority	The Board prohibits use of tobacco products by district employees and contracted personnel at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; or on property owned, leased or controlled by the school district.[2][5][6][7] The Board also prohibits use of tobacco products by district employees and contracted personnel at any time while responsible for the supervision of students during school-sponsored activities that are held off school property. The Board also prohibits use of tobacco products by district employees and contracted personnel at any time while responsible for the supervision of students during school-sponsored activities that are held off school property.[2] This policy does not prohibit possession of tobacco products by district employees and contracted personnel of legal age. The Board deems it to be a violation of this policy for any district employee or contracted personnel to furnish a tobacco product to a student.[1]
Delegation of Responsibility	The Superintendent or designee shall notify employees and contracted personnel about the Board's tobacco and vaping products policy by publishing information in handbooks, newsletters, posters and other efficient methods such as posted notices, signs and on the district website.[2] <u>Reporting</u> *Annual School Safety and Security Incidents Report –* The Superintendent shall annually, by July 31, report incidents of prohibited possession, use or sale of tobacco products on school property to the PA Department of Education on the required form.[8][9][10]

	Law Enforcement Incident Report – The Superintendent or designee may report incidents involving the sale of tobacco products to minors by employees 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 law enforcement agency 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 law enforcement and Board policies.[1][2][3][8][9][10][11][12] **Legal References:** 1. 18 Pa. C.S.A. 6305 2. 18 Pa. C.S.A. 6306.1 3. Pol. 317 4. Pol. 351 5. 20 U.S.C. 7973 6. Pol. 818 7. 35 P.S. 637.1, *et seq.* 8. 24 P.S. 1306.2-B 9. 24 P.S. 1319-B 10. Pol. 805.1 11. 22 PA Code 10.2 12. 22 PA Code 10.22 20 U.S.C. 7971, *et seq.*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: PERSONNEL FILES

ADOPTED: April 12, 2017

REVISED:

324. PERSONNEL FILES

1. Authority	Orderly operation of the school district requires maintaining a file for the retention of all records relative to an individual's duties and responsibilities as an administrative, professional or support employee of the district.
SC 510	The Board requires that sufficient records be maintained to ensure an employee's qualifications for the job held; compliance with federal and state requirements and local benefit programs; conformance with Board policies, administrative regulations, rules and procedures; and evidence of completed evaluations.
2. Delegation of Responsibility	The Board delegates the establishment and maintenance of official personnel records to the Superintendent or designee, who shall prepare administrative regulations defining the material to be incorporated into personnel files.
3. Guidelines	A central file shall be maintained; supplemental records may be maintained only for ease in data gathering.
42 U.S.C. Sec. 2000ff et seq. **42 U.S.C. Sec. 12112**	Medical records shall be kept in a file separate from the employee's personnel file.
	Only information that pertains to the professional role of the employee and is submitted by duly authorized administrative personnel and the Board may be entered in the official personnel file. A copy of each entry shall be made available to the employee, except for matters pertaining to pending litigation or criminal investigation.
	Personnel records shall be available to the Board but only as required in the performance of its designated functions as a School Board and as approved by a majority vote of the Board.

Pol. 800	Personnel files shall be reviewed at intervals established by the district, and material no longer required shall be destroyed.
43 P.S. Sec. 1321, 1322	Administrative, professional and support employees shall have access to their own file. Information relative to confidential employment references/recommendations are not part of the personnel file and shall not be available for review by the employee.
	Title I Schools
Title 22 Sec. 403.4 20 U.S.C. Sec. 6311, 7801 Pol. 304	In accordance with law, the district shall release to parents/guardians, upon request, information regarding the professional qualifications and academic degrees of any teacher providing instruction to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.
Title 22 Sec. 403.4 20 U.S.C. Sec. 6311, 7801	The district shall notify parents/guardians of students attending Title I schools when their child has been assigned to or taught for four (4) or more consecutive weeks by a teacher who is not highly qualified, as defined by federal law.
Title 22 Sec. 403.5 20 U.S.C. Sec. 6311 Pol. 304	In accordance with law, the district shall release to parents/guardians, upon request, the qualifications of any paraprofessionals who provide instructional support to their child at a school receiving Title I funds. The district shall annually notify parents/guardians at the beginning of the school year about their right to request such information.
	References: School Code – 24 P.S. Sec. 111, 510 State Board of Education Regulations – 22 PA Code Sec. 8.1 et seq., 403.4, 403.5 Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq. Inspection of Personnel Files – 43 P.S. Sec. 1321 et seq. No Child Left Behind Act – 20 U.S.C. Sec. 6311, 7801 Genetic Information Nondiscrimination Act of 2008 – 42 U.S.C. Sec. 2000ff et seq. Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq. Immigration Reform and Control, Title 8, Code of Federal Regulations – 8 CFR Sec. 274a.2 Board Policy – 000, 304, 800

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: DRESS AND GROOMING ADOPTED: April 12, 2017 REVISED: May 13, 2026

325. DRESS AND GROOMING

Authority

Administrative, professional and support employees set an example in dress and grooming for students and the school community. Employees' dress should reflect their professional status and encourage respect for authority in order to have a positive influence on the district's programs and operations.

The Board has the authority to specify reasonable dress and grooming requirements, within law, for all district employees to prevent an adverse impact on the educational programs and district operations.[1]

The Board directs compliance with Board policy and law prohibiting discrimination, including but not limited to protections addressing:[2][3]

1. Hairstyles, including but not limited to hairstyles such as locs, braids, twists, coils, Bantu knots, afros and extensions.

2. Religious creed including head coverings and hairstyles historically associated with religious creeds.

When assigned to district duties, employees shall be physically clean, neat, well-groomed and dressed in a manner consistent with assigned job responsibilities.

Employees shall be groomed so that their hair style does not cause a safety or health hazard.

Support employees shall be required to utilize safety gear when performing assigned duties.

Delegation of Responsibility

If an employee feels that an exception to this policy would enable the employee to carry out their assigned duties more effectively, a request should be made to the immediate supervisor.

	Legal References 1. 24 P.S. 510 2. 43 P.S. 951 et seq 3. Pol. 104

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: April 12, 2017

REVISED:

326. COMPLAINT PROCESS

1. Authority

It is the Board's intent to establish reasonable and effective means of resolving conflicts among employees to reduce potential areas of complaints, and to establish and maintain clear two-way channels of communication between supervisory personnel and district employees for situations not covered by the terms of a collective bargaining agreement.

SC 510

The Board adopts this policy to facilitate proper and equitable solutions to complaints by administrative, professional and support employees at the lowest appropriate level, and to establish an orderly procedure for pursuing solutions.

There shall be no reprisals of any kind taken against any employees or their representatives because of support of or participation in a complaint.

2. Definition

Complaint - any unresolved problem or interpretation of federal or state laws and regulations; Board policies, rules, procedures; and written administrative regulations.

3. Guidelines

Complaints should be discussed in a private, informal conference between the parties involved. At least one (1) private meeting should take place between the parties before the complaint process is invoked.

A complainant may be represented or accompanied by anyone s/he chooses at any higher level of the complaint process.

If the same, or substantially the same, complaint is made by more than one employee against one respondent, only one employee, on behalf of self and the other complainants, may process the complaint through the prescribed procedure. Names of all complainants shall appear on all documents related to settlement of the complaint.

The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the time limits from one level to the next level shall be considered settled on the basis of the last decision and not subject to further appeal.

All documents, communications, and records relevant to a complaint shall be filed in a separate file and not kept in the personnel file of any of the participants.

Level One - Immediate Supervisor

Within ten (10) days after the occurrence giving rise to the complaint, and following an informal discussion as outlined, the complainant must present the written complaint to the supervising administrator. This statement shall include:

1. Clear, concise expression of the complaint.

2. Board policy, administrative regulation or procedure, or law of which there is an alleged violation.

3. Circumstances on which the complaint is based.

4. Person(s) involved.

5. Decision rendered at the private conference.

6. Remedy sought.

Copies of this statement may be sent to any individuals who were present at the meeting.

Within ten (10) days the supervising administrator shall communicate a written decision to the employee. If the administrator does not respond within the time limit, the complainant may appeal to the next level.

Either party to the complaint shall have the right to request a personal conference in order to resolve the problem. Either party may request the presence of one (1) conferee.

	Level Two - Superintendent/Designee Within ten (10) days after receiving the decision of the administrator at Level One, the complainant may appeal the decision to the Superintendent or designee. The written appeal shall be accompanied by a copy of the decision at Level One. Within ten (10) days after delivery of the appeal, the Superintendent or designee shall investigate the complaint, giving all persons who participated in Level One a reasonable opportunity to be heard. Within ten (10) days after delivery of the appeal, the Superintendent or designee shall submit a written decision, together with the supporting reasons, to the complainant and the administrators involved. Level Three - The Board Within ten (10) days after receiving the decision of the Superintendent or designee, the complainant may appeal the decision in writing to the Board. The Board shall schedule the matter for a hearing to be held at the next regularly scheduled Board meeting. The complainant and his/her conferee may be present at the hearing. Within thirty (30) days the Board will submit its written decision, together with supporting reasons, to the complainant. A copy shall be furnished to the administrators involved. The decision of the Board is final. **References:** School Code – 24 P.S. Sec. 510 Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: MANAGEMENT TEAM

ADOPTED: April 12, 2017

REVISED:

327. MANAGEMENT TEAM

1. Authority

The Board recognizes the importance of maintaining an effective Management Team to strengthen the administration, educational programs and operation of the district, and to establish and improve communications, decision-making, conflict resolution, and other relationships among the members of the Team.

The objectives of the district's Management Team are to:

1. Provide input into policies, administrative regulations, procedures and rules that directly affect management employees in the administration of the school district.

2. Provide a means of addressing the economic and welfare concerns of management employees.

SC 510
Pol. 002

While the Management Team concept places emphasis upon shared responsibility and authority, nothing in this policy is intended to limit the responsibility and authority of the Board to make decisions, as prescribed by law.

2. Definitions

Management Team Concept - is a means whereby educational policies and administrative procedures that define the district's programs and operations are arrived at through shared responsibility and authority.

Management Team - is composed of the Superintendent and administrative, supervisory, and administrative support staff who have significant responsibilities for:

1. Formulating or implementing Board policies, administrative regulations, rules, procedures, or programs.

2. Recommending employment, transfer, suspension, discharge, layoff, recall, promotion, assignment, compensation, or discipline of employees.

	3. Directing and supervising other employees. 4. Evaluating employees. 5. Adjusting complaints. Management Employees - refers to members of the Management Team.
3. **Guidelines**	The Management Team will meet on a regular basis and when requested with the Board or its representatives. Actions of all members of the Management Team shall be consistent with professional and ethical standards adopted by professional management associations. Management Team meetings shall include all management employees, as required. The Management Team shall address itself to appropriate concerns identified by any member of the Team. Concerns of the Management Team will include but not be limited to district budget, district curriculum, student achievement, personnel management, and welfare of management employees. **References:** School Code – 24 P.S. Sec. 510 Board Policy – 000, 002

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: COMPENSATION PLANS/ SALARY SCHEDULES

ADOPTED: April 12, 2017

REVISED:

328. COMPENSATION PLANS/SALARY SCHEDULES

1. Authority	The Board shall approve compensation plans, individual contracts and salary schedules for administrative, professional and support employees.
SC 1164	The administrative compensation plan shall be determined through a good faith, meet and discuss procedure with designated administrators upon written request of a majority of district administrators. Salary schedules approved by the Board shall be in accordance with those specified in applicable collective bargaining agreements and/or Board resolutions.
SC 406, 1075, 1077, 1089, 1141-1152, 1162, 1164	Salary schedules shall be used to set compensation for new and inexperienced employees and for experienced employees new to the district, and salary adjustments that result from earning advanced degrees while employed by the district or required by law.
2. Delegation of Responsibility	Implementation of the administrative compensation plan, individual contracts, collective bargaining agreements and Board resolutions regarding employee salaries shall be the responsibility of the Superintendent or designee.
SC 1149	The Superintendent is authorized to credit past experience of a candidate when determining salary.
	References: School Code – 24 P.S. Sec. 406, 1075, 1077, 1089, 1141-1152, 1162, 1164

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	329. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: OVERTIME

ADOPTED: April 12, 2017

REVISED:

330. OVERTIME

1. Authority

In order to ensure consistent treatment of all affected employees and compliance with applicable federal law regarding payment of overtime, the Board adopts this policy.

43 P.S. Sec. 333.104
29 U.S.C. Sec. 207

In accordance with federal and state law and this policy, applicable collective bargaining agreement or individual contract, overtime shall be paid for work in excess of the established workday or workweek for each classification of support employees.

Pol. 614

Overtime can be scheduled and paid only when authorized in advance by the Superintendent, Program Director, building principal, Business Manager, Food Service Director, or Supervisor of Buildings and Grounds.

All overtime authorization must be subsequently reviewed and approved by the Superintendent or designee.

For purposes of computing overtime, credit shall be given only for hours worked, as recorded in district records and provided by law.

Time worked on a holiday shall be compensated at one and one-half (1 ½) times regular hourly or daily pay, irrespective of hours worked that week.

Any conflict between this policy and applicable collective bargaining agreement or individual contract shall be reported promptly to the Board.

	References: Department of Labor and Industry Regulations – 34 PA Code Sec. 231.41, 231.42, 231.43 Minimum Wage Act – 43 P.S. Sec. 333.101 et seq. Fair Labor Standards Act – 29 U.S.C. Sec. 201 et seq. Overtime Compensation, Title 29, Code of Federal Regulations – 29 CFR Part 778 Board Policy – 614

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: JOB RELATED EXPENSES

ADOPTED: April 12, 2017

REVISED: December 17, 2020

331. JOB RELATED EXPENSES

Authority

The Board shall reimburse administrative, professional and support employees for the actual and necessary expenses, including travel expenses, they incur in the course of performing services for the district, in accordance with Board policy.[1]

Delegation of Responsibility

The validity of payments for job related expenses for all district employees shall be determined by the Superintendent or designee.

The Superintendent or designee shall develop administrative regulations for approval and reimbursement of job related expenses, including travel expenses, which shall require employees to provide adequate documentation of expenses.

Guidelines

The use of a personal vehicle shall be considered a legitimate job expense if travel is among the employee's assigned schools, but not between home and school, and is authorized in advance by the immediate supervisor.

Use of a personal vehicle for approved purposes is reimbursable at the rate per mile approved by the Board.

Use of a personal vehicle requires that liability insurance be provided by the employee.

Actual and necessary expenses incurred when attending functions outside the district shall be reimbursed to an employee if approval has been obtained in advance from the Superintendent.[1]

Attendance at approved events outside the district shall be without loss of regular pay, unless otherwise stipulated prior to attendance.

Legal References

1. 24 P.S. 517
2. Pol. 309.1
3. Pol. 624

Pol. 626.1

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: WORKING PERIODS ADOPTED: April 12, 2017 REVISED: December 17, 2020 May 13, 2026

332. WORKING PERIODS

Authority

Work schedules required for administrative, professional and support employees shall be clearly specified to ensure regular attendance by employees and consistent operation of the district.

The Board has the authority and responsibility to determine the hours and days during which district programs and services shall be available to students and the community, consistent with the administrative compensation plan, individual contracts, applicable collective bargaining agreements, Board resolutions, and state law.[1][2][3][4][5]

The Board has the authority to make modifications to the school calendar and the school schedule as necessary to meet the instructional and health and safety needs of students and staff. Modifications to staff working periods shall be addressed in accordance with the administrative compensation plan, individual contracts, applicable collective bargaining agreements, Board resolutions and/or Board-approved health and safety or other emergency preparedness and response plans.[4][6][7]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to ensure district employees are informed of and adhere to their assigned work schedules.

Professional personnel shall have a duty-free lunch period of not less than thirty (30) minutes.[3]

Staff may be assigned extra or alternative duties, distributed equitably when possible, at the discretion of the building principal.

All professional staff members are expected to attend each faculty meeting unless specifically excused by the responsible administrator.

	Legal References 1. 24 P.S. 133 2. 24 P.S. 510 3. 24 P.S. 1504 4. Pol. 803 5. Pol. 804 6. 24 P.S. 520.1 7. Pol. 805 Pol. 318

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: PROFESSIONAL DEVELOPMENT

ADOPTED: April 12, 2017

REVISED: October 9, 2019

333. PROFESSIONAL DEVELOPMENT

Authority

Continuing professional study and inservice training for administrative, professional and support employees are prerequisites for professional development, enhanced ability to complete responsibilities and maintaining certification.

The Board directs district employees to further their professional and personal advancement through graduate study, inservice training, conference attendance and professional development activities.[1][2][3]

Guidelines

Graduate/Special Courses

Only courses of study that are preapproved shall be eligible for reimbursement by the district or a change in compensation for the employee. Documentary evidence of satisfactory completion of all study programs shall be required.

Reimbursement for credits for approved graduate study or special courses shall be made in accordance with terms of the administrative compensation plan or an individual contract, or collective bargaining agreement.

All eligible employees shall submit annually by September 15 a record and description of the attainment of approved credits to the Superintendent.

Approved graduate study or special courses/programs may be of sufficient advantage to the district to warrant an increase in an employee's annual salary, upon documentation of satisfactory completion. Such an increase will be in accordance with provisions of the administrative compensation plan, individual contract, collective bargaining agreement, or Board resolution.[4][5]

Induction Plan

The district shall comply with Department of Education requirements when developing and maintaining an induction plan for first-year teachers and teachers new to the district. The district shall develop and submit the induction plan to the Department of Education for approval every six (6) years, as required by law and regulations. Prior to approval by the Board and submission to the Department of Education, the induction plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[6][7][8]

Induction Program for School System Leaders

School system leaders shall complete an induction program which is consistent with the Pennsylvania School Leadership Standards within five (5) years of serving as a school system leader in Pennsylvania for the first time.[9][10]

School system leaders include principals, vice-principals, assistant principals, Assistant Superintendent, Superintendent and individuals who are converting an administrative certificate from a Level I certificate to a Level II certificate.[9]

Professional Education Plan

The Board shall appoint to the professional education committee parents/guardians and representatives of the community and local businesses. Representatives of administrators, teachers and educational specialists on the professional education committee shall be selected by their respective members.[2][11]

The district shall develop and submit a professional education plan to the Secretary of Education for approval every three (3) years, as required by law and regulations. The professional education plan shall be designed to meet the educational needs of the district and its certificated administrative and professional employees; specify approved courses, programs, activities and learning experiences, including training on subjects required by law, regulations and Board policy; and identify approved providers. Prior to approval by the Board and submission to the Secretary of Education, the professional education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[2][6][8][11]

The Board shall ensure an annual review of the district's professional education plan is conducted by the professional education committee to determine if the plan continues to meet the needs of the district, employees, students and community. The professional education committee may recommend amendments to the plan, subject to approval by the Board and the Department of Education.[2]

	The Board may approve, on a case-by-case basis, specific professional education activities not stated within the district's professional education plan.[3] If the district assumes any costs of credits or hours, the Board may disapprove any course, program, activity or learning experience that is inconsistent with the goals of the professional education plan.[3] *Trauma-Informed Approach Education -* The professional education plan shall include a minimum of one (1) hour of required training in trauma-informed approaches, in accordance with law.[2][12][13] The district shall provide certificated administrative and professional employees with training on trauma-informed approaches, in accordance with law and the professional education plan. Training shall address, but shall not be limited to:[12][13] 1. Recognition of the signs of trauma in students. 2. Best practices for schools and classrooms regarding trauma-informed approaches, including utilizing multi-tiered systems of support. 3. Recognition of the signs of impact of secondary trauma on school employees and appropriate resources for employees experiencing secondary trauma. 4. The district's policies regarding trauma-informed approaches.[14] 5. The district's policies regarding connecting students with appropriate services.[15][16][17] Training shall be based on evidence-based or evidence-informed programs that meet the needs of the district's local community and reflect current best practices related to trauma-informed approaches.[13][18]

	Legal References 1. 24 P.S. 517 2. 24 P.S. 1205.1 3. 24 P.S. 1205.2 4. 24 P.S. 1144 5. 24 P.S. 1151 6. 22 PA Code 4.13 7. 22 PA Code 49.16 8. Pol. 100 9. 24 P.S. 1205.5 10. 24 P.S. 1217 11. 22 PA Code 49.17 12. 24 P.S. 102 13. 24 P.S. 1205.7 14. Pol. 146.1 15. Pol. 146 16. Pol. 209 17. Pol. 236 18. 20 U.S.C. 7801 24 P.S. 1205.6 24 P.S. 1311-B Pol. 806

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: SICK LEAVE

ADOPTED: April 12, 2017

REVISED: April 10, 2019
December 17, 2020
August 12, 2021

334. SICK LEAVE

Authority

Board policy for certificated administrative and professional employees shall ensure that eligible employees receive paid sick leave days annually, in accordance with law, administrative compensation plan, individual contract, collective bargaining agreement, or Board resolution. Unused leave shall be cumulative.[1]

Board policy for noncertificated administrative and support employees shall ensure that eligible employees receive paid sick leave days annually, in accordance with the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution. Unused leave shall be cumulative.

The Board requires any employee claiming paid or unpaid sick leave for three (3) or more consecutive work days to submit sufficient proof, including documentation from a licensed physician, certified registered nurse practitioner or a licensed physician assistant, of the employee's or immediate family member's illness or disability or need to quarantine.[1][2]

Misuse of sick leave shall be considered a serious infraction subject to disciplinary action.[3]

The Board shall consider the written request of any eligible employee for an extension of sick leave, with or without pay, when the employee's own accumulated sick leave or other paid or unpaid leave has been exhausted, pursuant to law or collective bargaining agreement provisions where applicable.[1][2]

Delegation of Responsibility

The Superintendent shall report to the Board the names of employees absent for noncompensable cause for more than thirty (30) days or whose claim for sick leave pay cannot be justified.

Guidelines

Whatever the claims of disability, no day of absence shall be considered a sick leave day if the employee has engaged in or prepared for other gainful employment, or has engaged in any activity that would raise doubts regarding the validity of the sick leave request.

	A maximum of ten (10) days of sick leave per year may also be used for the care of an immediate family member. An immediate family member is defined as a spouse, dependent, parent, or parent-in-law for the purpose of this policy. A maximum of ten (10) days of sick leave may be used to care for the birth of a newborn or newly adopted child within one (1) year of birth or adoption. <u>Records</u> The district's personnel records shall show the attendance of each employee; and the days absent shall be recorded, with the reason for such absence noted.[1][2] A record shall be made of the unused sick leave days accumulated by each district employee, which shall be reported to the employee.[1][2] The Board shall pay a specified amount for each unused sick leave day, up to a designated number of days, upon the retirement or death of an employee, as provided in the administrative compensation plan, administrative support compensation plan, individual contract, collective bargaining agreement or Board resolution. **Legal References** 1. 24 P.S. 1154 2. 24 P.S. 510 3. Pol. 317

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: FAMILY AND MEDICAL LEAVES

ADOPTED: April 12, 2017

REVISED: August 14, 2019
April 29, 2020

335. FAMILY AND MEDICAL LEAVES

Authority

The Board shall provide eligible administrative, professional and support employees with unpaid leaves of absence in accordance with the Family And Medical Leave Act, hereinafter referred to as FMLA.[1][2]

Employee requests for FMLA leave shall be processed in accordance with law, Board policy and administrative regulations.

Delegation of Responsibility

The Superintendent shall develop and disseminate administrative regulations to implement FMLA leave for eligible employees.

The district shall post, in conspicuous places in the district customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.[3]

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing to the Superintendent or designee.

Guidelines

Employees' eligibility for FMLA leave shall be based on the criteria established by law.[4][5]

Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.[5]

Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered servicemember.[5]

	The district shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.[6] When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee is required to utilize such paid leave concurrent with the FMLA leave.[5] **Legal References** 1. 29 U.S.C. 2601, *et seq.* 2. 29 CFR Part 825 3. 29 U.S.C. 2619 4. 29 U.S.C. 2611 5. 29 U.S.C. 2612 6. 29 CFR 825.200 Pol. 813

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: PERSONAL NECESSITY LEAVE ADOPTED: April 12, 2017 REVISED: October 9, 2024

336. PERSONAL NECESSITY LEAVE

Authority

This policy shall provide for absences for defined personal necessity leave by administrative, professional and support employees.

The Board has the authority to specify reasonable conditions under which personal necessity leave may be granted, the type of situations in which such leave will be permitted and the total number of days that may be used by an employee in any school year for such leave.[1][2][3]

Guidelines

Personal Leave

Personal leave days with pay shall be granted to district employees in accordance with applicable provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.

Bereavement Leave

Bereavement leave with pay shall be granted to district employees in accordance with law, applicable provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution. [2]

Legal References:

1. 24 P.S. 510
2. 24 P.S. 1154
3. Pol. 104
4. 29 CFR 1636.4

20 U.S.C. 1681 et seq
42 U.S.C. 12101 et seq
34 CFR Part 106
29 CFR Part 1636

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: VACATION

ADOPTED: April 12, 2017

REVISED:

337. VACATION

1. Authority

Administrative and support staff employed to work twelve (12) months or other schedules considered full-time shall be provided paid vacation.

SC 510

The Board shall provide vacation days for eligible employees, consistent with the employee's request and convenience while considering the district's management and operational needs.

Vacation time shall be granted in accordance with applicable provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.

Vacations normally will be scheduled at times when they will not interfere with the normal operation of the school.

All vacation schedules are subject to final approval by the Superintendent or designee.

An employee who anticipates termination of employment in this district may take accrued vacation prior to the termination date, with proper approval.

References:

School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: SABBATICAL LEAVE

ADOPTED: April 12, 2017

REVISED:

338. SABBATICAL LEAVE

1. Authority

This policy shall establish the district's parameters for granting sabbatical leaves for restoration of health to certificated administrative and professional employees.

SC 1166

The Board shall grant sabbatical leaves to eligible administrative and professional employees for the purpose of restoration of health and for other purposes at the discretion of the Board.

The Board reserves the right to specify the conditions under which sabbatical leaves for restoration of health or other purposes may be taken, consistent with law.

2. Guidelines

Eligibility

SC 1166

To qualify for sabbatical leave, an eligible employee shall have completed ten (10) years of satisfactory service in the public schools of the Commonwealth; at least five (5) consecutive years of such service shall be in this school district.

SC 1166

A sabbatical leave may be taken for a half or full school term or for two (2) half school terms during a period of two (2) years, at the employee's option.

SC 1167

The total number of administrative employees on sabbatical leave at any one time shall not exceed ten percent (10%) of the number of eligible employees. The total number of professional employees on sabbatical leave at any one time shall not exceed ten percent (10%) of the number of eligible employees.

Application

Requests for sabbatical leave shall be submitted on the approved district form and forwarded with medical documentation to the Superintendent or designee as soon as possible.

	The Board shall review each application for sabbatical leave and shall approve those meeting the requirements of Board policy and applicable law.
	Documentation
	Applicants for sabbatical leave shall submit with the application form a supporting medical statement and recommendation from his/her physician.
SC 1171	At least thirty (30) days prior to the conclusion of the leave, a physician's statement shall be submitted to the Superintendent or designee, indicating the extent to which the purpose of the leave has been achieved and evaluating the health status of the employee relative to his/her ability to return to employment.
SC 1171	The Board reserves the right to require at its own expense additional examinations and reports by physicians of its choice to determine whether the leave is being used for the purpose for which it was granted.
	Commitment Of Employee
SC 1168	Acceptance of a sabbatical leave incurs a commitment by the employee to return to active duty in this district immediately following the sabbatical leave for one (1) full school term, unless prevented by illness or physical disability.
	The Board reserves the right to require at its own expense additional examinations and reports by physicians of its choice to determine the employee's ability to return to work.
	Commitment Of Employer
SC 1168	At the expiration of the sabbatical leave, the employee shall be reinstated in the same position held at the time of the granting of the leave.
SC 1170	Time on sabbatical leave shall be counted as time on the job for purposes of determining the employee’s length of service and right to receive increments and for retirement fund purposes, but for no other purpose.
	Compensation
SC 1169	During the period of sabbatical leave, an employee shall be compensated at least one-half the salary to which s/he would have been entitled had the employee not taken leave.

SC 1166	While on leave, the employee shall be entitled to insurance benefits provided other employees of a similar classification. A sabbatical leave granted for restoration of health shall also serve as a leave of absence without pay from all other school activities. Compensable employment may not be engaged in while the employee is on sabbatical leave. **References:** School Code – 24 P.S. Sec. 1166, 1167, 1168, 1169, 1170, 1171

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: COMPENSATED PROFESSIONAL LEAVES

ADOPTED: April 12, 2017

REVISED:

338.1. COMPENSATED PROFESSIONAL LEAVES

1. Purpose

This policy shall establish the District's parameters for granting professional development and classroom occupational exchange leaves for certificated administrative and professional employees.

2. Definitions
SC 1166.1

Professional Development Leave - shall be defined as a leave of absence granted for the purpose of improving professional competency or obtaining a professional certificate or commission. Such leave shall be directly related to an employee's professional responsibilities, as determined by the Board, and be restricted to activities required by state regulation or law.

SC 522.2

Classroom Occupational Exchange Leave - shall be defined as a leave of absence granted for the purpose of acquiring practical work experience in business, industry or government.

3. Authority
SC 1166.1

The Board shall have sole authority to adopt and enforce policy establishing the conditions for approval of a professional development leave for eligible employees. All requests for such leave shall be subject to review by the Board. The Board may approve or reject a proposed plan for professional development leave.

SC 522.2

The Board may grant a leave to eligible employees for classroom occupational exchange leave for the specified purpose.

4. Guidelines

PROFESSIONAL DEVELOPMENT LEAVE

Eligibility

SC 1166

To qualify for professional development leave, an eligible employee shall have completed ten (10) years of satisfactory service in the public schools of the Commonwealth; at least five (5) consecutive years of such service shall be in this school district.

SC 1166	A leave for professional development may be taken for a half or full school term or for two (2) half school terms during a period of two (2) years, at the employee's option.
SC 1167	The total number of administrative employees on such leaves of absence shall not exceed ten percent (10%) of the number of eligible employees. The total number of professional employees on such leaves of absence shall not exceed ten percent (10%) of the number of eligible employees.
	<u>Application</u>
SC 1166.1	Professional development leaves shall be granted only to employees participating in an academic program for the purpose of retaining a professional certificate or commission, further preparation and improvement in an area(s) of certification, additional certification, attaining other appropriate and identifiable educational positions within the school district, or as the Board may require, and upon the recommendation of the Superintendent. Requests for professional development leave shall be submitted on the district form and forwarded with a detailed plan to the Superintendent. All required application materials shall be submitted by March 1 for the following school year or any portion thereof.
	<u>Documentation</u>
SC 1166.1	Applicants for professional development leave shall submit with the application form a detailed plan describing the professional development activities to be undertaken and a statement specifying the benefits of the leave to the employee and the school district. The plan shall provide sufficient information to permit the Board to adequately evaluate the request.
SC 1171	The Board may at any time require additional information from the employee in order to assist the Board in determining whether the leave is being used for the purpose for which it was granted.
SC 1166.1	The minimum requirements for leave for a half school term shall consist of any one or a combination of the following: 1. Nine (9) graduate credits. 2. Twelve (12) undergraduate credits. 3. One hundred eighty (180) hours of professional development activities.

SC 1166.1	The minimum requirements for leave for a full school term shall consist of any one or a combination of the following: 1. Eighteen (18) graduate credits. 2. Twenty-four (24) undergraduate credits. 3. Three hundred sixty (360) hours of professional development activities.
SC 1166.1, 1171	Applicants who propose to take graduate or undergraduate credits shall submit notification of acceptance and enrollment from an accredited institution of higher learning for study in courses approved by the Superintendent. The employee shall successfully complete the approved courses and receive passing grades. Upon return from professional development leave, the employee shall submit to the Superintendent within the first month an official transcript of all courses completed. Failure to receive passing grades or to submit required transcripts on time shall result in forfeiture of monies paid by the district.
SC 1166.1, 1171	Applicants who propose to undertake professional development activities shall submit to the Board a detailed plan listing the specific activities. Upon return from professional development leave, the employee shall submit to the Superintendent within the first month a formal report describing the educational activities pursued and their benefits and relevancy. Failure to submit required reports on time shall result in forfeiture of monies paid by the district. <u>Commitment Of Employee</u>
SC 1166.1, 1168	Acceptance of professional development leave incurs a commitment by the employee to return to active duty in this district immediately following the leave for one (1) full school term, unless prevented by illness or physical disability. Employees shall submit required reports on time or forfeit all compensation and benefits. <u>Commitment Of Employer</u>
SC 1168	At the expiration of the professional development leave, the employee shall be reinstated in the same position held at the time of the granting of the leave.
SC 522.1, 1170	Time on professional development leave shall be counted as time on the job for purposes of determining the employee's length of service and right to receive increments and for retirement fund purposes, but for no other purpose.

	Compensation
SC 1169	During the period of professional development leave, an employee shall be compensated at least one-half the salary to which s/he would have been entitled had the employee not taken leave. While on leave, the employee shall be entitled to insurance benefits provided other employees of a similar classification.
SC 1166	A leave of absence granted for professional development shall also serve as a leave of absence without pay from all other school activities. Compensable employment may not be engaged in while the employee is on professional development leave.
	CLASSROOM OCCUPATIONAL EXCHANGE LEAVE
	Application
	Requests for classroom occupational exchange leave shall be submitted on the approved district form and forwarded with appropriate documentation to the Superintendent. All required application materials shall be submitted by March 1 for the following school year.
	Documentation
	Applicants for classroom occupational exchange leave shall submit with the application form a statement from the employer agreeing to the terms and conditions of the leave, as specified in Board policy.
SC 522.2, 1166.1, 1171	Upon return from such leave, the employee shall submit to the Board a final report detailing the work experience and its benefits.
	Commitment Of Employee
SC 1168	Acceptance of classroom occupational exchange leave incurs a commitment by the employee to return to active duty in this district immediately following the leave for one (1) full school term, unless prevented by illness or physical disability.

	Commitment Of Employer
SC 1168	At the expiration of the classroom occupational exchange leave, the employee shall be reinstated in the same position held at the time of the granting of the leave.
SC 522.2	Time on classroom occupational exchange leave shall be counted as time on the job for purposes of determining the employee's length of service and right to receive increments and for retirement fund purposes, but for no other purpose.
	Compensation
SC 522.2	The business, industry or government to whom the employee is assigned during the leave shall fully compensate the school district for all salary, wages, pension and retirement contributions, and other benefits as if the employee were in full-time active service.
	References:
	School Code – 24 P.S. Sec. 522.1, 522.2, 1166, 1166.1, 1167, 1168, 1169, 1170, 1171

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: UNCOMPENSATED LEAVE ADOPTED: April 12, 2017 REVISED: March 12, 2025

339. UNCOMPENSATED LEAVE

Authority

The Board recognizes that in certain situations an administrative, professional or support employee may request extended leave for personal reasons, and the district could benefit from the return of the employee. This policy establishes parameters for granting uncompensated leaves of absence.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken. All applications for uncompensated leave are subject to final approval as follows:

(1) By the Superintendent or his/her designee for requests up to thirty (30) days.

(2) By the Board for requests of more than thirty (30) days.

Uncompensated leave shall be granted in accordance with provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.

Uncompensated leave provided as a reasonable accommodation, based on the needs of a qualified employee, shall be granted in accordance with applicable law, regulations and Board policy.

Any cost incurred for fringe benefits during an uncompensated leave shall be paid by the employee.

References:

School Code – 24 P.S. Sec. 1154, 1182

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: CHILD REARING LEAVE

ADOPTED: April 12, 2017

REVISED:

339.1. CHILD REARING LEAVE

1. Purpose

The purpose of this policy is to establish guidelines under which professional employees may be granted an uncompensated leave immediately following the birth or legal adoption of a child. For purposes of this policy, such uncompensated leave is referred to as child rearing leave.

2. Guidelines

Child rearing leave is applicable in those instances where an employee desires an unpaid leave of absence for the purpose of rearing a child in that period immediately following the birth or legal adoption of a child.

To be eligible for child rearing leave, the employee must have been employed by the Freeport Area School District for at least twelve (12) months and in regular active service for at least one (1) semester during the twelve-month period immediately preceding the commencement of the leave.

Pol. 335

Employees may be provided with a child rearing leave for a period not to exceed one (1) school year, inclusive of any leave provided under the Family and Medical Leave Act. Child rearing leave must commence not later than thirty (30) days following the birth or adoption of the child and, if possible, coincide with the end of a marking period, provided that the Board, at its exclusive discretion, may excuse this requirement under exigent circumstances. If possible, child rearing leave should terminate on the last instructional day of a school grading period or the last day of the Christmas/New Year break. Employees granted child rearing leave should make every attempt to schedule their return to their position on the first work day following the conclusion of a school grading period or the Christmas/New Year break.

	Requests for child rearing leave shall be made in writing to the Superintendent or designee at least thirty (30) days prior to the beginning date of the leave and are subject to approval or rejection at the discretion of the Board. Requests not made with sufficient advance notice will not be granted, although the notice requirement may be waived in the event of premature childbirth, the unanticipated placement of an adopted child, a serious health condition of a newborn or newly adopted child. Except as otherwise required to be provided by federal or state law, including the Family and Medical Leave Act, child rearing leave shall be without compensation or fringe benefits. The employee shall be entitled to continue insurance benefits at his/her own expense by remitting in advance the necessary premiums to the district office by the specified dates. Upon return from child rearing leave, the employee will be returned to an equivalent position as was held before the leave unless the position has been eliminated or the employee is subject to furlough or discharge. Failure to return to work at the scheduled conclusion of the child rearing leave will constitute a voluntary termination of employment. A child rearing leave shall not constitute a break in seniority, but the period of the child rearing leave shall not be credited as active service for salary step advancement, eligibility for benefits or any other purpose. It is understood that, in order for salary step advancement to occur, the employee must have been in active service (not on unpaid leave) for a minimum of ninety-one (91) instructional days. **References:** School Code – 24 P.S. Sec. 1154 Board Policy – 335

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: RESPONSIBILITY FOR STUDENT WELFARE ADOPTED: April 12, 2017 REVISED: December 17, 2020

340. RESPONSIBILITY FOR STUDENT WELFARE

Authority

The Board adopts this policy to ensure appropriate oversight of and responsibility for student welfare by administrative, professional and support employees.[1]

District employees are responsible for the safety of students in their charge within school buildings and on district property.

Each employee is responsible for supervision, control and protection of students, commensurate with assigned duties and directives.

Each employee is responsible to ensure that students are supervised by a teacher or other staff member at all times while engaged in district activities.

An employee should not voluntarily assume responsibility for duties the employee cannot reasonably perform. Voluntary assumption carries the same responsibilities as assigned duties.

Teachers and designated staff shall provide proper instruction in and enforcement of safety rules and procedures included in the Board-approved health and safety plan and assigned curriculum.[2][3]

Each employee has the responsibility to report immediately to the building principal or designated staff an accident, safety hazard, unsafe or dangerous condition, or to immediately address observed violations of district safety rules.[2]

Employees may not send students on any personal errands.

Employees may not transport students in a personal vehicle, except when specifically authorized by the building principal or designee.

Employees shall not require a student to perform services that may be detrimental to the student's health.

Delegation of Responsibility

Building principals shall monitor employees’ adherence to this policy to ensure the maintenance of standards that protect student welfare.

	Building principals shall annually develop and implement a plan of supervision for the following: 1. Student arrivals and departures, including buses. 2. Halls, restrooms and playgrounds. 3. Cafeteria. 4. Before and after school. 5. Field trips. 6. School activities. **Legal References** 1. 24 P.S. 510 2. Pol. 705 3. Pol. 805

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: BENEFITS FOR PART-TIME EMPLOYEES

ADOPTED: April 12, 2017

REVISED:

341. BENEFITS FOR PART-TIME EMPLOYEES

1. Authority

Benefits for regularly employed part-time administrative, professional and support employees shall be determined in accordance with the terms of an administrative compensation plan, individual contract, applicable collective bargaining agreement, or Board resolution.

24 Pa. C.S.A. Sec. 8301

Part-time employees shall be included in the School Employees' Retirement System upon reaching either 500 hours or eighty (80) days of employment in any fiscal year, in accordance with law.

References:

Public School Employees' Retirement Code – 24 Pa. C.S.A. Sec. 8301 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: JURY DUTY

ADOPTED: April 12, 2017

REVISED:

	342. JURY DUTY
1. Authority **42 Pa. C.S.A. Sec. 4563**	Regularly employed administrative, professional and support employees shall be protected against loss of employment for time served on jury duty.
2. Guidelines	When an employee is notified of jury duty, s/he shall inform the immediate supervisor. 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. The time spent on jury duty will not be charged against personal leave and will count as time on the job. **References:** Protection of Jurors Employment – 42 Pa. C.S.A. Sec. 4563

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: PAID HOLIDAYS

ADOPTED: April 12, 2017

REVISED:

	343. PAID HOLIDAYS
1. Authority	Paid holidays for regularly employed administrative and support employees shall be determined in accordance with Board policy.
SC 1502, 1503 **Pol. 803**	Holidays are established for eligible employees in accordance with the calendar adopted annually by the Board and/or an applicable administrative compensation plan, individual contract, collective bargaining agreement, or Board resolution.
	References: School Code – 24 P.S. Sec. 1502, 1503 Board Policy – 803

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	344. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	345. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	346. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: WORKERS' COMPENSATION TRANSITIONAL RETURN-TO-WORK PROGRAM

ADOPTED: April 12, 2017

REVISED:

347. WORKERS' COMPENSATION TRANSITIONAL RETURN-TO-WORK PROGRAM

1. Purpose

The purpose of a workers' compensation transitional return-to-work program is the safe, timely return of injured district employees to transitional or regular employment.

2. Authority

In an effort to control workers' compensation costs, the Board adopts this policy to ensure that employees who have been injured at work and are covered by workers' compensation return to work as soon as possible, in accordance with Board policy and administrative regulations.

This policy shall apply only to an employee who meets all of the following conditions:

1. Has been injured at work.
2. Is disabled as defined under the state Workers' Compensation Act.
3. Is capable of productive work.
4. Cannot return to his/her pre-injury job for the district with or without reasonable accommodations as a result of his/her work injury.
5. Is expected to be able to return to his/her pre-injury job within a definite period of time.
6. Is being paid workers' compensation disability benefits.

An employee shall not be eligible for continuation in the transitional return-to-work program if one (1) of the following determinations is made:

1. Employee cannot perform the assigned lighter duty work.

	2. Employee will be unable to return to his/her pre-injury occupation with or without reasonable accommodations within a reasonable period of time. The work that shall be offered to an eligible employee shall be productive work that will advance the interests of the district.
3. Delegation of Responsibility	The Superintendent or designee shall act in accordance with Board policy, state and federal laws and regulations, and administrative policy and practice in implementing a transitional return-to-work program. The Superintendent or designee shall ensure that all district staff responsible for the transitional return-to-work program shall receive periodic training from legal counsel with expertise in the Family And Medical Leave Act, Americans With Disabilities Act, workers' compensation and labor relations. The training shall include information on the interaction of the transitional return-to-work program and applicable laws, contracts and collective bargaining agreements. The Superintendent or designee shall determine if a lighter duty job will be offered to an eligible employee. When the interactive process is going to be engaged in, the Superintendent or designee shall engage the solicitor or special labor counsel.
4. Guidelines	The transitional return-to-work program and Board policy shall be implemented in a manner that does not conflict with applicable laws, contracts or collective bargaining agreements. Nothing in this policy shall be construed as requiring that a lighter duty job be provided to an eligible employee or that the essential functions of any job be eliminated. Lighter duty jobs are intended as a transitional opportunity to assist an injured employee to return to his/her pre-injury occupation with or without reasonable accommodations.

	References: Workers' Compensation Act – 77 P.S. Sec. 1 et seq. Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq. Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq. Family And Medical Leave, Title 29, Code of Federal Regulations – 29 CFR Part 825 Health Insurance Portability And Accountability Act, Title 45, Code of Federal Regulations – 45 CFR Part 160, Part 164

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	348. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	349. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	350. *RESERVED*

FREEPORT AREA SCHOOL DISTRICT	SECTION: EMPLOYEES TITLE: DRUG AND SUBSTANCE ABUSE ADOPTED: April 12, 2017 REVISED: June 12, 2024

351. DRUG AND SUBSTANCE ABUSE

Purpose

The Board recognizes that the misuse of controlled substances by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by controlled substance abuse by district employees, especially as it relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.

Definitions

Controlled Substances – shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.[1]

Conviction – for purposes of this policy, is defined as a finding of guilt, including a plea of nolo contendere, an imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.[2]

Criminal Drug Statute – a federal or state criminal statute involving the manufacture, distribution, dispensation, use or possession of a controlled substance.[2]

Drug-free Workplace – the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance.[2]

Authority

The Board requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction.[3][4]

	Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver or convicted of an offense defined as a felony under the Controlled Substance, Drug, Device and Cosmetic Act, shall be terminated from his/her employment with the district, in accordance with applicable law, regulations and Board policy.[1][3][5][6]
Delegation of Responsibility	A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent or designee and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.[4][7] Within ten (10) days after receiving notice of the conviction of a district employee, the district shall notify any federal agency or department that is the grantor of funds to the district.[4] The district shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.[4][6][7] In establishing a drug-free workplace awareness program, the Superintendent or designee shall inform employees about: [4] 1. Dangers of drug abuse in the workplace. 2. Board's policy of maintaining a drug-free workplace. 3. Availability of drug counseling, drug rehabilitation and employee assistance programs. 4. Penalties that may be imposed for drug abuse violations occurring in the workplace. The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.[4]
Guidelines	The Superintendent or designee shall immediately report incidents involving the prohibited possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while 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 law enforcement agency 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 law enforcement and Board policies.[8][9][10][11][12][13]

	In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of prohibited possession, use or sale of controlled substances or drug paraphernalia to the PA Department of Education on the required form.[8][9][13] **Legal References:** 1. 35 P.S. 780-101, *et seq.* 2. 41 U.S.C. 8101 3. 24 P.S. 111 4. 41 U.S.C. 8103 5. 24 P.S. 527 6. Pol. 317 7. 41 U.S.C. 8104 8. 24 P.S. 1306.2-B 9. 24 P.S. 1319-B 10. 22 PA Code 10.2 11. 22 PA Code 10.21 12. 35 P.S. 780-102 13. Pol. 805.1 41 U.S.C. 8101, *et seq.* Pol. 810.1 Pol. 810.3

SECTION 400

RESERVED

SECTION 500

RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: FISCAL OBJECTIVES

ADOPTED: August 9, 2017

REVISED:

	601. FISCAL OBJECTIVES
1. Purpose	The Board recognizes its responsibility to district taxpayers to ensure that public monies expended by the school district are utilized for delivery of the educational program in a manner that mandates full value to the taxpayers, and that adequate procedures and records are established to ensure that end.
2. Authority SC 439, 601, 602, 609, 610, 631, 634, 672, 687, 690, 751, 807.1, 1155 53 P.S. Sec. 6926.311	The Board has the authority and responsibility to prepare and adopt the budget, approve bids, levy taxes, approve each expenditure of the district, and incur debt in accordance with law.
SC 218	The district shall submit an annual financial report to the Secretary of Education by October 31 of each year, in accordance with law and the reporting standards established by the Pennsylvania Department of Education.
3. Delegation of Responsibility	To meet the goals of this policy, the Board directs the Business Manager to establish sound accounting procedures based upon recommendations of the district auditor and state and federal government, institute effective business practices, and recommend appropriate equipment and technology when necessary. The Business Manager shall review monthly the financial operations, report to the Board on effectiveness and recommended improvements, and prepare procedures for sound district and school fiscal operations.

	References: School Code – 24 P.S. Sec. 218, 439, 601, 602, 609, 610, 631, 634, 672, 687, 690, 751, 807.1, 1155 Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq. Board Policy – 000, 602, 603, 604, 605, 610, 611, 612, 614, 616, 619

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: BUDGET PLANNING

ADOPTED: August 9, 2017

REVISED:

602. BUDGET PLANNING

1. Authority
SC 601, 687

The budget shall be designed to reflect the Board's goals and objectives concerning the education of district students. Therefore, the budget shall be organized and planned to ensure adequate understanding of the financial needs associated with program support and development. The financial requirements of district programs shall be reviewed on a continual basis.

2. Delegation of Responsibility

To meet the objectives of this policy, the Board directs the Business Manager to:

1. Prepare an estimated annual cost for implementation of the district's educational program.
2. Establish a projected budget of expenditures and income for the current year and ensuing year.
3. Prepare an annual estimate of anticipated school enrollments.
4. Maintain a plan of anticipated revenues based on changes in local, state and federal funding sources.
5. Prepare a long-range plan for annual maintenance and replacement of facilities.
6. Prepare a plan for current and future technology needs.
7. Maintain an inventory and replacement schedule of all district equipment.
8. Report to the Board any serious financial implications arising from the budget plan.
9. Meet periodically with municipal, state and federal agencies to review their planned expenditures and the effect of school/community costs on district tax rates.

	References: School Code – 24 P.S. Sec. 601, 687

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: BUDGET PREPARATION

ADOPTED: August 9, 2017

REVISED:

603. BUDGET PREPARATION

1. Purpose	The Board considers preparation of an annual budget to be one of its most important responsibilities because the budget is the financial reflection of the district's educational plan. The budget shall be designed to support the educational plan in a comprehensive and efficient manner, to maintain district facilities, and to honor district obligations.
2. Authority SC 687	The Board recognizes its obligation to the taxpayers to approve only those expenses reasonably required to provide an educational program suitable to the needs and goals of this district and its students. The budget should be studied by each member of the Board during its preparation, and once adopted, it deserves the support of all members of the Board regardless of their position when adoption was voted.
3. Delegation of Responsibility SC 601, 687 53 P.S. Sec. 6926.311 Pol. 604	In order to ensure adequate time for preparation and review of the proposed/preliminary budget, the Board directs the Superintendent and Business Manager to present to the Board all available information associated with the budget prior to the primary election. The budget should evolve primarily from the needs of the individual schools and programs as expressed by the building principals and administration and be compatible with district goals and long-range plans. In preparing the budget, the responsible administrator(s) shall set general priorities for expenditures for: 1. Staff necessary to maintain current programs. 2. Technology, equipment and supplies necessary to maintain current programs. 3. Maintenance of existing technology, facilities and equipment.

	4. Additional staff necessary to improve or expand current programs. 5. New technology, equipment and supplies necessary to improve or expand current programs.
53 P.S. Sec. 6926.302	As a component of budget preparation, the Superintendent and Business Manager shall notify the Board of the appropriate Index to be used in limiting tax increases for the budget year. When presented for Board review, the proposed/preliminary budget shall contain: 1. Estimated revenue and expenditures in each financial category for the previous fiscal year. 2. Estimated revenue and expenditures in each financial category for the upcoming fiscal year. 3. Student enrollment for the upcoming school year by grades. 4. Amount of surplus anticipated at the end of the current fiscal year. 5. Explanation of each item of expense proposed, upon request.
53 P.S. Sec. 6926.333	6. Listing of all exceptions for which the district may be eligible. 7. Relation of the estimated tax increase to the Index limitation for the district. 8. Programs, services or expenditures to be eliminated if referendum is rejected. 9. Increase, if any, of tax rate in relation to the Index.
	References: School Code – 24 P.S. Sec. 601, 687 Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq. Board Policy – 604

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: BUDGET ADOPTION

ADOPTED: August 9, 2017

REVISED:

604. BUDGET ADOPTION

1. Purpose	It is the philosophy of the Board that the annual budget represents the position of the Board, and all reasonable means shall be employed to present and explain the preliminary and final budgets to district residents. Board members and district administrators shall be knowledgeable about, and understand the need for, proposed expenditures.
2. Definition	Index - the tax rate limit that restricts the school district from increasing the rate of any tax for the support of district schools without seeking voter approval through referendum or an exception granted by the Pennsylvania Department of Education (PDE) or the Court of Common Pleas with jurisdiction.
3. Delegation of Responsibility SC 687 53 P.S. Sec. 6926.311, 6926.312	The Board directs the Superintendent and Business Manager to prepare both the preliminary and final budgets on the required forms; comply with advertising requirements; and make the budget documents and supporting information available in printed form for public inspection in the district administrative offices, in accordance with the timelines specified in law and Board policy.
4. Authority	The Board shall annually, but not later than the first business meeting of January, decide the budget option to be used for the following fiscal year. The Board shall approve either the Accelerated Budget Process Option or the Board Resolution Option.
	<u>Accelerated Budget Process Option</u>
53 P.S. Sec. 6926.311	The preliminary budget shall be made available in printed form for public inspection at least 110 days prior to the primary election. Public inspection shall be available for at least twenty (20) days prior to planned adoption. The Board shall give public notice of its intent to adopt at least ten (10) days prior to adoption of the preliminary budget.

53 P.S. Sec. 6926.311	The Board may hold an advertised public hearing prior to adoption of the preliminary budget.
53 P.S. Sec. 6926.311	The Board shall annually adopt the preliminary budget at least ninety (90) days prior to the primary election.
53 P.S. Sec. 6926.333	If the preliminary budget exceeds the increase authorized by the Index, an application for an exception may be filed with either a Court of Common Pleas with jurisdiction or PDE and made available for public inspection, consistent with the requirements of law. The application for an exception shall be submitted by the Superintendent.
53 P.S. Sec. 6926.333	However, the Board may substitute the filing of an application for an exception to the Index limit by submitting a referendum question seeking voter approval for a tax increase, in accordance with law.
53 P.S. Sec. 6926.333	In the event that a court or PDE denies an application for an exception to the Index limit adopted as part of the preliminary budget, the Board may approve immediate filing of a referendum question, as authorized by law, seeking voter approval for a tax rate that exceeds the Index. This filing shall be performed by the Superintendent.
53 P.S. Sec. 6926.333	Any referendum question shall include an accompanying nonlegal, interpretative statement referencing the expenditure items for which a tax increase is being sought and the consequences that will result if the referendum question fails. Such information shall be made available to the public through the district website and other media resources.
	Prior to adoption, the final budget shall be presented to the Board on the required form and supplemented with information deemed necessary by the Board.
53 P.S. Sec. 6926.312	The final budget shall be made available in print for public inspection at least twenty (20) days prior to final adoption. The Board shall give notice of its intent to adopt at least ten (10) days prior to adoption of the final budget.
SC 508, 687	The Board shall annually adopt the final budget by a majority vote of all members of the Board prior to June 30.
	<u>Board Resolution Option</u>
53 P.S. Sec. 6926.311	The Board shall adopt a resolution that it will not raise the rate of any tax for the following fiscal year by more than the Index. Such resolution shall be adopted no later than 110 days prior to the primary election and must contain the following unconditional certifications that:

	1. The Board will not increase any tax at a rate that exceeds the school district Index. 2. The Board will comply with Section 687 of the School Code for budget adoption. 3. The increase of any tax at a rate less than or equal to the Index will be sufficient to balance its final budget.
SC 687	At least thirty (30) days prior to adoption of the final budget, the Board shall prepare and present a proposed budget on the required form. The proposed budget shall be made available in print for public inspection and duplication at the district administrative offices at least twenty (20) days prior to adoption of the budget. The Board shall give public notice of its intent to adopt at least ten (10) days prior to adoption of the proposed budget. <u>Final Budget</u>
SC 508, 687	The Board shall annually adopt the final budget by a majority vote of all members of the Board by June 30. References: School Code – 24 P.S. Sec. 508, 687 Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: TAX LEVY

ADOPTED: August 9, 2017

REVISED:

	605. TAX LEVY
1. Authority SC 602, 603, 672, 673, 674, 676, 679, 680 53 P.S. Sec. 6924.101 et seq, 6926.301 et seq	The Board shall annually determine and establish school district taxes that are authorized by law, within the limitations imposed by applicable laws. The Board shall provide the means to levy and collect such taxes. References: School Code – 24 P.S. Sec. 602, 603, 672, 672.1, 672.2, 673, 674, 676, 679, 680 Local Tax Enabling Law – 53 P.S. Sec. 6924.101 et seq. Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: TAX COLLECTION

ADOPTED: August 9, 2017

REVISED:

606. TAX COLLECTION

1. Authority SC 683, 684	Real estate and per capita taxes provided for in the School Code shall be collected by the elected or appointed tax collector, who shall be properly bonded during the term of office.
53 P.S. Sec. 6924.313, 6926.322	All other taxes shall be collected by the elected or appointed and properly bonded tax collector.
2. Delegation of Responsibility SC 439	All taxes shall be collected and remitted to the district Treasurer within thirty (30) days of collection or sooner, as may be directed by the Board Secretary or Treasurer, with a report detailing the sources of tax revenues.
SC 433, 684	The Board Secretary shall be responsible to ascertain that a tax collector is properly bonded and shall submit information on estimated collection required to set proper bond. All monies received from the tax collectors shall be deposited on the day of receipt or as soon as possible, and all receipts shall be supported by documentary evidence. Preparation of tax bills shall be conducted under the direction of the Business Manager by the most economical method. References: School Code – 24 P.S. Sec. 433, 439, 683, 684 Local Tax Enabling Law – 53 P.S. Sec. 6924.101 et seq. Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq. Board Policy – 605

FREEPORT AREA SCHOOL DISTRICT	SECTION: FINANCES TITLE: TUITION INCOME ADOPTED: August 9, 2017 REVISED: October 9, 2024

607. TUITION INCOME

Authority

Tuition shall be assessed for those students who are residents of another school district but whose attendance within this district has been approved by the Board, in accordance with applicable law and Board policy.[1][2][3]

Delegation of Responsibility

It shall be the responsibility of the Business Manager to invoice tuition for approved students.

Guidelines

Tuition rates shall be determined annually.[1][3]

Tuition billings will be made monthly in advance of the attendance period.

When payment is more than thirty (30) days overdue, services will be terminated, and a student may be disenrolled in accordance with applicable law and Board policy.[2]

When a student attends more than two (2) weeks, the sender will be charged for a full month of tuition.

Legal References:

1. 24 P.S. 1316
2. Pol. 202
3. 24 P.S. 2561

24 P.S. 1301
24 P.S. 1302
24 P.S. 1306
24 P.S. 1307
24 P.S. 1308
24 P.S. 1309
24 P.S. 1310
24 P.S. 1313
24 P.S. 2503

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: BANK ACCOUNTS

ADOPTED: August 9, 2017

REVISED:

608. BANK ACCOUNTS

1. Authority SC 508, 621	The Board, by a majority vote of the full Board, shall designate one or more banks or bank and trust companies as depositories for the safeguarding of school funds.
SC 440, 624	Each depository shall be required to report monthly to the Treasurer or Board on the status of funds, in the manner required by law.
SC 621, 622, 623	Each designated depository shall furnish proper security for deposits in the amount designated by the Board and in accordance with law.
2. Guidelines	Each designated depository shall be advised not to cash checks payable to the school district but to deposit said checks to the district accounts. The Board may annually obtain quotations for specified banking services prior to designating its depositories. References: School Code – 24 P.S. Sec. 440, 508, 621, 622, 623, 624, 625

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: INVESTMENT OF DISTRICT FUNDS

ADOPTED: August 9, 2017

REVISED:

609. INVESTMENT OF DISTRICT FUNDS

1. Purpose

It shall be the policy of the Board to optimize its return on funds available for investment through investment of cash balances in such a way as to minimize non-invested balances and to maximize return on investments consistent with the following principles:

Legality - All investments shall be made in accordance with applicable laws of Pennsylvania.

Safety – Preservation of principal shall be of highest priority. Preservation of principal in the portfolio of investments shall be ensured by diversification and other means of minimizing credit risk, including avoidance of concentration of credit risk, market risk and interest rate risk, and by thoroughly investigating and reviewing the performance of all investment providers and professionals.

Liquidity - Investments shall remain sufficiently liquid to meet all operating requirements that are reasonably anticipated. A fiscal year operations anticipated cash flow shall be developed so that investments can be made as early as possible, with maturities consistent with anticipated cash demands.

Yield - Investments shall be made with the objective of attaining a market-average rate of return throughout the budgetary and economic cycles, taking into account investment risk constraints and liquidity needs.

2. Authority
SC 440.1, 621, 622, 623
53 P.S. Sec. 5406,5410.1

The Investment Officer designated by the Board shall implement the school district's investment program in accordance with this policy, applicable laws and the annual investment plan approved by the Board.

3. Definitions **SC 440.1** **53 P.S.** **Sec. 5406,5410.1**	**Act 10 Permissible Investments –** Any type of investment permitted under Act 10 of March 25, 2016, (53 P.S. Sec. 5406, 5410.1) that is not among the types of investments permitted under Section 440.1 of the Public School Code of 1949, Act of March 10, 1949, (P.L. 30, No. 14) as last amended by the Act of June 30, 1995, (P.L. 220, No. 26).
SC 440.1	**School Code Permissible Investments –** Any investment permitted under Section 440.1 of the Public School Code of 1949, Act of March 10, 1949, (P.L. 30, No. 14) as last amended by the Act of June 30, 1995, (P.L. 220, No. 26). **Short-term** - Any period thirteen (13) months or less. **Long-term** - Any period exceeding forty-eight (48) months' duration. **Mid-range** - Any period between short-term and long-term. **Bankers' acceptances –** Bankers' acceptances generally are created based on a letter of credit issued in a foreign trade transaction. Bankers' acceptances are short-term, non-interest-bearing notes sold at a discount and redeemed by the accepting banks at maturity for face value. **Collateral –** Security pledged by a financial institution to a governmental entity for its deposit. **Commercial paper –** An unsecured promissory note issued primarily by corporations for a specific amount and maturing on a specific day. The maximum maturity for commercial paper is 270 days, but most is sold with maturities of up to thirty (30) days. Almost all commercial paper is rated as to credit risk by rating services. **Concentration of credit risk** – The risk of loss attributed to the magnitude of a government's investment in a single issuer, pool, institution, or instrument. **Counterparty –** Another party to a transaction. In the case of deposits and investments made by governmental entities, a counterparty could be the issuer of a security, a financial institution holding a deposit, a broker-dealer selling securities, or a third party holding securities or collateral. **Credit risk –** The risk that a counterparty to an investment transaction will not fulfill its obligations. Overall credit risk can be associated with the issuer of a security, with a financial institution holding deposits, or with a party holding securities or collateral. Credit risk exposure can be affected by a concentration of deposits or investments in any one (1) investment type or with any one (1) counterparty.

	Custodial credit risk – The custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of investment or collateral securities that are in the possession of an outside party. **Foreign currency risk –** The risk that changes in exchange rates will adversely affect the fair value of an investment or a deposit. Investments depending on substantial overseas activities or markets may present related foreign currency risk. **Interest rate risk -** The risk that changes in interest rates will adversely affect the fair value of an investment. **Issuer –** The entity that has the authority to distribute a security or other investment. A bond issuer is the entity that is legally obligated to make principal and interest payments to bond holders. In the case of mutual funds, external investment pools, and other pooled investments, issuer refers to the entity invested in, not the investment company-manager or pool sponsor. **Investment plan –** The school district's specifically enumerated investment strategy approved annually by the Board.
SC 521 **53 Pa. C.S.A.** **Sec. 2301 et seq.**	**Local Government Investment Pool (LGIP) –** An investment trust or pool organized by groups of political subdivisions or municipal authorities pursuant to Section 521 of the Public School Code of 1949, or pursuant to the Intergovernmental Cooperation Law, 53 Pa. C.S.A. Sec. 2301 et seq., for the purpose of investing funds of such political subdivisions or municipal authorities for their exclusive benefit and in accordance with the laws governing their permissible investments. LGIPs include, but are not limited to, the Pennsylvania School District Liquid Asset Fund (PSDLAF), the Pennsylvania Local Government Investment Trust (PLGIT), and for purposes of this policy, the PA INVEST program operated by the Pennsylvania Treasury Department. **Market risk –** The risk that the market value of an investment, collateral protecting a deposit, or securities underlying a repurchase agreement will decline. Market risk is affected by the length to maturity of a security, the need to liquidate a security before maturity, the extent that collateral exceeds the amount invested, and the frequency at which the amount of collateral is adjusted for changing market values.

	Repurchase agreement – a. An agreement in which a governmental entity (buyer-lender) transfers cash to a broker-dealer or financial institution (seller-borrower); the broker-dealer or financial institution transfers securities to the entity and promises to repay the cash plus interest in exchange for the same securities. b. A generic term for an agreement in which a governmental entity (buyer-lender) transfers cash to a broker-dealer or financial institution (seller-borrower); the broker-dealer or financial institution transfers securities to the entity and promises to repay the cash plus interest in exchange for the same securities (as in definition (a) above) or for different securities.
SC 440.1 **15 U.S.C.** **Sec. 77a et seq.** **80a-1 et seq.**	**Weighted average maturity –** A weighted average maturity measure expresses investment time horizons—the time when investments become due and payable—in years or months, weighted to reflect the dollar size of individual investments within an investment type.
4. Delegation of Responsibility **SC 440.1**	The Board designates the Business Manager as the Investment Officer who shall implement the school district's investment program in accordance with this policy, related procedures, applicable laws and the annual investment plan approved by the board. The Investment Officer shall prepare, for approval of the Board, an annual investment plan for all general and segregated/designated funds of the district (i.e., general, capital reserve, bond, etc.), including bond proceeds, taking into account the anticipated liquidity needs of each fund. The plan may provide for moneys from more than one (1) fund under school district control for the purchase of any single investment, provided that each of the funds combined for the purpose shall be accounted for separately in all respects and that the earnings from the investment are separately and individually computed and recorded, and credited to the accounts from which the investment was purchased.
SC 511 **Pol. 618**	The plan shall not encompass the investment of any student activity or class-related funds separately managed pursuant to School Code Section 511. The annual investment plan shall be submitted to the Board for review and approval no later than sixty (60) days after adoption of the annual budget.

	The Investment Officer shall report monthly to the Board on the following: 1. Amount of funds invested. 2. Interest earned and received to date. 3. Types and amounts of each investment and the interest rate on each. 4. Names of the institutions where investments are placed. 5. The means by which any deposits exceeding insurance limits are collateralized.
SC 624 **Pol. 608**	This report may, but is not required to, include the information regarding depository balances, earnings and transactions required by the School Code to be reported to the Board monthly as set forth in Policy 608. The Board directs the Superintendent and Investment Officer to develop, for approval by the Board as an appendix to this policy, specific due diligence and risk mitigation measures for: 1. Evaluating and mitigating the risks associated with each investment; 2. Investigating, selecting and evaluating the performance of investment advisors and investment professionals; 3. Specifying standards for audits of investment transactions; and 4. Determining the qualifications, training, standards and disclosures required for district employees performing functions relating to the district's investment program.
5. Guidelines **SC 440.1**	Investments permitted by this policy are those defined in law and enumerated in this policy that are appropriately collateralized in accordance with this policy and applicable laws. **<u>School Code Permissible Investments</u>** 1. United States Treasury bills. 2. Short-term obligations of the United States Government or its agencies or instrumentalities. 3. Deposits in savings accounts or time deposits or share accounts of institutions insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC) or the National Credit Union Share Insurance Fund (NCUSIF) to the extent that such accounts are so insured, and, for any amounts above the insured maximum, provided that approved collateral as provided by law therefore shall be pledged by the depository.

17 CFR	4. Obligations of the United States of America or any of its agencies or instrumentalities backed by the full faith and credit of the United States of America, the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the Commonwealth, or of any political subdivision of the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the political subdivision. 5. Shares of an investment company registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. Sec. 80a-1 et seq.), whose shares are registered under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C. Sec. 77a et seq.). Provided, that the following are met: a. The only investments of that company are in the authorized investments for school district funds listed in items 1 through 4 above and repurchase agreements fully collateralized by such investments. b. The investment company is managed so as to maintain its shares at a constant net asset value in accordance with 17 CFR Sec. 270 2a-7 (relating to money market funds). c. The investment company is rated in the highest category by a nationally recognized statistical rating organization. 6. Local Government Investment Pools (LGIPs) as defined in this policy. 7. Repurchase agreements with respect to U.S. Treasury bills or obligations, participations or other instruments of or guaranteed by the U.S. or any federal agency, instrumentality or U.S. government-sponsored enterprise. **<u>Act 10 Permissible Investments</u>** 1. Obligations, participations or other instruments of any federal agency, instrumentality or U.S. government-sponsored enterprise if the debt obligations are rated at least "A" or its equivalent by at least two (2) nationally recognized statistical ratings organizations. 2. Commercial paper issued by corporations or other business entities organized in accordance with federal or state law, with a maturity not to exceed 270 days, if the issuing corporation or business entity is rated in the top short-term category by at least two (2) nationally recognized statistical ratings organizations.

	3. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances, if the bankers' acceptances do not exceed 180 days maturity and the accepting bank is rated in the top short-term category by at least two (2) nationally recognized statistical ratings organizations. 4. Shares of an investment company registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. Sec. 80a-1, et seq.) whose shares are registered under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C. Sec. 77a et seq.), if all of the following conditions are met: a. The investments of the company are the authorized investments under 53 P.S. §5410.1, subsection (a) (Act 10, Section 1.1(a)). b. The investment company is managed in accordance with 17 CFR Sec. 270.2a-7 (relating to money market funds). c. The investment company is rated in the highest category by a nationally recognized rating agency. **<u>Management of Investments and Collateral</u>**
SC 440.1	All securities or other investments in which the school district invests or that collateralize school district investments shall be managed as provided in this policy and in the school district's investment plan annually approved by the Board. The plan shall require that securities purchased as investments be purchased in the name of the school district and held in custody for the benefit of the school district as provided in the investment plan and authorized custodian agreements. The plan may make exceptions to such requirements for investments in LGIPs as defined in this policy, or for the purchase of shares of an investment company. If, after purchase, the rating of any instrument is reduced and no longer in compliance with Board policy, the individual responsible for district investments shall advise the Board at the earliest opportunity of such action and make recommendations for altering the investments. The foregoing rating change related requirement does not apply to investments in LGIPs as defined in this policy. For purposes of interest rate disclosure in the annual financial report, the method of determining interest rate risk shall be based on weighted average maturity.

	Foreign Currency and Related Risk
53 Pa. C.S.A. Sec. 8001 et seq.	District funds shall not be invested in foreign currency. To the extent other permissible investments are exposed to related foreign currency risk, they shall be disclosed as required by GASB Statement 40.
	Bond Proceeds
	Investment of bond proceeds shall be managed and reported to the Board in accordance with the Local Government Unit Debt Act, this policy, and applicable federal and state laws.
	Protection of Savings Accounts, Time Deposits, Share Accounts or Other Depository Balances in Excess of FDIC Insurance Limits
SC 440.1 72 P.S. Sec.3836-1 et seq.	When district cash is deposited in any savings account, time deposit, share account or other authorized depository account other than a Local Government Investment Pool (LGIP), if the cash balance exceeds FDIC insurance limits, district funds shall be collateralized in one or more of the following ways: 1. An Irrevocable Letter of Credit (LOC) issued by a Federal Home Loan Bank (FHLB). 2. Tri-Party Collateral in the name of the school district consisting of the following underlying securities only: a. U.S. Treasury Securities. b. Obligations, participations or other instruments of any federal agency, instrumentality or U.S. government-sponsored enterprise if the debt obligations are rated at least "A" or its equivalent by at least two (2) nationally recognized statistical ratings organizations.
72 P.S. Sec.3836-1 et seq.	3. Assets pledged as collateral in accordance with the act of August 6, 1971, (P.L. 281, No.72), 72 P.S. Sec. 3836-1 et seq. (relating to pledges of assets to secure deposits of public funds, whether or not pooled). It shall be the responsibility of the Investment Officer to verify with the depository the value of the collateral instrument(s) based on the instrument being "marked to market." This valuation shall occur at least monthly.

Following a review of valuation, the Investment Officer may request an additional review by the district's investment advisors or financial consultant, and shall require additional collateral if the existing collateral has declined in value and exposes the district to potential loss of principal. The status of the valuation review and any additional collateral shall be included in an annual report to the Board regarding the investment program.

Reporting Requirement for Local Government Investment Pools (LGIPs)

Local Government Investment Pools (LGIPs) pool the resources of participating government entities and invest in various securities as permitted under state law, so that participating governments can benefit from economies of scale, professional fund management and other advantages.

Recognizing that LGIPs invest directly in permissible securities on behalf of the participating government entities, which in turn have proportional ownership rights in those securities, district investments in a LGIP shall not be subject to the collateral requirements of this policy, provided that the LGIP:

1. Makes available to participants daily and monthly statements, and other information from which the status of the investments can be verified; and

2. Provides an audited annual financial report to each participating government entity.

Further Risk Mitigation for Act 10 Permissible Investments

Recognizing that Act 10 of 2016 expanded the range of permissible investments to include investments with the potential to expose the school district to elevated levels of credit risk and other investment risks, the Board directs that any investment plan or investment recommendations proposed by the Investment Officer take into account, implement and highlight the following factors and precautions with respect to Act 10 Permissible Investments:

1. A significantly more thorough level of due diligence is required.

2. In addition to verification of rating by a nationally recognized statistical rating organization and other due diligence requirements, the investigation of Act 10 Permissible Investments shall include ensuring that there is an independent credit review (a qualified financial services organization with an active and recognized credit analysis team is also monitoring the issuer, in addition to the nationally recognized statistical rating organization(s)).

	3. Act 10 Permissible Investments shall be limited to no more than ten percent (10%) of district funds for investment, excluding bond proceeds and refunding escrow balances.
	Audit
Pol. 619	The Board directs that all investment records be subject to annual audit by the district's independent auditors. The audit shall include but not be limited to independent verification of amounts and records of all transactions, as deemed necessary by the independent auditors.
	Conflict of Interest Avoidance and Disclosure
65 Pa. C.S.A. Sec. 1101 et seq.	The Investment Officer and any other district employee performing functions related to the investment program shall disclose in writing to the Board any material conflict of interest or material potential conflict of interest which exists because of personal relationships or personal business activity between the Investment Officer or other employees and any depository institution, broker, dealer, investment advisor, or other investment provider or professional serving the district. The Investment Officer or other employees shall refrain from any personal business activity that could impair ability to make impartial decisions in managing the annual investment plan. All depository institutions, repurchase agreement providers, brokers, and investment advisors and managers shall disclose in writing to the district: (1) any fees or other compensation paid to or received from a third party with respect to any district investment; and (2) any ownership of or by a parent corporation which owns any other depository institution, broker, dealer, investment advisor, or other investment provider or professional which does business with the district. All investment advisors shall verify in writing that they have received and reviewed a copy of this Board policy and agree to comply with this policy and all applicable laws related to school district investments.

	References: School Code – 24 P.S. Sec. 218, 440.1, 511, 521, 621, 622, 623, 624 Intergovernmental Cooperation Law – 53 Pa. C.S.A. Sec. 2301 et seq. Local Government Unit Debt Act – 53 Pa. C.S.A. Sec. 8001 et seq. Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq. Security of Public Deposits – 72 P.S. Sec. 3836-1 et seq. (Act 72 of 1971) Act 10 of 2016 – Investment of Public Corporation or Authority Funds – Act of Mar. 25, 2016, P.L. 72, No. 10, 53 P.S. Sec. 5406, 5410.1 Securities and Trust Indentures – 15 U.S.C. Sec. 77a et seq. Investment Companies – 15 U.S.C. Sec. 80a-1 et seq. Investment Companies, Title 17, Code of Federal Regulations – 17 CFR Part 270 Governmental Accounting Standards Board, Statement No. 3, as amended by Statement 40 Governmental Accounting Standards Board, Statement 40 Board Policy – 608, 618, 619

FREEPORT AREA SCHOOL DISTRICT	SECTION: FINANCES TITLE: PURCHASES SUBJECT TO BID/QUOTATION ADOPTED: August 9, 2017 REVISED: March 12, 2020 January 13, 2022

610. PURCHASES SUBJECT TO BID/QUOTATION

Authority

It is the policy of the Board to obtain competitive bids and price quotations for products and services where such bids or quotations are required by law or may result in monetary savings to the school district.[1][2]

Guidelines

The amounts contained in this policy regarding competitive bid and price quotation requirements are subject to adjustments based on the Consumer Price Index.[1][2][3]

Competitive Bids

When seeking competitive bids, the Board shall advertise once a week for three (3) weeks in not less than two (2) newspapers of general circulation.[1][2]

After due public notice advertising for competitive bids, the Board shall be authorized to:

1. Purchase furniture, equipment, school supplies and appliances costing a base amount according to that as published in the PA Bulletin, Consumer Price Index Adjustment of Base Amounts on Bids, effective January 1st of each year, unless exempt by law.[2]

2. Contract for construction, reconstruction, repairs, maintenance or work on any school building or property having a total cost or value of the amount stipulated in that as published in the PA Bulletin, Consumer Price Index Adjustment of Base Amounts on Bids, effective January 1st of each year, unless exempt by law.[1]

The Board prohibits the practice of splitting purchases to avoid advertising and bidding requirements.[1][2]

With kind, quality and material being equal, the bid of the lowest responsible bidder meeting bid specifications shall be accepted upon resolution of the Board, unless the Board chooses to reject all bids.[1][2]

The Board recognizes that emergencies may occur when imminent danger exists to persons or property or continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action. Bidding decisions in the event of such emergencies shall be made in accordance with existing legal requirements.[1]

Electronic Bidding

The Board authorizes the receipt of bids electronically for competitive contracts, except for construction and design services, when determined by the administration to be in the interests of the district, in compliance with applicable laws and Board policy.[4][5]

The district shall electronically maintain the confidentiality of the bid until the bid opening.[5]

Competitive Electronic Auction Bidding

The Board may, by adoption of a resolution, authorize the use of competitive electronic auction bidding for contracts for supplies or services, but not for construction or design services.[4][6]

An invitation for bids shall be issued and shall include:[6]

1. Procurement description.
2. All contractual terms, when practical.
3. Conditions applicable to procurement, including a notice that bids will be received in an electronic auction manner.

Public notice and advertisement of the invitation for bids shall be given in the manner required for non-electronic bidding.

Bids shall be accepted electronically at the time and in the manner designated in the invitation for bids.

During the auction, bidders shall be able to review their bid rank or the low bid price, and may reduce their bid prices during the auction.

At the conclusion of the auction, the record of the bid prices received and the name of each bidder shall be open to public inspection.

	After the auction period has expired, the district shall grant in writing withdrawal of a bid when the bidder requests relief and presents credible evidence of a clerical mistake due to reasons permitted by law, within the time period established by the district. The contract shall be awarded within sixty (60) days of the auction by written notice to the lowest responsible bidder, or all bids may be rejected. Extensions of the award date may be made by written, mutual consent of both parties. <u>Price Quotations</u> Unless exempt by law, at least three (3) written or telephonic price quotations shall be requested by the Board for:[1][2] 1. Furniture, equipment, school supplies and appliances costing a base amount according to that as published in the PA Bulletin, Consumer Price Index Adjustment of Base Amounts on Bids, effective January 1st of each year.[2] 2. All contracts for construction, reconstruction, repairs, maintenance or work on any school building or property, having a total cost or value of the amount stipulated in that as published in the PA Bulletin, Consumer Price Index Adjustment of Base Amounts on Bids, effective January 1st of each year.[1] If it is not possible to obtain three (3) quotations, a memorandum must be kept on file showing that fewer than three (3) qualified vendors exist in the market area. The written price quotations, written records of telephonic price quotations and memoranda shall be kept on file for three (3) years. <u>Work Performed by District Maintenance Personnel</u> The Board may authorize district maintenance personnel to perform construction, reconstruction, repairs or work having a total cost or value stipulated in that as published in the PA Bulletin, Consumer Price Index Adjustment of Base Amounts on Bids, effective January 1st of each year.[1]
Delegation of Responsibility	The Board may grant the Board Secretary the authority to purchase supplies and award contracts in the amount and manner designated by applicable law.[1][2]

	Legal References 1. 24 P.S. 751 2. 24 P.S. 807.1 3. 24 P.S. 120 4. 62 Pa. C.S.A. 4602 5. 62 Pa. C.S.A. 4603 6. 62 Pa. C.S.A. 4604 62 Pa. C.S.A. 4601, et seq.

FREEPORT AREA SCHOOL DISTRICT	SECTION: FINANCES TITLE: PURCHASES BUDGETED ADOPTED: August 9, 2017 REVISED: March 12, 2020 January 13, 2022

611. PURCHASES BUDGETED

Authority

It is the policy of the Board that when funds are available all purchases contemplated within the current budget and not subject to bid shall be made in a manner that ensures the best interests of the district.[1][2].

Delegation of Responsibility

All purchases that are within budgetary limits may be made upon authorization of the Superintendent or designee, unless the contemplated purchase is for more than the base amount as published annually by the Pennsylvania Department of Labor and Industry, in which case prior approval by the Board is required.[1][2][3]

All purchase order requests must be referred to the building principal or immediate supervisor, who shall check whether the proposed purchase is subject to bid; whether sufficient funds exist in the budget; and whether the material might be available elsewhere in the district.[1][2][3]

Legal References

1. 24 P.S. 751
2. 24 P.S. 807.1
3. 24 P.S. 609

24 P.S. 508

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PURCHASES NOT BUDGETED

ADOPTED: August 9, 2017

REVISED:

612. PURCHASES NOT BUDGETED

1. Purpose

The laws of the state and the interests of the community require fiscal responsibility by the Board in the operation of the school district. Appropriate fiscal controls shall be adopted to ensure that public funds are not disbursed in amounts in excess of the appropriations provided to the district.

2. Authority
SC 607, 609, 631, 687

When funds are not available for a proposed appropriation, a legal transfer from one class of expenditure to another may be made by the Board in the last nine (9) months of the fiscal year if it is apparent that the necessary surplus funds do exist in another appropriation, the procedures specified in the School Code are followed, and it can be demonstrated that the proposed expenditure would be educationally warranted in the current fiscal year.

3. Guidelines
Pol. 611

Under normal conditions, planned purchases that would exceed the amount appropriated by no more than a reasonable amount may be placed in accordance with Board policy by the Superintendent or designee provided a sufficient amount is available in some other budget category for transfer by the Board to cover the purchase.

When the proposed purchase would exceed the appropriation by more than a reasonable amount and up to as much as $10,000, such orders may only be placed by the Superintendent or designee.

In the event of emergency, which exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes, a purchase order up to the amount of $10,000 may be authorized by the Superintendent or designee.

When budgeted funds are allocated on a building basis, the total amount budgeted may not be exceeded without prior approval.

	Any expenditures in excess of appropriation made in conformance with this policy shall be reported to the Board at the next meeting, with a recommendation of funds to be transferred to cover said purchase. References: School Code – 24 P.S. Sec. 607, 609, 631, 687 Board Policy – 611

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: COOPERATIVE PURCHASING

ADOPTED: August 9, 2017

REVISED:

613. COOPERATIVE PURCHASING

1. Authority
SC 521, 751, 807.1
53 Pa. C.S.A. Sec. 2303

The Board recognizes the advantages of centralized purchasing. Therefore, 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.

2. Delegation of Responsibility

The Board authorizes the Superintendent or designee to negotiate appropriate cooperative purchase agreements with other political subdivisions, in accordance with law and Board policy.

3. Guidelines
53 Pa. C.S.A. Sec. 2301 et seq.

Cooperative purchases require an agreement approved by the Board and the participating contracting body(s) which shall specify:

1. The categories of equipment and supplies to be purchased;
2. The manner of advertising for bids and of awarding contracts;
3. The method of payment by each participating party; and
4. Such other matters as may be deemed necessary to carry out the purposes of the agreement.

All such agreements must conform to relevant provisions of the School Code.

References:

School Code – 24 P.S. Sec. 521, 751, 807.1

Intergovernmental Cooperation – 53 Pa. C.S.A. Sec. 2301 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PAYROLL AUTHORIZATION

ADOPTED: August 9, 2017

REVISED:

614. PAYROLL AUTHORIZATION

1. Authority
Pol. 302, 304, 305, 306, 308, 328

Employment of all permanent, temporary and part-time district personnel must be approved by the Board. The Board shall authorize payment of salaries to employees.

Actions by the Board to employ staff on a contractual basis may include the name of the individual, position title, salary, period of employment, position classification, method of payment, and budget category to which the wages are to be charged.

Actions by the Board to employ temporary or part-time personnel may include the name of the individual, position title, rate of pay, effective starting date, termination date if applicable, position classification, the maximum number of hours or days an employee may work, school or vocation assignment, and budget category to which wages are to be charged.

The minutes of Board meetings shall record all actions with regard to resignation, retirement, death or discharge of all employees, or nonretention of a temporary professional employee. Each action shall include the name of the employee, date upon which salary or wages will terminate, and position formerly held.

2. Guidelines

Daily sign-in and sign-out procedures adequate to meet wage and hour requirements and Board policy are required of all employees.

Salary or wages may be withheld for unapproved time off, in accordance with established procedures, by the Superintendent or designee.

Pol. 330

Overtime can be scheduled and paid only when authorized in advance by the Superintendent, Program Director, building principal, Business Manager, Food Service Director, or Supervisor of Buildings and Grounds.

	All overtime authorization must be subsequently reviewed and approved by the Superintendent or designee. The warrant for the net amount of the payroll shall be deposited to special accounts for disbursement upon receipt of the certified payroll by the Treasurer. The payroll shall be certified by the Business Manager. References: School Code – 24 P.S. Sec. 406, 1001, 1106, 1107 Board Policy – 302, 304, 305, 306, 308, 328, 330

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PAYROLL DEDUCTIONS

ADOPTED: August 9, 2017

REVISED:

	615. PAYROLL DEDUCTIONS
1. Purpose	The Board may, at its discretion, act on behalf of individual employees to deduct a certain amount from the employee's paycheck and to remit an equal amount to an agent designated by the employee. It is the intent of this policy to designate those purposes not otherwise mandated by law for which the Board is willing to act on behalf of the employee.
2. Authority	No deduction may be made from the wages of an employee except for federal or state income tax, PA unemployment, county tax, municipal or school taxes, social security and School Employees' Retirement Fund without proper authorization by the employee.
SC 513	The Board shall permit deductions from an employee's paycheck upon proper authorization on the appropriate district form for approved purposes.
	References:
	School Code – 24 P.S. Sec. 513

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PAYMENT OF BILLS

ADOPTED: August 9, 2017

REVISED:

616. PAYMENT OF BILLS

1. Purpose

It is the Board's intent to direct prompt payment of bills but at the same time to ensure that due care has been taken in the review of district bills.

2. Authority
SC 439, 607, 1155

Each bill or obligation of this district must be fully itemized, verified and approved by the Board before a check can be drawn for its payment, except that the Board Secretary is permitted to draw payment orders for:

SC 427, 439

1. The prompt payment of items that will accrue to the district's advantage.
2. Progress payments to contractors specified in a contract approved by the Board.
3. Orders to cover approved payrolls and agency account deposits.
4. Utility bills in months the Board does not meet.

3. Delegation of Responsibility

It shall be the responsibility of the Business Manager or designee upon receipt of an invoice to verify that the purchase invoice is in order, goods were received in acceptable condition or services were satisfactorily rendered, funds are available to cover the payment, the Board had budgeted for the item, and invoice is for the amount contracted.

Should the invoice vary from the acknowledged purchase order, the Business Manager or designee shall document on the invoice the reason for such variance and inform the Superintendent of any unreasonable variations.

SC 607, 609, 687
Pol. 612

Should funds not be available in the account to which a proposed purchase will be charged, the Business Manager or designee shall determine the overage and request the Board make a legal transfer to cover it.

All claims for payment shall be submitted to the Board and recorded in the minutes of the Board meeting.

	The list of bills shall include for each: 1. Check number. 2. Check date. 3. Vendor name/number. 4. Amount of remittance. 5. Reason for remittance. 6. Account charged. Prior to the Board's consideration of the bills for payment, items awarded by sealed bid shall be reviewed and evaluated by the Business Manager.
SC 439	Upon approval of an order, the Business Manager or designee shall prepare a check for payment and cancel the commitment placed against the appropriate account.
SC 427, 433, 439	All checks approved by the Board shall be signed by the President, Board Secretary, and Treasurer.
SC 428	The Vice-President may sign for the President.
4. Guidelines **65 P.S.** **Sec. 302**	Signatures of the President, Vice-President, Treasurer and Board Secretary may be engraved on a signature plate or stamp which shall be secured by the Business Manager. No check shall be made out to cash. <u>Sales Tax</u>
Title 61 **Sec. 32.23** **72 P.S.** **Sec. 7204**	The district is exempt from sales tax on the purchase of tangible, personal property or services that are sold or used by the district. The district shall control use of its sales tax exemption number issued by the Department of Revenue, in compliance with established regulations. The exemption number shall be used only when buying property or services for district use.
Title 61 **Sec. 32.23** **72 P.S.** **Sec. 7208** **Pol. 618**	The district shall obtain a sales tax license number for school organizations who purchase items to be resold.

	In order to monitor these activities, the Business Manager shall develop procedures to assure coordination and accumulation of information and proper reporting and remittance to the Department of Revenue. References: School Code – 24 P.S. Sec. 427, 428, 433, 439, 607, 608, 609, 610, 687, 1155 Department of Revenue Regulations – 61 PA Code Sec. 32.23 Uniform Facsimile Signature of Public Officials Act – 65 P.S. Sec. 302 Exclusion From Tax – 72 P.S. Sec. 7204, 7208 Board Policy – 612, 618

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PETTY CASH

ADOPTED: August 9, 2017

REVISED:

617. PETTY CASH

1. Purpose

Petty cash funds may be used for designated purposes but shall be subject to adequate controls and safeguards.

2. Authority

The Board authorizes the establishment of petty cash funds under the control of designated employees in district buildings.

3. Delegation of Responsibility

Each responsible employee shall ensure that:

1. No single purchase for petty cash exceeds $100.00;
2. Each request for funds is made in writing with any confirming papers attached and is signed by the requester;
3. Funds are not used to circumvent the regular purchasing procedure; and
4. The petty cash box is secured daily.

Pol. 811

The person responsible for each petty cash fund shall be bonded in accordance with Board Policy, shall prepare a total of the disbursement slips on a monthly basis, shall show the expenditures by account and submit such documentation to the Business Manager with a voucher requesting replenishment in a like amount.

4. Guidelines

All petty cash funds will be closed out for audit at the end of the school year.

Petty cash funds may not be used to accommodate the cashing of personal checks.

References:

School Code – 24 P.S. Sec. 510

Board Policy – 811

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: STUDENT ACTIVITY FUNDS

ADOPTED: August 9, 2017

REVISED:

618. STUDENT ACTIVITY FUNDS

1. Purpose

The Board is responsible for adopting and enforcing reasonable policy and rules regarding the management, supervision, control and prohibition of student activities, including raising and disbursing funds.

2. Definition

For purposes of this policy, student activity funds shall include the funds of Board-approved student groups. Student activity funds shall be raised by students and expended for purposes related to the activity, with student participation in the decision-making process regarding these areas.

3. Authority
SC 511

Student activity funds are not part of district funds but must be approved by the Board. The Board adopts this policy to ensure proper supervision of student activity funds under the district's responsibility.

4. Delegation of Responsibility

The Superintendent or designee is responsible for developing administrative regulations governing student activity funds.

Pol. 811

The building principal is responsible for working with students and advisors, implementing policies and procedures, and maintaining fiscal records. The principal shall serve as custodian of the funds and shall countersign all checks drawn upon them. The principal shall be bonded.

Activity advisors are responsible for working with students in assigned activities and ensuring compliance with policy and administrative regulations by the student organization.

The organization's student treasurer and faculty advisor are responsible for maintaining records of all funds collected and disbursed and submitting required reports to the Board.

5. Guidelines

Each student activity covered by this policy must be recognized and budgeted by the student organization before funds can be collected or disbursed in the name of the group.

	All student activities shall be on a self-sustaining basis, except for situations approved by the Board.
SC 440.1, 623	Funds of any student body organization may be deposited or invested in banks whose accounts are insured by FDIC or investment certificates or withdrawable shares in state-chartered savings and loan associations doing business in-state and insured by FDIC or FSLIC.
SC 511 **Pol. 608**	All funds collected by student organizations shall be deposited in a student activities fund in a bank designated by the Board. No school-sponsored student organization is permitted to establish an account separate from the student activities fund. Funds collected shall be turned in to the custodian of the fund before the end of each school day, and they shall be safeguarded until deposited as soon as possible.
SC 511	Records shall be maintained of the receipt and disbursement of all funds in designated accounts, according to the bylaws of the activity approved by the Board. Disbursements from such funds shall be made only by check upon the request of the student treasurer, authorized advisor and the approval of the fund custodian. Disbursements shall be supported by invoices or verified documentation. All checks shall be signed by two (2) individuals authorized to approve such disbursements. No activity/club shall be permitted to generate a deficit balance, thereby using funds from another activity account. The fund custodian will verify that there are sufficient funds available from a specific activity/club before signing a check to disburse funds.
SC 511, 807.1	All purchases of materials or supplies by any organization, club, society or group, or by any school or class shall be made by the purchaser in accordance with the requirements of law.
SC 511	All funds accumulated in the name of a specific organization must be closed out annually, and any residual funds shall revert to the same group for the following school year.
SC 511	A financial report of the condition of each student activity fund shall be submitted to the Board at least quarterly.

Pol. 619	The student activity fund shall be audited annually during the district's established audit. <u>Graduating Classes</u> All graduating classes, after payment of all financial obligations and prior to graduation, shall make a commitment for distribution of the funds remaining in the class account to school activities of the class's choosing, such as a senior gift or scholarship fund. Funds may not be disbursed or set aside for future obligations, such as class reunions. References: School Code – 24 P.S. Sec. 440.1, 511, 623, 807.1 Board Policy – 000, 608, 619, 811

FREEPORT AREA SCHOOL DISTRICT	SECTION: FINANCES TITLE: DISTRICT AUDIT ADOPTED: August 9, 2017 REVISED: May 13, 2026

	619. DISTRICT AUDIT
Purpose	To ensure accurate, transparent and legally compliant financial reporting for the school district, the district's financial accounts must be fully documented within the annual district audit and applicable state audits.
Authority	The Board shall employ an independent, certified public accountant to conduct an annual district audit in conformance with prescribed and legal standards. The completed audit shall be presented to the Board for its examination and approval.[1][2][3][4]
	The Board recognizes the importance of the public's right to access the public records of the district, including public financial records. The public has the right under law to inspect and procure copies of the annual financial audit conducted by the district's accountants and any state-level financial audit.[2][5][6][7]
Delegation of Responsibility	The district must submit an annual financial report to the Pennsylvania Department of Education by October 31 each year.[8][9]
	The Superintendent and Board Secretary shall annually, by December 31, submit a signed statement to the Pennsylvania Department of Education certifying that the financial statements of the school district have been properly audited pursuant to law and that in the independent auditor’s opinion, the financial information submitted in the annual financial report is materially consistent with the audited financial statements.[8]
	If the financial information submitted in the annual financial report was not deemed materially consistent with the audited financial statements, the district shall submit a revised annual financial report no later than December 31.[8][9]

	Legal References 1. 24 P.S. 437 2. 24 P.S. 2401 3. 24 P.S. 2408 4. 24 P.S. 2441 5. 24 P.S. 408 6. 65 P.S. 67.701 7. Pol. 801 8. 24 P.S. 218 9. Pol. 601 24 P.S. 504 24 P.S. 511 24 P.S. 1337 24 P.S. 2432 65 P.S. 67.101 et seq

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: GENERAL FUND BALANCE

ADOPTED: August 9, 2017

REVISED:

620. GENERAL FUND BALANCE

1. Purpose

The Board recognizes that the maintenance of a general fund balance is essential to the preservation of the financial integrity of the school district and is fiscally advantageous for both the district and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the district.

2. Definitions

Fund balance is a measurement of available financial resources. Fund balance is the difference between total assets and total liabilities in each fund.

GASB Statement 54 classifies fund balances based on the relative strength of the constraints that control the purposes for which specific amounts can be spent. Beginning with the most binding constraints, fund balance amounts shall be reported in the following classifications:

Nonspendable - amounts that cannot be spent because they are in a nonspendable form (e.g., inventory) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

Restricted - amounts limited by external parties, or legislation (e.g., debt covenants, grants or donations).

Committed - amounts limited by Board policy or Board action to be used for a specific purpose (e.g., future anticipated costs). Action must be taken by the Board to commit fund balance for the designated purpose prior to the end of the fiscal year.

Assigned - amounts that are intended for a particular purpose, such as a rate stabilization fund or segregation of an amount intended to be used at some time in the future. Generally balances in special revenue funds or capital project funds will be designated as assigned.

Unassigned - amounts available for consumption or not restricted in any manner.

3. Guidelines

The school district will strive to maintain an unassigned general fund balance of not less than five percent (5%) and not more than ten percent (10%) of the budgeted expenditures for the fiscal year.

The total fund balance, consisting of several portions including committed, assigned and unassigned, may exceed ten percent (10%).

	If the unassigned portion of the fund balance falls below the threshold of five percent (5%), the Board will pursue options for increasing revenues and decreasing expenditures, or a combination of both until five percent (5%) is attained. <u>Use Of Fund Balance</u> The restricted fund balance shall be reduced to the extent that the underlying reason for the restriction has been eliminated. If the district experiences an excess of expenditures over revenues for a given fiscal year, the fund balance shall be consumed in the following order: 1. Restricted fund balance to the extent that expenditures related to the restriction contributed to the excess of expenditures over revenues. 2. Committed fund balance to the extent that expenditures related to the commitment contributed to the excess of expenditures over revenues. If a plan for periodic use of committed fund balance is reviewed and approved by the Board, the committed fund balance will not be reduced by more than the amount designated in the plan. 3. Assigned fund balance to the extent that expenditures related to the assignment contributed to the excess of expenditures and revenues. 4. Unassigned fund balance for any remaining excess of expenditures over revenues.
4. Delegation of Responsibility	The responsibility for designating funds to specific classifications shall be as follows: 1. Nonspendable – may be assigned by the Business Manager. 2. Restricted – may be assigned by the Business Manager. 3. Committed – shall be assigned by Board Resolution. 4. Assigned – may be assigned by the Business Manager. The Business Manager or designee shall be responsible for the enforcement of this policy.

	References: School Code – 24 P.S. Sec. 218, 688

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: LOCAL TAXPAYER BILL OF RIGHTS

ADOPTED: August 9, 2017

REVISED:

621. LOCAL TAXPAYER BILL OF RIGHTS

1. Purpose **53 Pa. C.S.A. Sec. 8401 et seq**	As a local taxing authority, the Board recognizes the school district's responsibility to comply with the requirements of applicable law.
2. Definition **53 P.S. Sec. 6924.101 et seq** **53 Pa. C.S.A. Sec. 8422**	**Eligible taxes** shall be defined as all non-real estate taxes, including per capita; occupation, occupation assessment and occupation privilege; income and net profits; business gross receipts; privilege; amusements or admissions; and any other tax authorized by the Local Tax Enabling Law.
3. Authority **53 Pa. C.S.A. Sec. 8423**	The Board shall adopt a Local Taxpayer Bill of Rights that includes the following components in simple and nontechnical terms: 1. Taxpayer rights and the district's obligation during an audit or administrative review of the taxpayer's books or records. 2. Administrative and judicial procedures for a taxpayer to appeal or seek review of any adverse tax decision. 3. Procedures for filing and processing refund claims and taxpayer complaints. 4. Enforcement procedures.
53 Pa. C.S.A. Sec. 8423	The Board shall ensure that taxpayers are notified about the district's Local Taxpayer Bill of Rights any time they are contacted regarding assessment, audit, determination, review and collection of any tax other than property taxes.
4. Delegation of Responsibility	It shall be the responsibility of the Superintendent, Business Manager, and/or other designated school district employee to develop administrative regulations to implement this policy which shall include:

	1. Preparation and dissemination of the required notice of availability of the Local Taxpayer Bill of Rights. 2. Preparation of a Local Taxpayer Bill of Rights. 3. Preparation of a procedure for the district to request information from a taxpayer. 4. Establishment of an administrative appeals process. 5. Development of the form, content, process and deadlines for taxpayers to file a tax appeal petition. 6. Formulation of rules of practice and procedure for hearings.
53 Pa. C.S.A. Sec. 8423	The district shall respond to taxpayer requests for the Local Taxpayer Bill of Rights by making copies available at the district offices or mailing at district expense.
5. Guidelines **53 Pa. C.S.A. Sec. 8437**	Information obtained by the school district as a result of an audit, return, report, investigation, hearing or verification shall be confidential. If a violation of confidentiality is committed by an officer or employee of the school district, s/he shall be subject to fines and dismissal from office or discharge from employment. <u>Appeals Process</u>
53 Pa. C.S.A. Sec. 8430	The district shall establish an administrative process to receive and make determinations on petitions from taxpayers relating to assessment, determination or refund of an eligible tax. References: Local Tax Enabling Law – 53 P.S. Sec. 6924.101 et seq. Taxation and Fiscal Affairs – 53 Pa. C.S.A. Sec. 8401 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT 34

ADOPTED: August 9, 2017

REVISED:

622. GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT 34

1. Purpose

The Board recognizes the need to implement the required accounting and financial reporting standards stipulated by the Pennsylvania Department of Education.

The primary objectives of implementing the Governmental Accounting Standards Board (GASB) Statement 34 are to assure compliance with state requirements, and properly account for both the financial and economic resources of the district.

2. Authority
SC 218, 613

Participation of the school district in any such activity shall be in accordance with Board policy.

3. Delegation of Responsibility

The responsibility to coordinate the compilation and preparation of all information necessary to implement this policy is delegated to the Business Manager.

The designated individual shall be responsible for implementing the necessary procedures to establish and maintain a fixed asset inventory, including depreciation schedules. Depreciation shall be computed on a straight-line basis over the useful lives of the assets, using an averaging convention. Normal maintenance and repairs shall be charged to expense as incurred; major renewals and betterments that materially extend the life or increase the value of the asset shall be capitalized. A schedule of accumulated depreciation shall be consistent from year to year. The basis for depreciation, including groups of assets and useful lives, shall be in writing and submitted for review to the Board.

The Business Manager shall prepare the required Management Discussion and Analysis (MD&A). The MD&A shall be in the form required by GASB Statement 34 and shall be submitted to the Board for approval, prior to publication.

	Prior to submission of the MD&A for Board approval, the district's independent auditors shall review the MD&A, in accordance with SAS No. 52, “Required Supplementary Information”. **References:** School Code – 24 P.S. Sec. 218, 613 Governmental Accounting Standards Board, Statement No. 34

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: *RESERVED*

ADOPTED:

REVISED:

	623. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: TAXABLE FRINGE BENEFITS

ADOPTED: August 9, 2017

REVISED:

624. TAXABLE FRINGE BENEFITS

1. Authority

It shall be the policy of the Board to comply with regulations of the Internal Revenue Service (IRS) regarding taxability of employee fringe benefits.

2. Definitions

Taxable fringe benefit - a form of pay, in addition to salary, for the performance of duties; taxable wages unless excluded by the Internal Revenue Code.

Convenience of the district - where the personal use was in the best interest of the district.

De minimis - an amount where either the cost of determining specific value exceeds the value of the use, or the actual cost of the use was negligible at the organizational level.

3. Delegation of Responsibility

The Superintendent or designee shall be responsible to ensure that employees verify the use of district equipment for business purposes and report any use or fringe benefits that may be taxable as compensation.

The employee verification process shall occur monthly prior to payment of bills.

The Business Manager shall report the value of taxable fringe benefits with the regular payroll for the payroll immediately following the determination of taxable fringe benefits.

The Business Manager shall annually review the determinations of convenience of the district and de minimis amount to ensure compliance with federal regulations. The review may include discussions with the district auditor.

References:

Internal Revenue Code – 26 U.S.C. Sec. 1 et seq.

Board Policy – 000, 331, 717, 813, 815

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: PROCUREMENT CARDS

ADOPTED: August 9, 2017

REVISED:

625. PROCUREMENT CARDS

1. Authority
SC 510

The Board approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline vendor payment. The Board directs the administration to establish safeguards to prevent misuse of such cards.

The Board shall approve the list of employees authorized to use district procurement cards.

The Board shall purchase adequate insurance coverage for procurement card misuse.

2. Definition

Procurement card - a corporate charge card designed to reduce the cost and bureaucracy of small-dollar purchases.

3. Delegation of Responsibility

A list of authorized users of procurement cards shall be maintained in the Business Office and shall include employees in designated positions.

All use of procurement cards shall be supervised and monitored on a regular basis by the Business Manager, who shall ensure the use of such cards is in accordance with the funds budgeted for this purpose.

Proper accounting procedures for the use of procurement cards shall be developed, distributed, implemented, and monitored by the Business Manager.

An employee authorized to use a procurement card shall maintain adequate security of the card while it is in his/her possession. Under no circumstances may the card be used by another individual.

4. Guidelines	Each employee using a district procurement card shall sign a card usage agreement and receive training on applicable policies and procedures. Procurement cards shall be used only for authorized district purchases and shall not be used for personal purchases. The district retains the authority to revoke any procurement card used for unauthorized or personal purposes.
Pol. 317	Violations of this policy by an employee shall result in disciplinary action, in accordance with Board policy. The established procedure for processing purchases by employees using procurement cards shall be as follows: 1. Employee deals directly with the vendor. 2. Business Office receives the consolidated invoice for payment. 3. Cardholder verifies receipt of purchased items, reconciles the billing statement with purchases, and attaches receipts. 4. Supervisor reviews statement and signs approval. Purchases on his/her assigned procurement card by an individual employee shall not exceed $25,000.
SC 751, 807.1 **Pol. 610, 611**	Procurement cards shall not be used to circumvent the required bidding process. **References**: School Code – 24 P.S. Sec. 510, 751, 807.1 Board Policy – 317, 610, 611

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: FEDERAL FISCAL COMPLIANCE

ADOPTED: March 8, 2017

REVISED: August 9, 2017
February 13, 2019
February 13, 2020
April 29, 2020
August 13, 2025

626. FEDERAL FISCAL COMPLIANCE

Authority

The Board shall ensure federal funds received by the district are administered in accordance with federal requirements, including but not limited to the federal Uniform Guidance.[1]

The Board shall review and approve all applications for federal funds submitted by the district.

Delegation of Responsibility

The Board designates the Director of Finance and Operations as the district contact for all federal programs and funding.

The Superintendent or designee, in collaboration with the Federal Programs Coordinator and Business Manager, shall establish and maintain a sound financial management system to include internal controls and federal grant management standards covering the receipt of both direct and state-administered federal grants, and to track costs and expenditures of funds associated with grant awards.[1]

The Superintendent, to assist in the proper administration of federal funds and implementation of this policy, may approve additional procedures as attachments to this policy.

Guidelines

The district's financial management system shall be designed with strong internal controls, a high level of transparency and accountability, and documented procedures to ensure that all financial management system requirements are met.

The district's financial management system is subject to periodic internal and external audits. For any fiscal year in which the district expends $1,000,000 or more in federal awards, the district is required to have a single or program-specific audit in compliance with federal requirements.[2]

District financial management standards and procedures shall include requirements for the following:

1. Identification – The district must identify, in its accounts, all federal awards received and expended, and the federal programs under which they were received.

2. Financial Reporting – Accurate, current, and complete disclosure of the financial results of each federal award or program must be made in accordance with the financial reporting requirements of federal regulations.

3. Accounting Records – The district must maintain records which adequately identify the source and application of funds provided for federally-assisted activities.

4. Internal Controls – Effective control and accountability, including segregation of duties, must be maintained for all funds, real and personal property and other assets. The district must adequately safeguard all such property and take steps to ensure that it is used solely for authorized purposes. Reasonable cybersecurity and other measures must be in place to protect personally identifiable information and other types of information.

5. Budget Control – Actual expenditures or outlays must be compared with budgeted amounts for each federal award. Procedures shall be developed to establish determination for allowability of costs for federal funds.

6. Cash Management – The district shall maintain written procedures to implement the cash management requirements found in federal regulations.

7. Allowability of Costs – The district shall ensure that allowability of all costs charged to each federal award is accurately determined and documented.

Standards of Conduct

The district shall maintain standards of conduct covering conflicts of interest and the actions of employees and school officials engaged in the selection, award and administration of contracts.[3][4][5]

All employees shall be informed of conduct that is required for federal fiscal compliance and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[6]

Employees - Time and Effort Reporting

All district employees paid with federal funds shall document their time working in support of each federal program, in accordance with law. Time and effort reporting requirements do not apply to contracted individuals.[7]

District employees shall be reimbursed for travel costs incurred in the course of performing services related to official business as a federal grant recipient.[8]

The district shall establish and maintain employee policies and procedures on hiring, benefits and leave and outside activities, as approved by the Board. District procedures on payment of staff shall apply to employees paid with federal funds and shall include payment in extenuating or emergency conditions, in accordance with applicable law, regulations or emergency declarations by state or federal authorities.[9][10][11][12][13][14][15][16]

Record Keeping

The district shall develop and maintain a Records Management Plan and related Board policy and administrative regulations for the retention, retrieval and disposition of manual and electronic records, including emails.[17][18]

The district shall comply with federal record conversion and quality control review requirements to safeguard the integrity of electronic records.[19]

The district shall ensure the proper maintenance of federal fiscal records documenting:[18][20][21][22]

1. Amount of federal funds.
2. How funds are used.
3. Total cost of each project.
4. Share of total cost of each project provided from other sources.
5. Other records to facilitate an effective audit.
6. Other records to show compliance with federal program requirements.
7. Significant project experiences and results to:
    a. Determine progress.
    b. Inform periodic review and continuous improvement of project plan.
    c. Revise project objectives, if necessary.

All records must be retrievable and available for programmatic or financial audit.

The district shall provide the federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, the right of access to any documents, papers, or other district records which are pertinent to the federal award. The district shall also permit timely and reasonable access to the district's personnel for the purpose of interview and discussion related to such documents.[23]

Records shall be retained for a minimum of three (3) years from the date of submission of the final financial report, or as otherwise specified in the requirements of the federal award, unless a written extension is provided by the awarding agency, cognizant agency for audit, oversight agency for audit or cognizant agency for indirect costs.[20]

If any litigation, claim or audit is started before the expiration of the standard record retention period, the records shall be retained until all litigation, claims or audits have been resolved and final action taken.[20]

Records for property and equipment acquired with federal funds shall be retained for three (3) years after final disposition of the property or equipment.[20]

As part of the Records Management Plan, the district shall develop and maintain a records retention schedule, which shall delineate the record retention format, retention period and method of disposal.[18]

The Records Management Plan shall include identification of staff authorized to access records, appropriate training, and preservation measures to protect the integrity of records and data.[18][20]

The district shall ensure that all personally identifiable data protected by law or regulations is handled in accordance with the requirements of applicable law, regulations, Board policy and administrative regulations.[24][25][26][27][28]

<u>Subrecipient Monitoring</u>

In the event that the district awards subgrants, the district shall establish written procedures to:[29]

1. Assess the risk of fraud and noncompliance.
2. Monitor grant subrecipients to ensure compliance with federal, state, and local laws and Board policy and procedures.
3. Ensure the district's record retention schedule addresses document retention on assessment and monitoring.[18]

Compliance Violations

Employees and contractors involved in federally funded programs and subrecipients shall be made aware that failure to comply with federal law, regulations or terms and conditions of a federal award may result in the federal awarding agency or pass-through entity imposing additional conditions or terminating the award in whole or in part.[30][31]

Mandatory Reporting of Violations

An applicant, recipient or subrecipient of a federal award must promptly disclose whenever, in connection with the federal award (including any related activities or subawards) it has credible evidence of a violation of federal criminal law involving fraud, conflict of interest, bribery or gratuity violations under Title 18 of the United States Code or a violation of the federal civil False Claims Act. The written disclosure must be made to the federal agency, the agency's Office of Inspector General, and pass-through entity (if applicable). Recipients and subrecipients are also required to report issues related to a recipient integrity and performance in accordance with Appendix XII to 2 CFR Part 200. Failure to make required disclosures can result in compliance violations.[32]

Whistleblower Protections

District employees may not be discharged, demoted or otherwise discriminated against as a reprisal for making a protected disclosure of information that the employee reasonably believes to be:[33][34]

1. Evidence of gross mismanagement of a federal contract or grant; or
2. Gross waste of federal funds; or
3. An abuse of authority relating to a federal contract or grant; or
4. A substantial and specific danger to public health or safety; or
5. A violation of law, rule or regulation related to a federal contract, including the competition for or negotiation of a contract or grant.

District employees may disclose such information to any of the following:

1. The Superintendent or designee authorized to investigate, discover or address such misconduct.
2. A federal employee responsible for contract or grant oversight or management of the relevant agency.

	3. An authorized official of the United States Department of Justice or other law enforcement agency. 4. A member of Congress or a representative of a committee of Congress. 5. A federal Inspector General. 6. The federal Government Accountability Office. 7. A court or grand jury, including providing evidence of misconduct in any judicial or administrative proceeding relating to waste, fraud or abuse on a federal contract or grant. A district employee who believes that they have been subjected to a reprisal for making a protected disclosure may submit a complaint to the Inspector General of the federal executive agency that is responsible for the relevant federal funding or federal contract. The federal agency and the agency's Inspector General have the authority to investigate such complaints and provide appropriate remedies for substantiated complaints. The district shall provide written notification to employees of their rights and protections under the Whistleblower Law by posting notices on the district's website.

	Legal References 1. 2 CFR Part 200 2. 2 CFR 200.501 3. 2 CFR 200.318 4. Pol. 827 5. Pol. 828 6. Pol. 317 7. 2 CFR 200.430 8. Pol. 626.1 9. 24 P.S. 1153 10. Pol. 304 11. Pol. 319 12. Pol. 336 13. Pol. 337 14. Pol. 624 15. Pol. 805 16. Pol. 813 17. 2 CFR 200.334-200.338 18. Pol. 800 19. 2 CFR 200.336 20. 2 CFR 200.334 21. 34 CFR 75.730-75.732 22. 34 CFR 76.730-76.732 23. 2 CFR 200.337 24. Pol. 113.4 25. Pol. 216 26. Pol. 324 27. Pol. 830 28. Pol. 830.1 29. 2 CFR 200.331-200.332 30. 2 CFR 200.339 31. 2 CFR 200.340 32. 2 CFR 200.113 33. 2 CFR 200.217 34. 41 U.S.C. 4712 Pol. 610 Pol. 611 Pol. 612 Pol. 613 Pol. 625

Allowability of Costs – Federal Programs

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.

Delegation of Responsibility

When determining how the district will spend its grant funds, the Director of Finance and Operations 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. The decision for such determination shall be in writing and provide justification for the allowability determination.

Allowability Determinations

All costs supported by federal education funds must meet the standards outlined in applicable laws and regulations, including but not limited to, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E, which are listed below. The Director of Finance and Operations must consider these factors when making an allowability determination. A section entitled, *Helpful Questions for Determining Whether Costs are Allowable*, is located at the end of this document.

Part 200 sets forth general cost guidelines that must be considered, as well as rules for specific types of items, both of which must be considered when determining whether a cost is an allowable expenditure of federal funds. The expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, nonregulatory guidance and grant award notifications.

Restrictions in state and local rules or policy also must be considered. For example, travel and other job-related expenses incurred by employees are not allowable unless they also are in compliance with Board Policy 331 (Job Related Expenses) and related administrative regulations.

Whichever allowability requirements are stricter will govern whether a cost is allowable.

Except where otherwise authorized by law, determination factors for allowability of costs include the following:

1. Be Necessary and Reasonable for the performance of the federal award. 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 district 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 individual incurring the cost acted with prudence in the circumstances considering responsibilities to the district, its employees, its students, the public at large, and the federal government.

- Whether the district significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award's cost. (2 CFR 200.404)

Whether a cost is necessary will be determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the district can demonstrate that the cost addresses an existing need and can prove it. For example, the school entity may deem a language skills software program necessary for a Language Instruction Educational Program.

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 federal award 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.

2. Allocable to the federal award. A cost is allocable to the federal award or other cost objective if the cost is assignable to the federal award or other cost objective in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. (2 CFR 200.405)

   For example, if fifty percent (50%) of a teacher's salary is paid with grant funds, then that teacher must spend at least fifty percent (50%) of his/her time on the grant program.

3. Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the school entity.

4. Conform to any limitations or exclusions set forth as cost principles in 2 CFR Part 200 or in the terms and conditions of the federal award.

5. Consistent treatment. A cost cannot 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.

6. Adequately documented. All expenditures must be properly documented. (2 CFR §200.300 through 200.309)

   Direct cost allocation principles: If a cost benefits two (2) or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two (2) or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. (2 CFR 200.405)

7. Be calculated in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in 2 CFR Part 200.

8. Not included as a cost or used to meet cost-sharing requirements in either the current or a prior period, unless the specific federal program authorizes federal costs to be treated as such. Some federal program statutes require the nonfederal entity to contribute a certain amount of nonfederal resources to be eligible for the federal program. (2 CFR 200.306)

9. Administrative closeout costs may be incurred until the due date of the final report(s). If incurred, closeout costs must be liquidated prior to the due date of the final report(s) and charged to the final budget period of the award unless otherwise specified by the federal agency. All other costs must be incurred during the approved budget period.
   (2 CFR 200.308, 200.344)

10. 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 direct or indirect costs 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 recipient or subrecipient relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. (2 CFR 200.406)

Selected Items of Cost

Subpart E of Part 200 sets forth principles to be applied in establishing the allowability of specific cost items (commonly referred to as Selected Items of Cost), at 2 CFR 200.420-200.476. These specific cost items are listed in the chart below along with the citation to the section of Subpart E addressing the allowability of that item. These principles are in addition to the other general allowability standards, and apply whether or not a particular item of cost is properly treated as direct cost or indirect (F&A) cost. Meeting the specific criteria for a listed item does not by itself mean the cost is allowable, as it may be unallowable under other standards or for other reasons, such as restrictions contained in the terms and conditions of a particular grant or restrictions established by the recipient or subrecipient or in Board policy. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.
The fact that a particular item of cost is not listed is not intended to imply that it is either allowable or unallowable; rather, determination as to allowability in each case should be based on the treatment provided for similar or related items of cost and based on the principles described in applicable law and regulations. In case of discrepancy between the provisions of a specific federal award and the provisions below, the federal award governs. (2 CFR 200.102, 200.409, 200.420)

School district personnel responsible for spending federal grant funds and for determining allowability must be familiar with and refer to the Part 200 selected items of cost section. These rules must be followed when charging these specific expenditures to a federal grant. When applicable, employees must check costs against the selected items of cost requirements to ensure the cost is allowable, and also check recipient, subrecipient, district and program-specific rules.

The selected item of cost addressed in Part 200 includes the following (in alphabetical order):

Item of Cost	**Citation of Allowability Rule**
Advertising and public relations costs	2 CFR § 200.421
Advisory councils	2 CFR § 200.422
Alcoholic beverages	2 CFR § 200.423
Alumni/ae activities	2 CFR § 200.424
Audit services	2 CFR § 200.425
Bad debts	2 CFR § 200.426
Bonding costs	2 CFR § 200.427

Item of Cost	Citation of Allowability Rule
Collection of improper payments	2 CFR § 200.428
Commencement and convocation costs	2 CFR § 200.429
Compensation – personal services	2 CFR § 200.430
Compensation – fringe benefits	2 CFR § 200.431
Conferences	2 CFR § 200.432
Contingency provisions	2 CFR § 200.433
Contributions and donations	2 CFR § 200.434
Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435
Depreciation	2 CFR § 200.436
Employee health and welfare costs	2 CFR § 200.437
Entertainment costs	2 CFR § 200.438
Equipment and other capital expenditures	2 CFR § 200.439
Exchange rates	2 CFR § 200.440
Fines, penalties, damages and other settlements	2 CFR § 200.441
Fund raising and investment management costs	2 CFR § 200.442
Gains and losses on disposition of depreciable assets	2 CFR § 200.443
General costs of government	2 CFR § 200.444
Goods and services for personal use	2 CFR § 200.445
Idle facilities and idle capacity	2 CFR § 200.446
Insurance and indemnification	2 CFR § 200.447
Intellectual property	2 CFR § 200.448
Interest	2 CFR § 200.449
Lobbying	2 CFR § 200.450
Losses on other awards or contracts	2 CFR § 200.451
Maintenance and repair costs	2 CFR § 200.452
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454
Organization costs	2 CFR § 200.455
Participant support costs	2 CFR § 200.456
Plant and security costs	2 CFR § 200.457
Pre-award costs	2 CFR § 200.458
Professional services costs	2 CFR § 200.459
Proposal costs	2 CFR § 200.460
Publication and printing costs	2 CFR § 200.461
Rearrangement and reconversion costs	2 CFR § 200.462
Recruiting costs	2 CFR § 200.463
Relocation costs of employees	2 CFR § 200.464
Rental costs of real property and equipment	2 CFR § 200.465
Scholarships and student aid costs	2 CFR § 200.466
Selling and marketing costs	2 CFR § 200.467
Specialized service facilities	2 CFR § 200.468
Student activity costs	2 CFR § 200.469
Taxes (including Value Added Tax)	2 CFR § 200.470

Item of Cost	Citation of Allowability Rule
Telecommunication and video surveillance	2 CFR § 200.471
Termination costs	2 CFR § 200.472
Training and education costs	2 CFR § 200.473
Transportation costs	2 CFR § 200.474
Travel costs	2 CFR § 200.475
Trustees	2 CFR § 200.476

Prior Written Approval

A request for prior written approval to ensure reasonableness and allocability of any expense related to a federal award before incurring the cost is permissible. The elements listed below *require* prior written approval:

Reason Requiring Prior Written Approval	Citation
Cost sharing	2 CFR § 200.306
Program income	2 CFR § 200.307
Revision of budget and program plans	2 CFR § 200.308
Fixed amount subawards	2 CFR § 200.333
Compensation – personal services	2 CFR § 200.430
Compensation – fringe benefits	2 CFR § 200.431
Equipment and other capital expenditures	2 CFR § 200.439
Exchange rates	2 CFR § 200.440
Fines, penalties, damages and other settlements	2 CFR § 200.441
Fund raising and investment management costs	2 CFR § 200.442
Goods or services for personal use	2 CFR § 200.445
Insurance and indemnification	2 CFR § 200.447
Organization costs	2 CFR § 200.455
Pre-award costs	2 CFR § 200.458
Rearrangement and reconversion costs	2 CFR § 200.462
Travel costs	2 CFR § 200.475

Helpful Questions for Determining Whether Costs are Allowable -

In addition to applying the cost principles and standards described above, district staff involved in expending federal funds should ask the following questions when assessing the allowability of a particular cost:

1. Is the proposed cost allowable under the relevant program?

2. Is the proposed cost consistent with an approved program plan and budget?

3. Is the proposed cost consistent with program specific fiscal rules? For example, the school entity may be required to use federal funds only to supplement the amount of funds available

from nonfederal (and possibly other federal) sources, or only as a match for funds from nonfederal sources.

4. Is the proposed cost consistent with applicable laws and regulations?

5. Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

6. Is the proposed cost consistent with the underlying needs of the program? For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for English Learner (EL) students must only be spent on EL students and cannot be used to benefit non-EL students.

7. Will the cost be targeted at addressing specific areas of weakness that are the focus of the program, as indicated by available data?

8. Has this expenditure been reviewed by legal for compliance if there is any uncertainty?

Any questions related to specific costs should be forwarded to the Director of Finance and Operations, who shall consult with the school solicitor for clarification as appropriate.

Refunds

Payments made for costs determined to be unallowable by either the federal awarding agency, cognizant agency for indirect costs, or pass-through entity, must be refunded with interest to the federal government in accordance with instructions from the federal awarding agency that determined the costs are unallowable unless applicable statute or regulation directs otherwise. (2 CFR 200.410)

Cash Management – Federal Programs

Generally, the school district receives payment from the Pennsylvania Department of Education (PDE) in advance, provided the district maintains both written procedures that minimize the time elapsing between the transfer of funds and disbursement, and financial management systems that meet the standards for fund control and accountability. In circumstances where the requirements for advance payment cannot be met, the district may use the reimbursement method.

This attachment addresses the responsibilities of the district and district staff under those alternative payment methods. In accordance with 2 CFR §200.305(b)(1), advance payments are the preferred method of payment. Reimbursement is used only when the requirements for advance payment cannot be met, as outlined in 2 CFR §200.305(b)(3). In either case, the district shall maintain accounting methods and internal controls and procedures that assure those responsibilities are met.

When available, the district shall use existing resources within a program before requesting additional cash payments. Such resources include program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds. (2 CFR 200.305(b)(5)).

Payment Methods

Advances –

When the district receives advance payments of federal grant funds, it must minimize the time elapsing between the transfer of funds to the district and the expenditure of those funds on allowable costs of the applicable federal program. (2 CFR 200.305(b)). The district shall attempt to expend all advances of federal funds within seventy-two (72) hours of receipt.

Whenever possible, advance payment requests must be consolidated to cover anticipated cash needed for all federal awards received by the district. (2 CFR 200.305(b)(2)).

The district shall submit payment requests as often as necessary when electronic fund transfers are used or at least monthly when electronic transfers are not used. (2 CFR 200.305(b)(2)(ii)).

Reimbursements –

The Director of Finance and Operations will request reimbursement for actual expenditures incurred under the federal grants quarterly.

Such requests shall be submitted with appropriate documentation and signed by the requestor.

Requests for reimbursements will be approved by the Director of Finance and Operations.

Reimbursement will be submitted on the appropriate form to the PDE portal. All reimbursements are based on actual disbursements, not on obligations. PDE will process reimbursement requests within the timeframes required for disbursement.

Consistent with state and federal requirements, the school district will maintain source documentation supporting the federal expenditures (invoices and receipts, time and payroll records, grant award letters, budget justifications, etc.) and will make such documentation available for PDE to review upon request.

Reimbursements of actual expenditures do not involve interest calculations.

Accounting Methods/Internal Controls

The district shall hold federal advance payments in insured, interest-bearing accounts.

The school district is permitted to retain for administrative expense up to $500 per year of interest earned on federal grant cash balances. Regardless of the federal awarding agency, interest earnings exceeding $500 per year shall be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. (2 CFR 200.305(b)(9)).

Pursuant to federal guidelines, interest earnings shall be calculated from the date that the federal funds are drawn down from the G5 system until the date on which those funds are disbursed by the district. Consistent with state guidelines, interest accruing on total federal grant cash balances shall be calculated on cash balances per grant and applying the actual or average interest rate earned.

Remittance of interest shall be the responsibility of the Director of Finance and Operations.

Administration of Federal Funds
Type of Costs, Financial Obligations and Property Management

The district establishes and maintains Board policies, administrative regulations and procedures on administration of federal funds in federal programs as required by the Uniform Guidance and other federal, state and local laws, regulations and requirements. The district's financial management system includes internal controls and grant management standards in the following areas.

Direct and Indirect Costs

Direct costs – costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. (2 CFR 200.1, 200.413)

Examples of direct costs may include, but are not limited to, salaries and benefits of staff working directly on the federal program, travel costs for program-related training and equipment purchased specifically for the program.

Indirect costs – costs incurred for a common or joint purpose benefiting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. (2 CFR 200.1, 200.414)

Examples of indirect costs may include, but are not limited to, salaries and benefits of Human Resource staff, network infrastructure and building maintenance and repairs.

Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs. (2 CFR 200.405, 200.413)

Identification with the federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect costs.

Direct and indirect costs shall be determined in accordance with law, regulations, the terms and conditions of the federal award, and the district's negotiated indirect cost rate.

The district shall develop an indirect cost rate proposal and cost allocation plan in accordance with law, regulations and the terms and conditions of the federal award.

Timely Financial Obligation of Funds

Financial Obligations – orders placed for property and services, contracts and subawards made, and similar transactions that require payment by a recipient or subrecipient under a federal award that will result in expenditures by a recipient or subrecipient under a federal award.

The following table illustrates when funds must be obligated under federal regulations:

Financial Obligation is for:	**Financial Obligation is made:**
Acquisition of real or personal property	On the date on which the district makes a binding written commitment to acquire the property
Personal services by a district employee	When the services are performed
Personal services by a contractor who is not a district employee	On the date on which the district makes a binding written commitment to obtain the services
Work other than personal services	On the date on which the district makes a binding written commitment to obtain the services
Public utility services	When the district receives the services
Travel	When the travel occurs
Rental of real or personal property	When the district uses the property
A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 CFR Part 200, Subpart E - Cost Principles	On the first day of the project period

34 CFR §75.707

All financial obligations must occur between the beginning and planned ending dates of the federal award project, which is known as the period of performance. The period of performance is dictated by law and regulations and will be indicated in the federal award. Specific requirements for carryover funds may be specified in the federal award and must be adhered to by the district. (2 CFR 200.309)

The district will handle financial obligations and carryover of state-administered and direct grants in accordance with state and federal law and regulations, and the terms and conditions of the federal award. Carryover will be calculated and documented by the Director Finance and Operations.

The district may exercise an extension of the period of performance in accordance with law, regulations and the terms and conditions of the federal award, when written notice is provided to the federal awarding agency at least ten (10) calendar days prior to the end of the period of performance. (2 CFR 200.308(d)(2))

The Director of Finance and Operations will decide when an extension of the period of performance is necessary and will recommend that the Superintendent approve this process.

The Director of Finance and Operations will develop the required written notice, including the reasons for the extension and revised period of performance; the notice will be issued no later than ten (10) calendar days prior to the end of the currently documented period of performance in the federal award.

The district must seek approval from the federal awarding agency for an extension of the period of performance when the extension is not contrary to federal law or regulations, and the following conditions apply: (2 CFR 200.308(d)(2))

1. The terms and conditions of the federal award prohibit the extension;

2. The extension requires additional federal funds; or

3. The extension involves any change in the approved objectives or scope of the project.

The Director of Finance and Operations will determine when an extension must be requested for approval by the federal awarding agency, draft the written request and notify the Superintendent of the requested extension.

When an extension to a federal award is approved, the period of performance will be amended to end at the completion of the extension. If termination occurs, the period of performance will be amended to end upon the effective date of termination. The start date of a renewal award begins a new and distinct period of performance. (2 CFR 200.309)

Management of Property Acquired with Federal Funds

Definitions -

Equipment – tangible personal property, including information technology systems, having a useful life of more than one (1) year and a per unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the recipient or subrecipient for financial statement purposes, or $10,000.

Real Property – land, including land improvements, structures, and appurtenances, and legal interest in land, including fee interest, licenses, rights of way and easements. Real property excludes moveable machinery and equipment.

Personal Property – tangible or intangible property other than real property.

Supply – all tangible personal property other than those defined as equipment. Computing devices costing less than $10,000 per unit qualify as supplies.

Insurance Coverage -

The recipient or subrecipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as it provides to property and equipment owned by the recipient or subrecipient.

Contract and Purchasing Administration -

The district maintains internal controls, administrative regulations and procedures to ensure that contractors deliver goods and services in accordance with the terms, conditions and specifications of the designated contract, purchase order or requisition.

Property Classifications -

Property shall be classified as equipment, supplies, computing devices and capital assets as defined and specified in accordance with law, regulations and Board policy. (Pol. 622)

Inventory Control/Management -

All property purchased with federal funds, regardless of cost, will be inventoried as a safeguard.

Inventory will be received by the department or program requesting the item; designated staff will inspect the property, compare it to the applicable purchase order or requisition, and ensure it is appropriately logged and tagged in the district's property management system.

Items acquired will be physically labeled by source of funding and acquisition date.

Inventory records of property must be current and available for review and audit, and include the following information:

1. Description of the item.
2. Manufacturer's serial number or other identification number.
3. Identification of funding source.
4. Who holds title of the property.
5. Acquisition date and unit cost.
6. Source of items, such as company name.
7. Percentage of federal contribution used in the purchase and identification of the federal award.
8. Present location, use, condition of item, and date information was reported.
9. Pertinent information on the ultimate transfer, replacement or disposition of the item and sale price of the property.

Inventory will be updated as items are sold, lost or stolen, or cannot be repaired, and new items are purchased.

Equipment must be used in the program or project for which it was acquired for as long as needed, whether or not the project or program continues to be supported by a federal award. (2 CFR 200.313)

During the time that equipment is used on the project or program for which it was acquired, the recipient or subrecipient must also make the equipment available for use on other programs or projects supported by the federal government, provided that such use will not interfere with the purpose for which it was originally acquired. First preference for other use of the equipment must be given to other programs or projects supported by the federal agency that financed the equipment. Second preference must be given to programs or projects under federal awards from other federal agencies. Use for nonfederally-funded projects is also permissible, provided such use will not interfere with the purpose for which it was originally acquired. The recipient or subrecipient should consider charging user fees as appropriate. (2 CFR 200.313)

Physical Inventory -

Physical inventory of property will be completed by designated district staff in accordance with applicable federal and state law and regulation and Board policy. (Pol. 622, 706)

The physical inventory of items will be conducted at least every two (2) years or more often if required by law or Board policy, and the results will be reconciled with the inventory records and reported to the federal awarding agency. (2 CFR 200.313)

Maintenance -

The district establishes regular maintenance procedures to ensure that property is maintained in good condition in accordance with law, regulation and Board policy. (Pol. 704, 708, 710)

Safeguards -

The district ensures that adequate safeguards are in place to prevent loss, damage or theft of property:

1. Any loss, damage or theft must be investigated, fully documented and reported to the federal agency or pass-through entity of any loss, damage or theft that will have an impact on the program. The Director of Finance and Operations may also report the loss, damage or theft to local law enforcement.

2. If stolen items are not recovered, the district will submit copies of the investigative report and insurance claim to the federal awarding agency.

3. The district may be responsible for replacing or repairing lost, damaged, destroyed or stolen items.

4. Replaced equipment is property of the originally funded program and should be inventoried accordingly.

5. District property may only be loaned in accordance with Board policy and administrative regulations. (Pol. 707, 708, 710)

Disposition of Property Acquired with Federal Funds –

When the district determines that real property, including land, land improvements, structures and accessories thereto, acquired under a federal award is no longer needed for the originally authorized purpose, the district must obtain disposition instructions from the federal awarding

agency or pass-through entity administering the program, in accordance with applicable law and regulations. (2 CFR 200.311)

When the district determines that equipment or supplies acquired under a federal award are no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Director of Finance and Operations will follow the terms and conditions of the federal award, the disposition instructions in the Department of Federal Programs Administrative Manual on the PA Department of Education's website, and may contact the federal awarding agency or pass-through entity administering the program to obtain disposition instructions.

Equipment with a current fair market value of $10,000 or less per unit may be retained, sold or otherwise disposed of with no further responsibility to the federal agency or pass-through entity. For items with a fair market value greater than $10,000 per unit, the federal awarding agency or pass-through entity is entitled to the federal share of the current market value or sales proceeds, in accordance with applicable law and regulations. (2 CFR 200.313, 200.314, 200.453)

Supplies acquired under a federal award will vest upon acquisition in the recipient or subrecipient. After the period of performance, if there is a residual inventory of supplies exceeding $10,000 in total aggregate value, and the supplies are not needed for any other federal award the recipient or subrecipient may retain or sell the unused supplies which are new, have never been used or opened. The aggregate value of supplies consists of all supply types, not just like-item supplies. (2 CFR 200.314)

The federal agency or pass-through entity is entitled to compensation in an amount calculated by multiplying the percentage of the federal agency's or pass-through entity's contribution towards the cost of the original purchase(s) by the current market value or proceeds from the sale. (2 CFR 200.314)

The district may retain $1,000 to cover expenses associated with the selling and handling of the equipment or supplies. (2 CFR 200.313, 200.314)

If the district will be replacing the equipment or supplies, the district may use the existing equipment or supplies as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

The Director of Finance and Operations will be responsible for contacting the federal awarding agency and determining the process for disposition of equipment or supplies.

The district may use the following methods in disposing of unnecessary equipment or supplies acquired with federal funds:

- Public auction and/or online sale – generally conducted by a licensed auctioneer.
- Salvage – scrap sold to local dealers.
- Negotiated sale – normally used when disposing of items of substantial value.
- Sealed bid – normally used for items of substantial value or unique qualities.

- Pre-priced sale – large quantities of obsolete or surplus equipment or supplies may be sold by this method.

- Donation to charitable organizations, for equipment or supplies with little to no value.

- Disposition to trash for equipment or supplies with no value.

The Director of Finance and Operations will be responsible for maintaining records of obsolete and surplus property disposed of and will report to the federal awarding agency when required.

Monitoring Program Performance

The district will monitor activities of federally-funded programs to assure compliance with appliable laws, regulations, and federal requirements, and to ensure that performance expectations and cost-effective practices are being achieved.

Data on compliance and program performance shall be provided in the form, and at the time intervals required by the state and federal law or the federal awarding agency.

Grant Subrecipient Monitoring Procedures – Federal Programs

In the event the district disperses federal funds received through a federal award to other entities and assigns responsibilities to the outside entity to conduct a portion of the work, the district shall be responsible for determining, on a case-by-case basis, whether the agreement with such entity places the outside entity in the role of a subrecipient receiving a subaward of federal funding, or the role of a contractor.

If the district grants subawards of federal funding to other entities as subrecipients, the district shall be responsible for:

1. Evaluating the entity for risk of noncompliance to determine appropriate monitoring practices.

2. Monitoring the subrecipient entity's implementation to ensure compliance with federal, state and local laws, conditions of the federal funding award, and Board policy and procedures.

3. Notifying the subrecipient entity of identified deficiencies found during the monitoring process and ensuring that identified deficiencies are corrected.

4. Documenting and retaining records on subrecipient identification, notification, evaluation, monitoring and corrective actions taken.

Definitions

For purposes of policies and procedures related to federal programs, the following definitions shall apply:

Contract – for the purpose of federal financial assistance, a legal instrument by which a recipient or subrecipient conducts procurement transactions under a federal award.

Contractor – an entity that receives a contract.

Participant – generally an individual participating in or attending program activities under a federal award, such as trainings or conferences, but who is not responsible for implementation of the federal award. Examples include community members participating in a community outreach program, students, conference attendees or a member of the public whose input is sought.

Pass-through entity – a recipient or subrecipient that provides a subaward to a subrecipient to carry out part of a federal program. The district serves as the pass-through entity in cases where it awards federal funding to a subrecipient as defined in this procedure.

Subaward – an award provided by a pass-through entity to a subrecipient in order to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor, participant or payments to an individual that is a beneficiary of a federal program. A

subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient – an entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include a participant or an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Subrecipient Versus Contractor

The district must determine, on a case-by-case basis, whether an entity receiving funds from the district as part of a federal funding program serves in a role of subrecipient or contractor. (2 CFR 200.331)

The Director of Finance and Operations shall be responsible for analyzing the criteria listed in the chart below and evaluating the relationship with the entity based on the substance of the relationship, rather than the form of the agreement. The Director of Finance and Operations may consult with the school solicitor or other qualified counsel in making such determination.

Subrecipient	**Contractor**
Purpose: To carry out a portion of the federal award and create a federal financial assistance relationship	Purpose: To obtain goods and services for the recipient's or subrecipient's own use and create a procurement relationship
Subrecipient Characteristics *Include but are not limited to when the entity -*	Contractor Characteristics *Include but are not limited to when the contractor -*
Determines who is eligible to receive what federal assistance	Provides the goods and services within normal business operations
Has its performance measured in relation to whether objectives of a federal program were met	Provides similar goods or services to many different purchasers
Has responsibility for programmatic decision making	Normally operates in a competitive environment
Is responsible for adherence to applicable federal program requirements specified in the federal award; and	Provides goods or services that are ancillary to the operation of the federal program; and
In accordance with its agreement, uses the federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity	Is not subject to compliance requirements of the federal program as a result of the agreement, although similar requirements may apply for other reasons

Qualification Verification

The district must verify that the subrecipient is not excluded or disqualified by: (2 CFR 180.300)

- Checking SAM.gov;
- Collecting a certification from subrecipient; or
- Adding a clause or condition to the subaward.

Subaward Notification and Information

After verification, the district shall notify subrecipients that they have been identified as a subrecipient and that the funding qualifies as a subaward. The district shall provide the subrecipient with the following information as specified at 2 CFR 200.332 regarding the federal funding award, and any subsequent changes:

1. Federal Award Identification information, including:
    a. Subrecipient name (which must match the name associated with its unique entity identifier);
    b. Subrecipient's unique entity identifier;
    c. Federal Award Identification Number (FAIN);
    d. Federal Award Date – the date the federal agency officially signed the federal award or when an authorized alternative is reached with the recipient;
    e. Subaward Period of Performance Start and End Date;
    f. Subaward Budget Period Start and End Date;
    g. Amount of Federal Funds Obligated in the subaward;
    h. Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current financial obligation;
    i. Total Amount of the Federal Award committed to the subrecipient by the pass-through entity;
    j. Federal award project description, as required by the Federal Funding Accountability and Transparency Act (FFATA);
    k. Name of federal awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity;

l. Assistance Listing Title and Number; the pass-through entity must identify the dollar amount made available under each federal award and the Assistance Listing Number at time of disbursement;

m. Identification of whether the award is for research and development; and

n. Indirect cost rate for the federal award (including if the de minimis rate is charged per 2 CFR 200.414 Indirect (F&A) costs).

2. All requirements of the subaward including requirements imposed by federal statutes, regulations and the terms and conditions of the federal award;

3. Any additional requirements that the pass-through entity imposes on the subrecipient for the pass-through entity to meet its own responsibility to the federal awarding agency including information and certifications required for submitting financial and performance reports; (2 CFR 200.415)

4. An approved indirect cost rate negotiated between the subrecipient and the federal government or, if no approved rate exists, either a rate negotiated between the pass-through entity and the subrecipient (2 CFR 200.332), or a de minimis indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (f). The pass-through entity must not require the use of the de minimis indirect cost rate if the subrecipient has an approved indirect cost rate negotiated with the federal government. Subrecipients may elect to use the cost allocation method to account for indirect costs; (2 CFR 200.405)

5. A requirement that the subrecipient permit the pass-through entity and auditors to access the subrecipient's records and financial statements as necessary for the pass-through entity to fulfill its monitoring requirements; and

6. Appropriate terms and conditions concerning closeout of the subaward.

<u>Evaluation of Risk</u>

The district shall evaluate each subrecipient’s fraud risk and risk of noncompliance with law, regulations and the terms and conditions of the subaward to determine appropriate monitoring practices. (2 CFR 200.332)

The Director of Finance and Operations or designee shall be responsible for evaluating risk based on the following factors:

1. The subrecipient’s prior experience with the same or similar subawards;

2. The results of previous audits, including whether the subrecipient receives a single audit and the extent to which the same or similar subaward has been audited as a major program;

3. Whether the subrecipient has new personnel, or new or substantially changed systems and processes;

4. The extent and results of any federal award agency's monitoring of the subrecipient.

The Director of Finance and Operations or designee shall request adequate documentation from the subrecipient to conduct the evaluation of risk; such documentation may include, but shall not be limited to, audit reports, financial reports, and policies and procedures.

The district shall evaluate subrecipients for risk of noncompliance as specified in the legal agreement or contract.

Based on the results of the risk evaluation, the district may consider imposing specific conditions on implementation of the subaward and shall notify the federal agency of the specific conditions, in accordance with applicable law and regulations. (2 CFR 200.207, 200.332)

Monitoring

The district shall monitor the overall performance, including implementation and activities of each subrecipient as necessary to ensure that the subaward is used for authorized purposes and that the performance goals are achieved, in accordance with law, regulations and the terms and conditions of the subaward. The district shall notify subrecipients of monitoring requirements and may provide technical assistance to subrecipients in complying with monitoring requirements.

As part of the monitoring process, the district shall: (2 CFR 200.332)

1. Review financial and performance reports.

2. Ensure that the subrecipient takes corrective action on all significant developments that negatively affect the subaward. Significant developments include Single Audit findings related to the subaward, other audit findings, site visits, and written notifications from a subrecipient of adverse conditions which will impact their ability to meet the milestones or the objectives of a subaward. When significant developments negatively impact the subaward, a subrecipient must provide the pass-through entity with information on their plan for corrective action and any assistance needed to resolve the situation.

3. Issue a management decision for audit findings pertaining to the subaward provided to the subrecipient, in accordance with applicable law and regulations. (2 CFR 200.521)

4. Resolve audit findings specifically related to the subaward. However, the pass-through entity is not responsible for resolving cross-cutting audit findings that apply to the subaward and other federal awards or subawards. If the subrecipient has a current Single Audit report and has not been excluded from receiving federal funding, the pass-through entity may rely on the subrecipient's cognizant agency findings. (2 CFR 200.513)

Monitoring – Delegation of Responsibility

The Director of Finance and Operations or designee shall be responsible for the monitoring of subrecipients. Monitoring activities may include, but shall not be limited to:

1. Providing training and technical assistance.

2. Review of progress reports, financial reports and data quality.

3. On-site visits.

4. Review of federal or state debarment lists.

5. Review of other agreed-upon procedures specified in the legal agreement or contract. (2 CFR 200.425)

The district shall verify that subrecipients are audited as required by applicable law and regulations. (2 CFR 200.332, 2 CFR 200.500-200.521, Pol. 619)

Follow-Up Actions –

The Director of Finance and Operations or designee shall provide subrecipients with written documentation detailing their monitoring results and listing any identified deficiencies. The district shall consider whether the results of monitoring indicate the need to revise existing district policy and procedures or the need to take other enforcement action. (2 CFR 200.332)

The district may impose specific conditions on the subrecipient, in accordance with applicable law and regulations. (2 CFR 200.208)

The district shall require subrecipients to take immediate action on issues involving ineligible or illegal use of federal funding and notify the district of corrective action taken.

The district shall require subrecipients to develop a corrective action plan to address other identified deficiencies or noncompliance issues; such plan shall be submitted to the district within sixty (60) days, and the district shall evaluate and monitor the activities taken by the subrecipient under the corrective action plan. The district may provide technical assistance and/or training to subrecipients in complying with corrective action requirements.

The Director of Finance and Operations or designee shall maintain all documentation on monitoring of subrecipients, and corrective action taken during the monitoring process.

The district shall report issues of noncompliance to the appropriate federal agency where required by law, regulations, or requirements of the federal funding program.

Remedies for Noncompliance –

When monitoring activities identify issues of noncompliance that are not addressed through corrective action, the district may take the following actions: (2 CFR 200.332, 200.339)

1. Temporarily withhold payments, until the recipient or subrecipient takes corrective action.

2. Disallow or deny use of funds for all or part of the cost of the activity or action associated with noncompliance of the recipient or subrecipient.

3. Suspend or terminate the federal award in whole or in part.

4. Recommend that the federal agency initiate suspension and debarment proceedings.

5. Withhold further federal funds (new awards or continuation of funding) for the project or program.

6. Take other remedies legally available, in consultation with the school solicitor or other qualified counsel.

Record Retention

The Director of Finance and Operations shall ensure that all documentation regarding subrecipient identification, notification, evaluation, monitoring activities and corrective action is maintained in accordance with Board policy and procedures. (Pol. 800)

Records shall be retained in accordance with applicable law, regulations, specific requirements of the federal program and the district's records retention schedule. (2 CFR 200.334-200.338, Pol. 800)

Procurement – Federal Programs

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Guidance regulations, federal guidance of the Office of Management and Budget and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations and Board policy. (2 CFR 200.1, 200.102, 200.318-200.325; 7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16; 24 P.S. 120, 24 P.S. 504, 24 P.S. 508, 24 P.S. 521, 24 P.S. 607, 24 P.S. 609, 24 P.S. 751, 24 P.S. 807.1; 62 Pa. C.S.A. 4601 et seq; Pol. 610, 611, 612, 613, 808, 827)

Procurement Method §200.320	**Goods/Supplies**	**Services**	**Requirements**
Micro-purchase (No quotes required)	Less than $15,000 Note: Must use more restrictive $0 Federal threshold instead of no state requirements under **$13,200**	Less than $15,000 Note: Must use more restrictive $15,000 Federal threshold instead of state exemption for services	Consider price to be reasonable Distribute equitably among suppliers to the extent practical
Simplified Acquisition Procedures (Small Purchases - relatively simple and informal)	$15,000 - **$24,500** Note: Must use more restrictive $15,000 Federal threshold instead of **$24,500** state threshold	$15,000 - $249,999 Note: Must use more restrictive $15,000 Federal threshold instead of state exemption for services	Obtain/document price or rate quotations from a reasonable number of qualified sources (at least three per 24 PS 8.807.1) Written or documented quotes
Sealed Bids (Formal advertising)	**$24,500** or more Note: Must use more restrictive **$24,500** state threshold instead of $350,000 Federal threshold	N/A	Bids are publicly solicited Firm fixed price contract awarded to the responsible bidder lowest in price Cost or price analysis for purchases in excess of the Simplified Acquisition Threshold ($350,000)
Competitive Proposals (Formal RFPs)	N/A	$350,000 or more Note: Must use more restrictive $350,000 Federal threshold instead of state exemption for services	Conducted with more than one source submitting an offer Price in not used as sole selection factor Fixed price or cost-reimbursement type contract is awarded Cost or price analysis for purchases in excess of the Simplified Acquisition Threshold ($350,000)

Procurement Method §200.320	Goods/Supplies	Services	Requirements
Non-competitive proposals	Appropriate only when these circumstances apply: - Available only from a single source (sole source) - Public emergency - After soliciting from several sources, competition is deemed inadequate - Consult with your school solicitor		Solicitation from only one source Used only when qualifying circumstances apply Fixed price or cost-reimbursement type contract is awarded

**Please review this Procurement attachment annually and update amounts accordingly*

The district implements exceptions to the Micro-Purchase and Simplified Acquisition Threshold amounts announced by the federal Office of Management and Budget as part of its procurement procedures. The state threshold of $13,200 is not applicable to federal procurement thresholds.

Responsibility for Purchasing

The Board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid requirements in the following Board policies and their accompanying administrative regulations or procedures:

Policy 610. Purchases Subject to Bid/Quotation
Policy 611. Purchases Budgeted
Policy 612. Purchases Not Budgeted
Policy 613. Cooperative Purchasing

Purchase Methods

When a request for purchase of equipment, supplies or services has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Policy 610 must be modified when making purchases for federally funded purposes to which the Uniform Guidance or USDA regulations apply, so as to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the Director of Finance and Operations under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The district shall use purchase orders for purchase requests in accordance with the applicable purchase method.

The district shall use electronic purchasing records, which are pre-numbered and are accessible to designated purchasing staff in the Business Office.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the Director of Finance and Operations.

Purchase orders and requisitions shall contain information including, but not limited to:

1. Description of the services to be performed or goods to be delivered.

2. Location of where services will be performed, or goods will be delivered.

3. Appropriate dates of service or delivery.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district's Records Management Policy and records retention schedule. (Pol. 800)

Contracts shall be reviewed by the Board Secretary, Director of Finance and Operations, Superintendent, or district solicitor, as needed, prior to submission to the Board for approval.

Contracts to which the Uniform Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

Micro-Purchases Not Requiring Quotes or Bidding

For purposes of this procedure, micro-purchase means a purchase of equipment, supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of $15,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $15,000.(48 CFR Subpart 2.1)
Note: The micro-purchase maximum for federal purposes is lower than the amount which the School Code allows purchase for nonfederal purposes to be made without obtaining at least three (3) written or telephonic quotes or using formal competitive bidding.

The micro-purchase method is used to expedite the completion of its lowest dollar small purchase transactions and minimize the associated administrative burdens and reduce costs.

Procurement by micro-purchase is the acquisition of equipment, supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms. The Director of Finance and Operations will be responsible to determine the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. Reasonable can be demonstrated through sound business practices documenting research, experience, purchase history, or other information. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased. (2 CFR 200.320)

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or small purchase procedures may be used optionally when those procedures may result in cost savings.

Simplified Acquisition Procedures

For purposes of this procedure, simplified acquisition procedures are those relatively simple and informal procurement methods for securing equipment or supplies that cost more than the amount qualifying as a micro-purchase and do not cost $24,500 or more, or in the case of services other than construction, maintenance or repair on school facilities, where the total cost does not exceed the $350,000 federal Simplified Acquisition Threshold at which formal competitive bidding or competitive proposals are required. Simplified acquisition procedures cannot be used for purchases of equipment or supplies or for construction, repair or maintenance services costing $24,500 or more because the School Code requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for purchases of equipment, supplies and construction, maintenance or repair services on school facilities is adjusted for inflation annually, and the adjusted amount most recently determined and published in the Pennsylvania Bulletin shall apply if other than $24,500. (24 P.S. Sec. 120)

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

Because state law does not require competitive bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost, simplified acquisition procedures may be used for procurement of such other services except when the

estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required ($350,000).

A request for proposal (RFP) may be made for small purchases; however, the procurement process must comply with formal RFP procedures, including public notice.

If simplified acquisition procedures are used, written or telephonic price or rate quotations are obtained from at least three (3) qualified sources and records of quotes are maintained as provided in Policy 610. (Pol. 610)

Formal Competitive Bidding

Publicly Solicited Sealed Competitive Bids -

For purchases of equipment or supplies, or of services for construction, maintenance or repairs of school facilities, sealed competitive bids are publicly solicited and awarded to the lowest responsive and responsible bidder as provided in Policy 610 when the total cost is estimated to be $24,500 or more. (Pol. 610)

Note: The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the School Code requires competitive bidding. Therefore, the lower base amount specified by the School Code, as annually adjusted, is used to determine when bidding will be used for purchases of equipment or supplies, or for obtaining services for construction, maintenance or repairs on school facilities. (24 P.S. Sec. 120)

State law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of $350,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

For procurement of services costing at or over the $350,000 federal threshold other than for construction, maintenance or repairs on school facilities, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;

2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and

3. The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a justified and documented reason.

Competitive Proposals -

State law does not require public school entities to solicit competitive bids for services other than construction, repairs or maintenance of school facilities, for which competitive bidding is required if the cost will be a base amount of $24,500 or more. State law allows competitive proposals relating to work on facilities in lieu of bidding only in the context of guaranteed energy savings contracts.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, repairs or maintenance of school facilities costing less than that threshold, the district may use simplified acquisition procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the small purchase competition requirements under state law and Policy 610 for the acquisition of services other than for construction, repairs or maintenance of school facilities, and can be used if the total cost will be less than $350,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, Board policy and administrative regulations regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

2. Proposals must be solicited from an adequate number of qualified sources.

3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

An alternative form of competitive proposal is permitted only for qualifications-based procurement of architectural and engineering services, in which price is not a selection factor and reasonable compensation is negotiated after source selection. This alternative is not permitted for procurement of other types of services.

Competitive proposals shall be evaluated by the Director of Finance and Operations based on factors including but not limited to:

1. Cost.
2. Experience of contractor.
3. Availability.
4. Personnel qualifications.
5. Financial stability.
6. Minority business, women's business enterprise, veteran-owned business or labor surplus area firm status.
7. Project management expertise.
8. Understanding of district needs.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the Superintendent.

Contract/Price Analysis

The district performs a cost or price analysis in connection with every procurement action in excess of $350,000, including contract modifications. (2 CFR 200.323(a)).

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Director of Finance and Operations must come to an independent estimate prior to receiving bids or proposals. (2 CFR 200.323(a)). As part of the analysis, the Director of Finance and Operations will enact established business practices which may include evaluation of similar prior procurements and a review process.

Negotiated Profit

In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR 200.323(b)).

When profit must be negotiated as a separate element of the total price, it shall be negotiated by the Director of Finance and Operations.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one (1) or more of the following circumstances apply: (2 CFR 200.320)

1. The aggregate amount of the procurement transaction does not exceed the micro-purchasing provisions.

2. The procurement transaction can only be fulfilled by a single source.

3. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An emergency exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.

4. The federal awarding agency or pass-through entity provides written approval for noncompetitive procurement in response to a written request from the recipient or subrecipient.

5. After solicitation of a number of sources, the recipient or subrecipient determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will provide the grounds, including analysis and documentation, for using the noncompetitive method in lieu of an otherwise required competitive method of procurement. A written confirmation from the contractor as the sole source of the item may be included as a supplement to the district's record of analysis. Documentation must be submitted to and maintained by the Business Office.

All noncompetitive proposals will ultimately be approved by the Board. The district may utilize legal advice from the solicitor regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds $350,000.

Purchase Cards

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs. The use of procurement cards is governed by Board policy 625 Procurement Cards and established administrative regulations. (Pol. 625)

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR 200.319. 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 must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

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

2. Requiring unnecessary experience and excessive bonding.

3. Noncompetitive pricing practices between firms or between affiliated companies.

4. Noncompetitive contracts to consultants that are on retainer contracts.

5. Organizational conflicts of interest.

6. 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.

7. Any arbitrary action in the procurement process.

Scoring mechanisms that reward bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections, may be assigned when consistent with established practices and legal requirements.
(2 CFR 300.319)

Minority Businesses, Women’s Business Enterprises, Veteran-Owned Businesses, Labor Surplus Area Firms

The district must take necessary affirmative steps to assure that minority businesses, women’s business enterprises, veteran-owned businesses and labor surplus area firms are considered when possible. Such consideration means: (2 CFR 200.321)

1. Placing such businesses on solicitation lists.

2. Assuring that such businesses are solicited whenever they are deemed eligible as potential sources.

3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such businesses.

4. Establishing delivery schedules, where the requirement permits, which encourage participation such businesses.

5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

6. Requiring the prime contractor, if subcontracts are let, to apply these conditions to subcontracts.

Prequalified Lists

The district must 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. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language

The district must 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 district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more

economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any 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. Such considerations are accessible in the procedure attached to Policy 626: Allowability of Costs – Federal Programs.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act, the School Code and the Commonwealth Procurement Code. (Pol. 613; 53 Pa. C.S. Ch. 23; 24 P.S. 521; 62 Pa. C.S. Ch. 19, 2 CFR 200.318 (e))

When procuring supplies or services for federally funded purposes to which the Uniform Guidance applies, the district shall verify and document that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods, requirements and standards of the Uniform Guidance as outlined in this procedure.

The district considers 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.

Recovered Materials

The recipient or subrecipient should, to the greatest extent practicable and consistent with law, purchase, acquire or use products and services that can be reused, refurbished or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable. This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products. (2 CFR 200.323)

Debarment and Suspension

The district awards 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 district may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over $25,000 the district verifies that the contractor with whom the district intends to do business is not excluded or disqualified. (2 CFR Part 200, Appendix II, and 2 CFR 180.220 and 180.300).

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The Director of Finance and Operations will be responsible for

verification. Such verification to determine whether a potential subrecipient is subject to any suspension or debarment restrictions must include one of the following:

1. Accessing the online federal System for Award Management (SAM); or

2. Collecting a certification from that person; or

3. Adding a clause or condition to the covered transaction with that person. (2 CFR 180.300)

Maintenance of Procurement Records

The district must 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.

Maintenance of records of procurement will be governed by Board policy 800 Records Management and the district's established records retention schedule. (Pol. 800)

Time and Materials Contracts

The district may 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 district 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, the district must 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 district alone 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 district 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 district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be acted on in accordance with current state law and regulations, established district administrative regulations and the advice of the solicitor. (Pol. 610)

ADDITIONAL PROVISIONS FOR FOOD SERVICE PROGRAMS

Exemption from Bidding for Perishable Food Items -

The School Code exempts purchases of perishable food items from bidding requirements. Bidding for perishable food items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required ($350,000). Simplified acquisition procedures may be used for purchases below $350,000, or micro-purchase procedures for purchases below $15,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings.(24 P.S. 504(d))

Geographic Preferences -

The district is permitted to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR 210.21, 215.14a, 220.16)

Buy American -

The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes.

The term domestic commodity or product means: (7 CFR. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and

2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States, meaning over 51% of a food product must consist of agricultural commodities that were grown domestically.

All procurement procedures, solicitations and contracts related to food service programs must include language regarding the *Buy American* requirements for food purchases.

The two (2) main exceptions to the *Buy American* requirements are:

1. The product is not produced or manufactured in the United States in sufficient and reasonably available quantities of a satisfactory quality; or

2. Competitive bids reveal the costs of a United States product are significantly higher than the non-domestic product.

Mandatory Contract Clauses -

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;

2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or

   (b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;

3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;

4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually;

5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and

6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies -

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16)

Pre-Plated Meals -

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR 210.16, 210.19, 210.21, 220.16)

Standards of Conduct -

The district will comply with the written standards of conduct in Policy 827. Conflict of Interest which governs the actions of employees and Board members regarding the selection, award and administration of contracts.

No employee or Board member may participate in the selection, award or administration of a contract supported by a federal award if s/he has a real or apparent conflict of interest as well as any other circumstance in which the employee, Board member, any member of his/her immediate family, his/her business partner, or an organization which employs or is about to employ any of them, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. (2 CFR 200.318)

Violations of the standards of conduct by employees may result in disciplinary action up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with Board policies, procedures, applicable collective bargaining agreements and state and federal law.

FREEPORT AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: TRAVEL REIMBURSEMENT - FEDERAL PROGRAMS

ADOPTED: March 8, 2017

REVISED: August 9, 2017
August 13, 2025

626.1. TRAVEL REIMBURSEMENT – FEDERAL PROGRAMS

The Board shall reimburse administrative, professional and support employees, school officials, and participants in federal awards for travel costs incurred in the course of performing services related to official business as a federal grant recipient.[1][2][3]

Definitions

A **participant** is generally an individual participating in or attending activities under a federal award such as training or conferences, but who is not responsible for implementation of the federal award. Participants can include, but are not limited to, community members, students and conference attendees.[4]

For purposes of this policy, **travel costs** shall mean the expenses for transportation, airfare, lodging, subsistence, and related items incurred by individuals who are traveling on approved official business as a federal grant recipient.[3]

Delegation of Responsibility

School officials, district employees and participants shall comply with applicable Board policies and administrative regulations established for reimbursement of travel and other expenses.[5][6]

School officials and district employees shall acquire prior written approval to incur travel costs for official business related to a federal award.[3]

The validity of payments for travel costs shall be determined by the Director of Finance and Operations.

Guidelines

Reimbursement for travel costs related to official business as a federal grant recipient must be consistent with standard methods established in general travel reimbursement policies and administrative regulations.[3][5][6]

	Travel costs shall be reimbursed on a mileage basis for travel using a 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 district's travel reimbursement policies and administrative regulations.[3][5][6] Mileage reimbursements shall be at the rate approved by the Board for other district 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.[1][2] In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that:[3][5][6] 1. Participation of the individual is necessary to the federal award. 2. The costs are reasonable and consistent with the district's established policy. **Legal References** 1. 24 P.S. 516.1 2. 24 P.S. 517 3. 2 CFR 200.475 4. 2 CFR 200.1 5. Pol. 004 6. Pol. 331

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: FACILITIES PLANNING

ADOPTED: November 8, 2017

REVISED:

701. FACILITIES PLANNING

1. Authority
Title 22
Sec. 4.13
Pol. 100

The Board shall develop and maintain a Strategic Plan, as required by State Board of Education regulations. Involvement of the Board, staff, community, businesses and parents/guardians is an important part of this process. Facilities planning is a primary component of strategic planning.

SC 1351

The Board shall continuously or annually conduct a census of all children from birth to eighteen (18) years living in the district. The Board shall employ as many enumerators or attendance officers as necessary.

2. Delegation of Responsibility

In order to inform the Board of the district's future needs, the Superintendent or designee shall:

1. Prepare a written description of existing physical facilities.
2. Annually report to the Board on enrollment projections.
3. Report to the Board on the enrollment by grades during the school year.
4. Estimate each spring the number of students who will be enrolled in the district's schools in September of the year for which the estimate is made.
5. Prepare student population projections and compare the actual population figures to the previously projected figures to detect early any changes in population trends.

3. Guidelines
SC 1351

Information gathered in the census shall include for each child the name and address of the parents/guardians; name and location of the school in which the child could be or is enrolled or belongs; name and address of any employer of a child under eighteen (18); child's name, date of birth, age, sex, nationality, and address; and other information the Board may legally request to assist in the efficient and equitable operation of the district.

SC 701	When planning to enlarge or modify its facilities, the Board shall consider not only the number of students whose educational needs must be met, but also the physical requirements of the programs it deems best suited to meet those needs.
Pol. 103, 103.1	Each school building and site shall provide suitable accommodations to carry out the educational program, including provision for the handicapped/disabled, pursuant to law and regulations. References: School Code – 24 P.S. Sec. 501, 502, 503, 504, 701, 701.1, 702, 703, 703.1, 704, 706, 731, 731.1, 733, 736-741, 1351, 1601-C et seq. State Board of Education Regulations – 22 PA Code Sec. 4.13, 21.1 et seq., 349.1 et seq. Department of Environmental Protection Regulations – 25 PA Code Sec. 171.1 et seq. Board Policy – 100, 103, 103.1, 122, 123

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: GIFTS AND DONATIONS

ADOPTED: November 8, 2017

REVISED: February 12, 2025

702. GIFTS AND DONATIONS

1. Purpose

The development of alternate sources of funding for the benefit of the district's educational programs and facilities is a desirable goal of the Board. Opportunities are available to enhance or supplement traditional sources of district revenue through the pursuit of advertising, sponsorships, donations, partnerships, fundraising, grants and other similar revenue enhancement activities.

The district recognizes its responsibility as a provider of public education to protect the welfare of students and maintain the integrity of the learning environment. The district's objective is to ensure that educational opportunities are enhanced and not compromised when donations are offered to the schools and the district.

2. Definitions

Donation - a gift or contribution of money, goods or services, given to a school or the district. A donation is given without expectation of something of value in return. While the school or district may provide appropriate donor recognition, any expectation of specific returns from the district or schools would make a contribution a sponsorship and not a donation. Tax receipts for charitable purposes are issued for donations.

Recognition - any form of acknowledgment or consideration provided by a school or the district for a donation.

3. Authority

Donations to the district and/or schools are encouraged by the Board. Individuals or organizations desiring to make donations to the district should counsel with the Superintendent or designee regarding the acceptability of anticipated donations.

Donations shall be used for activities designed to enhance student achievement and/or school-approved student activities; assist in the maintenance of existing district educational and athletic programs and facilities; assist in the development and funding of new educational and athletic programs and facilities; and/or provide financial assistance for students participating in curricular, cocurricular and extracurricular programs who demonstrate merit or financial need.

	The district has the authority to accept all donations and reserves the right to decline any donation. Factors to be considered include, but are not limited to: 1. The extent to which the donation limits or restrains the district's discretion or its ability to pursue other opportunities; 2. The duration of the arrangement or agreement and the district's ability/discretion to terminate the arrangement/agreement; 3. The extent to which the donation imposes any obligation on the district, either presently or in the future, financial or otherwise and whether the opportunity is subject to conditions acceptable to the district; 4. The extent to which the donation constitutes a conflict of interest or creates the appearance of or potential for a conflict of interest; 5. The extent to which the donation affects the appearance of district property or disrupts the operation of the district; and 6. The extent to which the donation interjects advertising or commercialism into the schools or classrooms. All proposed donations will be reviewed by the Superintendent and presented to the Board for approval before acceptance, except that the Superintendent and/or designee may accept 1) donations with a value of $100 or less and 2) donations of memorial library books. The district may accept monetary contributions designated for specific purposes and donations of equipment or materials. If the donation is instructional equipment, it is imperative that attention be given to technical and curricular compatibility before acceptance. Before supplies, books, equipment or other items are purchased or donated, approval must be obtained from the Board or its designee.
SC 216, 703	Any donation accepted by the district shall become the property of the district and is subject to the same controls and regulations as are other properties of the district. The district shall be responsible for the maintenance of any donation it accepts, unless otherwise stipulated. The district will make every effort to honor the intent of the donor in its use of the donation, but reserves the right to utilize any donation it accepts in the best interests of the educational program of the district. The fact that funds, property or services have been provided as a donation to one school shall not require or preclude the providing by the district of like items for other schools.

	In no case shall acceptance of a donation be considered to be an endorsement of a commercial product, business or institution of learning. Donations must be positive, ethical and structured in accordance with the following principles: 1. Donations shall meet the needs and/or desires of the district and its students.
Pol. 103, 103.1, 104	2. Donations must be consistent with codes of conduct and district policies, including those prohibiting discrimination on the basis of race, color, ethnicity, national origin, religion, gender, age or mental/physical disability, and must be age-appropriate for the students involved. 3. The Superintendent must retain discretion over how or whether to integrate commercially sponsored or provided material or programs into the curriculum. 4. No donation will be accepted that requires students to advertise a product, service, company or industry. This prohibition on student advertising includes athletic uniforms and equipment, although uniforms and equipment may display the name or logo of the uniform and equipment manufacturer or supplier.
Pol. 235	5. The district has a duty to protect students' privacy and personal information. Students and schools shall not be required to complete questionnaires or surveys to provide marketing information to vendors, or distribute to vendors any personal student information including, but not limited to, names, addresses and telephone numbers, except as may be required by law. No canvassing of students for commercial purposes is allowed on school property. 6. The district will not accept the donation of goods from third parties (other than student and booster groups) for which the third party then solicits monetary contributions or paid advertisements from local businesses and residents in the name or on behalf of the district. It is appropriate that donors receive recognition for their support. Recognition should be focused and directed to adults. Such recognition can be in the form of a mention in the school newsletter, a news release, or letter to the involved party. In some cases, recognition in the form of a temporary display, sign or banner may be appropriate as approved by the Superintendent and/or designee. At the discretion and upon the approval of the Board, recognition may be in the form of the placement of a suitable plaque or nameplate. The purpose of the display should be for donor identification only.

4. Delegation of Responsibility	It shall be the responsibility of the administration to consult with potential donors and benefactors regarding potential gifts to the district or proposal to enhance revenue and to present these potential gifts and opportunities to the Board for approval or rejection.
5. Guidelines	This policy shall be communicated to: 1. District staff. 2. Students and parents/guardians through the Parent/Student Handbooks. 3. The Freeport Area School District community. References: School Code – 24 P.S. Sec. 216, 703 Board Policy – 103, 103.1, 104, 235

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: CROWDFUNDING

ADOPTED: September 11, 2019

REVISED:

702.1 CROWDFUNDING

Purpose

The Board recognizes that crowdfunding has become an increasingly popular method by which school districts can procure funding for specific projects and/or programs.

Authority

The Board permits district employees and eligible organizations to maximize opportunities to obtain resources for the benefit of students and the district; however, unregulated use of crowdfunding on behalf of the district can expose the district, the employee, and an organization to significant potential legal liability. The Board adopts this policy to effectively mitigate risks and establish parameters for the use of crowdfunding on behalf of the district. Organizations not granted formal recognition by the Board as an eligible organization shall not engage in crowdfunding on behalf of the district.

Definitions

Crowdfunding shall mean a mechanism by which an individual or organization solicits and accepts donations from the general public, via specially-designed websites, to fund a specific purpose or cause. **Crowdfunding** shall not include requests for donations the district makes using its own website or social media platforms.

A **crowdfunding campaign** shall mean an approved crowdfunding request that has been set up and is actively soliciting and accepting donations.

A **crowdfunding request** shall mean the form and related information submitted by an individual who, or eligible organization that, seeks permission to engage in a crowdfunding campaign.

A **crowdfunding site**, for the purposes of this policy, shall mean one that has been approved by the Board or designated administrator.

	Eligible organizations shall mean booster groups, parent organizations, school-sponsored student organizations, [1] and educational foundations that have been formally recognized by the Board and may be granted permission to utilize crowdfunding upon proper application and subsequent approval. **Individual**, for purposes of this policy, shall mean a district employee. **Resources** include donated funds, items purchased with donated funds, and, when the crowdfunding site directly provides the items, the items themselves.
Delegation of Responsibility	The Superintendent shall approve crowdfunding sites for use by individuals and eligible organizations based on the criteria outlined in this policy. The Superintendent shall maintain a list of approved crowdfunding sites and update the list as needed. It shall be the responsibility of the building principal to approve all crowdfunding requests. When the crowdfunding request involves any single item valued at $10,000 or more, Board approval shall be required. If the crowdfunding request is approved, the requester shall be responsible for: 1. Preparing all materials and information related to the crowdfunding campaign. 2. Keeping district administrators apprised of the status of the campaign. 3. Following all applicable laws, Board policies, and administrative regulations, including the requirements, policies and/or regulations established by the crowdfunding site.
Guidelines	The district reserves the right to withhold approval of any crowdfunding request or terminate a pre-approval for a crowdfunding campaign for any reason. The district reserves the right to refuse to accept funds that have been raised through a crowdfunding campaign if it discovers that the campaign violated this policy or any of the crowdfunding site's requirements, policies and/or regulations. All resources obtained through crowdfunding campaigns are the property of the district.[2]

While preference shall be given for the resources to be used and maintained by the individual or eligible organization who originally obtained them through crowdfunding, the district reserves the right to transfer such resources to another classroom, program and/or individual, as necessary.[3][4][5]

Approval of Crowdfunding Sites

When evaluating crowdfunding sites to be approved for use by individuals or eligible organizations, the Superintendent shall consider the following:

1. The crowdfunding site shall be operated by a legitimate corporation or limited liability company with no history of fraud, unlawful activity, financial mismanagement, or other misconduct.

2. The crowdfunding site shall publicly display details about each resource funded (unit cost, vendor, etc.) and provide easy-to-understand explanations of fees and overhead costs.

3. Crowdfunding sites that provide requested items in lieu of direct funds shall be given preference.

4. The crowdfunding site shall require that all resources secured by an individual or eligible organization on behalf of the district go directly to the school or district program listed in the crowdfunding request, not the individual who, or the eligible organization that, submitted the crowdfunding request.

5. Sites designed for crowdfunding by schools and/or educators shall be given preference, as long as they otherwise meet the requirements of this section.

All crowdfunding campaigns shall utilize one (1) of the approved crowdfunding sites.

Approval of the Crowdfunding Request

Individuals who, and eligible organizations that, wish to use crowdfunding to obtain resources for classroom or school purposes shall submit a written request to the building principal for approval at least ten (10) days before the desired start of the crowdfunding campaign.

The crowdfunding request shall include:

1. The name and job title of the individual requester or, if the applicant is an eligible organization, the names of two (2) members of the eligible organization, and their position within the eligible organization, who shall be responsible for overseeing the crowdfunding campaign.
2. The crowdfunding site to be used.
3. The requested item(s) and/or the amount of funds targeted to be raised in order to purchase the item(s).
4. The school, classroom, program, and/or activity to be benefitted.
5. The exact language, as well as any graphics, that will be included in the post on the crowdfunding site.
6. The projected start and end dates of the post on the crowdfunding site.
7. A list and description of any social media platforms and/or accounts that will be used to promote the crowdfunding campaign, including the identification of the individuals/organizations to whom such accounts belong.
8. A description of any other methods/channels that will be used to promote/market the crowdfunding campaign.

The individual(s) reviewing the crowdfunding request shall ensure that:[1][2]

1. The crowdfunding request does not conflict with other district fundraising efforts.
2. The district does not already have the requested resources.
3. The district can adequately utilize, support, store, and maintain the resources, if received.
4. The crowdfunding campaign is compliant with all applicable federal and state laws and regulations, and Board policies and administrative regulations.
5. The district, staff and/or students are not portrayed in a negative light.
6. The crowdfunding request is compatible with the district's educational program, mission, vision, shared values, curriculum, and district initiatives.

Where crowdfunding resources are in the form of funds, such funds shall be sent to the district's Business Manager, who shall ensure the appropriate accounting and holding of such funds until they are used for their stated purpose.

Where crowdfunding resources are in the form of the requested items, all items must be delivered directly to the principal of the building in which they will be used.

All crowdfunding campaigns involving classroom materials, projects or resources must be consistent with district-approved curriculum.

The Business Manager shall be promptly notified of any unused funds.

The building principal shall maintain control and discretion over unused items or items that can be used after the conclusion of the project for which the items were sought.

Prohibitions

Crowdfunding campaigns may not:

1. Include pictures or personally identifying information of district students in the crowdfunding post, or on the posting individual's home or biography page on the crowdfunding site, without proper consent.[6][7][9][10][11]

2. Be used for the personal gain of any individual.

3. Request food items that do not meet the Smart Snacks standards of the USDA regulations for school nutrition.[12][13]

4. Contain language that suggests, infers or states that:

    a. The resources sought are required for, or otherwise integral to, a student's special education program, necessary for a student to achieve his/her Individualized Education Program (IEP) goals, or essential to ensure participation of a student or students with disabilities in school or any program offered by the district.[14][15]

    b. The school does not have enough resources.

Individuals may not keep resources for personal use.

	Individuals who are not employees of the district or authorized as part of an eligible organization may not engage in crowdfunding on behalf of the district. **Legal References** 1. Pol. 229 2. Pol. 702 3. Pol. 122 4. Pol. 123 5. Pol. 150 6. Pol. 113.4 7. Pol. 216 8. Pol. 324 9. 20 U.S.C. 1232g 10. 22 PA Code 15.9 11. 34 CFR 99.3 12. 7 CFR 210.11 13. Pol. 246 14. Pol. 103.1 15. Pol. 113 24 P.S. 216 24 P.S. 1603-C 34 CFR Part 99 7 CFR Part 210

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: MEMORIALS

ADOPTED: March 12, 2020

REVISED:

702.2 MEMORIALS

Purpose

The death of a student, friend, colleague, or other loved one often motivates individuals to make memorial contributions to the school district. In addition, requests for specific types of memorials are commonly made by donors. However, the district recognizes that it may not always be appropriate to comply with these specific wishes. The purpose of this policy is to establish procedures for the management of memorials.

Authority

The Board has the authority and responsibility to establish rules and regulations for the presentation of memorials to the District.[1]

Guidelines

Memorials to the deceased can be a very sensitive issue, especially in the aftermath of a tragic death. During the grieving process, those grieving often attempt to honor the memory of a student, friend, colleague, or loved one through a visible memorial. In responding to these memorial requests, schools must be careful not to glamorize or sensationalize the death.

The Board of Education has established school facilities as a place for learning, education, and youth activities.

The District encourages consideration of monetary memorial contributions directed to the Freeport Area School District Foundation and utilized for student scholarships and/or classroom grants for the benefit of the students.

<u>Spontaneous Temporary Memorials/Expressions Following a Death</u>

The District is sensitive to the emotional needs of our school community during times of crisis. Tragic incidents or deaths may be observed by spontaneous expressions of grief, support, or sympathy for a victim and/or their family. So that no human life is interpreted to be more or less important than others, the following procedures shall be followed:

1. In enforcing this policy, it is imperative that students and staff involved are treated in a sensitive manner by explaining the reasons for the policy to students, staff, parents/guardians.

	2. Since expressions of grief are often emotional and cathartic, individual or trained professionals should be available to appropriately address need. 3. Decorations or displays should be limited to an area designated by the superintendent (or designee). The superintendent (or designee) should use discretion as to the appropriateness of the decorations or displays and when they are to be removed. 4. Candles and other flammable items cannot be permitted on school grounds without the permission of the Superintendent. 5. Gatherings on school property without the presence of an appropriate adult will not be allowed without permission by the superintendent (or designee). **Legal References** 1. 24 P.S. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: SANITARY MANAGEMENT

ADOPTED: November 8, 2017

REVISED:

703. SANITARY MANAGEMENT

1. Purpose

The Board recognizes that safeguarding the health and physical well-being of district students and staff depends upon the cleanliness and proper sanitary conditions of the school buildings and grounds.

2. Authority
SC 701

The Board directs that a program of sanitary management shall be maintained in all district buildings and facilities and explained periodically to staff members.

The Board directs that standards be maintained to meet requirements set forth by the Pennsylvania Department of Health, Department of Labor & Industry, and any local agency that has jurisdiction.

3. Delegation of Responsibility

All district facilities shall be inspected regularly for cleanliness and proper sanitation by the Superintendent or designee.

The Superintendent or designee shall develop and supervise a program for the cleanliness and sanitary management of school buildings and facilities, school grounds and school equipment pursuant to law, State Board regulations and requirements of the local and state Boards of Health and the Department of Labor & Industry.

Cleanliness of each school building shall be the responsibility of the building principal.

Teachers shall be responsible for the condition of their classrooms.

Principals shall inspect facilities at least once per month, and report to the Superintendent or designee any conditions that may threaten the comfort, health or safety of occupants.

	References: School Code – 24 P.S. Sec. 701 Department of Environmental Protection Regulations – 25 PA Code Sec. 171.1 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: MAINTENANCE

ADOPTED: November 8, 2017

REVISED: October 10, 2018
October 14, 2026

704. MAINTENANCE

Purpose

Adequate maintenance of buildings, property and equipment is essential to fiscal responsibility and efficient management of district facilities.

Authority

The Board directs that a continuous program of inspection and maintenance of all district buildings, property and equipment be established and implemented. Wherever possible, maintenance shall be preventive.[2][3]

Delegation of Responsibility

The Superintendent or designee shall develop and supervise a maintenance program which shall include:

Regular program of maintenance, repair and improvement of buildings and facilities.

{ } Testing lead levels in drinking water.[3]

Critical spare parts inventory.

Equipment replacement program.

Long-range plans for building modernization and conditioning.

The Superintendent or designee shall develop a maintenance check list applicable to all district buildings.

Each building principal, in conjunction with the building maintenance employee, shall conduct a physical inspection of the building on a periodic basis and return a written report to the Superintendent or designee as to the findings of that inspection.

The Superintendent shall report annually to the Board regarding the current maintenance and improvement program and projected maintenance needs that include cost analysis.

Legal References:
[2] 24 P.S. 701
[3] 24 P.S. 742.1

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: FACILITIES AND WORKPLACE SAFETY

ADOPTED: November 8, 2017

REVISED: October 9, 2019
December 17, 2020

705. FACILITIES AND WORKPLACE SAFETY

Purpose

The Board recognizes that district facilities must be maintained and operated in a condition that prioritizes the safety of students, staff and visitors.

Authority

The Board directs the district to provide facilities and equipment for the safe conduct of the educational programs and operations of the schools, in accordance with guidance issued by state and local officials, and the Board-approved health and safety plan.

The Board requires that all students, staff and visitors adhere to state and local health and safety orders, Board policy, administrative regulations and Board-approved plans requiring face coverings or other protective devices where needed for safety purposes. Violation of this policy and school safety rules may result in disciplinary action, in accordance with law, regulations or Board policy, or denial of entry to district buildings and property, except where accommodations are deemed reasonable and necessary for individuals with disabilities or for medical conditions.[1][2][3][4][5][6]

Delegation of Responsibility

The Superintendent or designee shall periodically review and evaluate district health and safety rules and health and safety plans, as necessary.[7]

Administrators shall ensure that all staff and students are informed of health and safety rules at the beginning of the school year and whenever conditions and requirements change. Administrators shall provide ongoing education and post signage to assist staff and students in complying with health and safety rules.[7]

Guidelines

Certified Workplace Safety Committee

A workplace safety committee shall be established to promote the district's goals concerning safe schools.[8][9][10][11]

The workplace safety committee shall be composed of a minimum of four (4) members, including two (2) district administrators and two (2) employee representatives.

	If the number of members on the workplace safety committee exceeds four (4), the committee shall be composed of an equal number of administrators and employees unless otherwise agreed upon by both groups. The district administrators shall not constitute a majority of the workplace safety committee. It shall be the responsibility of the workplace safety committee to: 1. Evaluate the current safety program. 2. Establish procedures for conducting and documenting the findings of periodic inspections to locate and identify safety and health hazards. 3. Make recommendations to correct hazards. 4. Review, in a timely manner, incident and accident report and investigation forms. 5. Conduct follow-up evaluations on the effectiveness of new health and safety equipment or safety procedures. A quorum of the workplace safety committee members shall meet at least once a month. The workplace safety committee shall develop and maintain operating procedures, membership lists, committee meeting agendas, attendance lists and minutes of each meeting. All decisions of the committee shall be made by majority vote of members present. The Superintendent or designee shall ensure that a qualified trainer provides all committee members with adequate, annual training in safety committee structure and operation, hazard detection and inspection, and accident and illness prevention and investigation. The Superintendent or designee shall maintain written records of workplace safety committee training.

	Legal References 1. Pol. 103.1 2. Pol. 113 3. Pol. 113.1 4. Pol. 218 5. Pol. 317 6. Pol. 907 7. Pol. 805 8. 24 P.S. 223 9. 34 PA Code 129.1001 et seq. 10. 72 P.S. 1722-J 11. 77 P.S. 1038.2 24 P.S. 510 24 P.S. 1517 24 P.S. 1518

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: PROPERTY RECORDS

ADOPTED: November 8, 2017

REVISED:

706. PROPERTY RECORDS

1. Purpose

The Board recognizes that adequate property and inventory records must be maintained on all buildings, equipment, and physical property under district control.

2. Definition

For purposes of this policy, equipment shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, and does not lose its identity when incorporated into a more complex unit.

3. Authority

The Board directs that a complete inventory, by physical count, of all district-owned equipment and property records of all district buildings and grounds shall be maintained and updated annually.

4. Delegation of Responsibility

It shall be the responsibility of the Superintendent or designee to ensure that equipment inventories are systematically and accurately recorded, updated, and adjusted annually by reference to purchase orders and withdrawal reports. Property records of facilities shall be maintained on an ongoing basis.

The Business Manager shall maintain a system of property records which shall show, as appropriate to the item recorded, the following:

1. Description and identification.
2. Manufacturer.
3. Year of purchase.
4. Location.
5. Current valuation in conformity with insurance requirements.

5. Guidelines	Major items of equipment shall be subject to annual physical spot check inventory to determine loss, location or depreciation; any major loss shall be reported to the Board. Records of consumable supplies shall be maintained on a continuous inventory basis.
Pol. 708, 710	No equipment shall be removed for personal or nonschool use, except in accordance with Board policy. References: School Code – 24 P.S. Sec. 510 Board Policy – 708, 710

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: April 14, 1998

REVISED: August 11, 2016
November 8, 2017
February 13, 2019
March 12, 2020
June 12, 2024

707. USE OF SCHOOL FACILITIES

Purpose

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools. This policy establishes conditions, restrictions and procedures for the use of school facilities for non-school-sponsored purposes.

Authority

The Board will provide for the use of school facilities when permission has been requested in writing to the Superintendent and has been approved by the Board for the following types of activities and in the listed order of priority for purposes of resolving any conflicting requests for the use of school facilities:

1. Organizations affiliated with the school. These include, but are not limited to: PTO, PSEA, Band Boosters, Athletic Boosters, and After Prom Committee
2. Nonprofit organizations
3. For-profit organizations

The use of school facilities shall not be granted for any purpose which is prohibited by law, or when the usage is in conflict with regularly scheduled school activity.

Special circumstances may be considered by the Board from time to time that may accommodate rate adjustments or long-term lease agreements.

The Board shall establish a schedule of fees for the use of school facilities by approved groups.[1]

Delegation of Responsibility	The Superintendent shall ensure that this policy is posted on the district's publicly accessible website.[2] The Superintendent or designee shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them. An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent.
Guidelines	<u>Application Process</u> An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form in advance of the proposed date to the Superintendent or his/her designee. The application must specify the portion of the school 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 district guidelines. 3. Documentation evidencing the district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group. <u>Application Evaluation</u> No application to use school facilities shall be approved if the proposed activity would result in any of the following: 1. Conflict with any school-sponsored activity. 2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar or Board action. 3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.

4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.

Limitations

When individuals and community groups receive written permission to use 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 school facilities or their contents not specified in the approved written request form.

2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form.

3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the district.

4. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.

Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities:[3]

1. Possession, use or distribution of controlled substances prohibited by state or federal law.

2. Possession of weapons.

3. Conduct that would alter, damage or be injurious to any district 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. Use of tobacco and vaping products, and other e-cigarettes, as defined in the law.[4][5][6][7]

6. Products approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, are permitted, as long as the product is not inhaled.

7. Medical marijuana products as prohibited by federal law.

8. Possession, use or distribution of alcoholic beverages.

9. 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 administration.[8][9]

Violations

The district reserves the right to remove from district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[3]

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the right to submit future written requests to use district property, unless otherwise decided by the Board.

Fee Schedule

Use of school facilities for activities directly related to the educational program and district operations shall be without cost to users except that the user shall be responsible for extra custodial fees at the district's discretion

Legal References:
1. 24 P.S. 775
2. 24 P.S. 510.2
3. 24 P.S. 511
4. 18 Pa. C.S.A. 6306.1
5. 20 U.S.C. 7972
6. 20 U.S.C. 7973
7. Pol. 904
8. 10 P.S. 328.101, *et seq.*
9. 61 PA Code 901.701
24 P.S. 779
35 P.S. 637.1, *et seq.*
61 PA Code 901.1
20 U.S.C. 7905
20 U.S.C. 7971, *et seq.*

Freeport Area School District
Facility Usage Fees

Facility	School-Affiliated	Local Community Youth Organizations	Non-Profit	For-Profit
Classrooms – All Schools Classrooms are available at the building Principal's discretion. School libraries are not available for rental.	N/A	N/A	$ 25/HR	$ 50/HR
Cafeterias – All Schools Cafeteria rental does not include kitchen access — please contact the District Food Service Manager at 724-295-5141 x1252 for information about catering services available from the District's Food Service.	N/A	N/A	$ 35/HR	$ 70/HR
High School Auditorium	N/A	N/A	$ 50/HR	$ 100/HR
High School Audion	N/A	N/A	$ 25/HR	$ 50/HR
Middle School Auditorium	N/A	N/A	$ 75/HR	$ 150/HR
Buffalo Elementary Auditorium	N/A	N/A	$ 50/HR	$ 100/HR
South Buffalo Elementary Auditorium	N/A	N/A	$ 50/HR	$ 100/HR
High School Gymnasium – Main	N/A	N/A	$ 50/HR	$ 100/HR
High School Gymnasium – Auxiliary	N/A	N/A	$ 25/HR	$ 50/HR
Middle School Gymnasium	N/A	N/A	$ 75/HR	$ 150/HR
Buffalo Elementary Gymnasium	N/A	N/A	$ 50/HR	$ 100/HR
South Buffalo Elementary Gymnasium	N/A	N/A	$ 50/HR	$ 100/HR
Athletic Stadium – Without Lights	N/A	$ 50/HR	$ 100/HR	$ 200/HR
Athletic Stadium – With Lights	N/A	$ 100/HR	$ 200/HR	$ 400/HR
Track/Track Field – Without Lights	N/A	$ 50/HR	$ 50/HR	$ 100/HR
All Other Outside Athletic Fields/Spaces	N/A	N/A	$ 25/HR	$ 50/HR
General Security Deposit A security deposit will be required for all use of facilities. All deposits will be refunded upon request once it has been verified that all facilities have been returned to their original condition.	$ 100	$ 100	$ 100	$ 500
Additional Personnel Services as Assigned				
Security Services	All groups are responsible for contracting with the District's designated security firm or the Buffalo Township or South Buffalo Township police departments to provide the required security. The District will make final determinations regarding the necessary security staffing.			
Custodial Services Custodial Services will be assigned for certain events depending on the facility in use and number of attendees or participants. Please be aware that additional time may be required beyond the event duration, for preparation and/or cleanup.	$ 47/HR	$ 47/HR	$ 47/HR	$ 47/HR
Audio Visual Technology Operator A District Audio Visual Technology Operator will be required for any Auditorium rental that involves the use of the sound system, stage lighting, curtains or visual displays.	$ 50/HR	$ 50/HR	$ 50/HR	$ 50/HR
Scoreboard Operator/Additional Athletic Workers A District Scoreboard Operator is required for use of the scoreboard. Additional athletic workers may be assigned as needed. Per event rate is per operator/worker and is subject to adjustment for certain types of events.	$ 50/EVENT	$ 50/EVENT	$ 50/EVENT	$ 50/EVENT

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: LENDING OF EQUIPMENT AND BOOKS

ADOPTED: November 8, 2017

REVISED:

708. LENDING OF EQUIPMENT AND BOOKS

1. Purpose
SC 801
Pol. 707

The Board directs that district-owned equipment normally shall not be loaned for nonschool use off school property. If equipment is required for use by those granted permission to use school facilities, it may be loaned in accordance with Board policy.

2. Delegation of Responsibility

Use of specific items of equipment, when unobtainable elsewhere, may be granted on the written request of the intended user and approval by the responsible supervisor.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks relevant to their school or job responsibilities. Prior approval of the responsible supervisor is required for such removal and use.

3. Guidelines

The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return.

When equipment authorized for lending requires the services of an operator, the user shall employ the person designated by the district and shall pay the stated cost of services.

Removal of school equipment from school property for personal use by staff or students is prohibited.

SC 804

School books may be used by students during vacations when permission is granted by the building principal.

References:

School Code – 24 P.S. Sec. 801, 804

Board Policy – 707

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: BUILDING SECURITY

ADOPTED: November 8, 2017

REVISED: October 9, 2019

709. BUILDING SECURITY

Purpose

The Board recognizes the need to maintain security of school facilities for reasons of safety, vandalism and theft.

Delegation of Responsibility

Building security shall be coordinated by the School Safety and Security Coordinator, with the cooperation of district administrators, building principals and district staff.[1][2]

The Superintendent or designee shall develop administrative regulations designating who may be authorized to access district building(s), the designated level of access and who may have after-hours access to district facilities.

Guidelines

After the start of the school day, access to school buildings shall be limited to one (1) entrance that is monitored and capable of controlling visitor entry. All other entrances shall be locked, and designated school staff shall follow established Board policy and procedures for entry of school visitors and other authorized individuals into school buildings.[3]

Legal References

1. Pol. 805
2. Pol. 805.2
3. Pol. 907

24 P.S. 510

Pol. 705

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF FACILITIES BY STAFF

ADOPTED: November 8, 2017

REVISED:

710. USE OF FACILITIES BY STAFF

1. Authority

The Board establishes that school equipment and facilities may not be used by district staff for personal reasons, either on or off school property, without explicit authorization or administrative permission.

The Board specifically prohibits personal use of district telephones, personal use of materials, tools, supplies and equipment, and personal use of district vehicles.

2. Guidelines

Pol. 707, 708

District facilities and equipment shall be available for staff use only if:

1. Such use is clearly within the authorization granted in Board policy.
2. Prior approval has been granted by resolution of the Board, such as a district-assigned vehicle.
3. Temporary approval has been granted by the Superintendent or designee.
4. A personal emergency exists in which life or property is endangered.

References:

School Code – 24 P.S. Sec. 510

Board Policy – 707, 708

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: DISPOSAL OF SCHOOL PROPERTY

ADOPTED: November 8, 2017

REVISED:

711. DISPOSAL OF SCHOOL PROPERTY

1. Purpose
SC 707

School property of value which is no longer in use may be disposed of according to guidelines specified in the School Code.

2. Authority

Upon notification by the Superintendent or designee; the Board may take action to dispose of unused books, furniture, equipment, supplies, or other school property in a manner prescribed under the School Code that has no longer been deemed of value to the educational purpose of the district and after taking action on an appropriate resolution to that effect. This would apply to any item with a current value exceeding $100, but excluding items sold for scrap.

No item under the ownership of the district may be arbitrarily taken, given, or otherwise disposed of except through official authorization granted by the Board which specifies manner of disposal, assigned value, if applicable, and person responsible for executing said directive.

The Board, at its discretion, can annually authorize the Superintendent to dispose said items.

References:

School Code – 24 P.S. Sec. 510, 707

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: LOSS OF PERSONAL PROPERTY

ADOPTED: November 8, 2017

REVISED:

	712. LOSS OF PERSONAL PROPERTY
1. Purpose	The Freeport Area School District will not assume responsibility for personally owned articles that may be lost, stolen, or damaged while being transported to or from school, while left on school premises, or used in school-sponsored events. Full responsibility and security measures must be assumed by the party or parties involved in bringing articles to school at their risk. References: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: *RESERVED*

ADOPTED:

REVISED:

	713. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: *RESERVED*

ADOPTED:

REVISED:

	714. RESERVED

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: *RESERVED*

ADOPTED:

REVISED:

	715. RESERVED

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROPERTY TITLE: INTEGRATED PEST MANAGEMENT ADOPTED: November 8, 2017 REVISED: June 10, 2026

	716. INTEGRATED PEST MANAGEMENT
Purpose	The district shall utilize integrated pest management procedures to manage structural and landscape pests and the toxic chemicals used for their control in order to alleviate pest problems with the least possible hazard to people, property and the environment.
Definitions	**Integrated Pest Management (IPM)** is the managed use of combined pest control alternatives, including cultural, mechanical, biological and chemical to most effectively prevent or reduce to acceptable levels damage caused by pests.[1]
	Integrated Pest Management Plan is a plan that establishes a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health and environmental risks.[2]
Authority	The Board establishes that the district shall use pesticides only after consideration of the full range of alternatives, based on analysis of environmental effects, safety, effectiveness and costs.[3][4]
	The Board shall adopt an IPM Plan for district buildings and grounds that complies with policies and regulations promulgated by the Department of Agriculture.[2][4]
	The Board shall designate an employee to facilitate IPM for the district. The designated employee will be referred to as the district's IPM Coordinator or as otherwise specified at the district.
Delegation of Responsibility	The IPM Coordinator shall be responsible to implement the IPM Plan and to coordinate communications between the district and the approved contractor.
	The IPM Coordinator shall be responsible to annually notify parents/guardians of the procedures for requesting notification of planned and emergency applications of pesticides in school buildings and on school grounds.[5]

	The IPM Coordinator shall maintain detailed records of all chemical pest control treatments for at least three (3) years. Information regarding pest management activities shall be available to the public at the district's administrative office.[5]
	Appropriate personnel involved in making decisions relative to pest management shall participate in periodic training, as needed.
Guidelines	Pest management strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and site appropriate pesticides.
	An IPM Plan shall include the education of staff, students and the public about IPM policies and procedures.
	When pesticide applications are scheduled for district buildings and grounds, the district shall provide notification at least seventy-two (72) hours in advance in accordance with law, including:[5]
	1. Posting a pest control sign in an appropriate area, at the place to be treated. The sign shall remain in place for at least two (2) days following each planned treatment.
	2. Providing the pest control information sheet to all individuals working in the affected school building.
	3. Providing required notice to all parents/guardians of students or to a list of parents/guardians who have requested notification of individual applications of pesticides.
	Where pests pose an immediate threat to the health and safety of students or employees, the district may authorize an emergency pesticide application and shall notify by telephone any parent/guardian who has requested such notification.[5]
	Legal References 1. 7 PA Code 128.2 2. 24 P.S. 772.1 3. 3 P.S. 111.21 et seq 4. 7 PA Code 128.1 et seq 5. 24 P.S. 772.2 7 U.S.C. 136 et seq

FREEPORT AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: CELLULAR TELEPHONES

ADOPTED: November 8, 2017

REVISED:

717. CELLULAR TELEPHONES

1. Purpose

The Board recognizes that the use of cellular telephones by district employees may be appropriate and necessary to provide for the effective and efficient operation of the district. In addition, the use of cellular telephones can help to ensure the safety and security of district property, staff, students and others while on district property or engaged in district-sponsored activities.

2. Authority

The Board authorizes the purchase and employee use of cellular telephones.

Pol. 624

Cellular telephones provided to employees by the district shall be used for authorized district business purposes.

3. Guidelines
Pol. 317

Use of cellular telephones by employees in violation of Board policy, administrative regulations, and/or federal or state laws shall result in discipline, as appropriate.

4. Delegation of Responsibility

The Superintendent or designee shall determine which employees receive district-provided cellular telephones for business purposes.

References:

Internal Revenue Code – 26 U.S.C. Sec. 1, et seq.

Board Policy – 000, 317, 624

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROPERTY TITLE: SERVICE ANIMALS IN SCHOOLS ADOPTED: November 8, 2017 REVISED: January 18, 2023 June 11, 2025

	718. SERVICE ANIMALS IN SCHOOLS
Purpose	The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from district programs, activities and services, and to ensure that the district does not discriminate on the basis of disability.
Definition	**Service animal** - any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.[1]
	Miniature horses may be utilized as service animals if:[2]
	1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.
	2. The facility can accommodate the type, size and weight of the miniature horse.
	3. The presence of the miniature horse does not compromise the safe operation of the facility.
	The work or tasks performed by a service animal shall be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.[1]
	The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.[1]

Authority	The Board shall permit individuals with disabilities to use service animals in district buildings; on district property; and on vehicles that are owned, leased or controlled by the school district, in accordance with this policy and applicable state and federal laws and regulations.[3][4][5][6]
Guidelines	Admission of Service Animals to Schools
	A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. A student or employee seeking to bring a service animal to school must comply with the requirements as set forth in this policy and any administrative regulations governing this issue.
	Parents/Guardians of students with disabilities may submit a request to the building principal for their student to bring a service animal to school. The building principal shall forward the request to the appropriate Section 504 or IEP team. The team shall gather the necessary information and evaluate the request to bring a service animal to school. The student's IEP or Section 504 Service Agreement shall be updated to reflect the use of the service animal. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement. The team shall develop appropriate plans for integrating the service animal into the educational environment.[7][8]
	Before approving a request for a service animal, the district may only ask:[6]
	1. If the service animal is required due to a disability.[2]
	2. What work or tasks the service animal is trained to perform.[2]
	The district may not:
	1. Request documentation of the need for a service animal.
	2. Request documentation regarding training of the service animal.
	3. Request a demonstration of the animal's abilities.
	4. Inquire about the nature of the individual's disability.
	Reasonable Modification Considerations for Miniature Horses
	If a miniature horse qualifies as a service animal by having been trained to do work or perform tasks for a student with a disability, the school must make reasonable modifications in policies, practices or procedures to permit the use of a miniature horse.[2]

	The district shall consider the following factors to determine whether modifications to policies, practices or procedures are reasonable:[2]
	1. The type, size and weight of the miniature horse and whether the facility can accommodate those features;
	2. Whether the handler has sufficient control of the miniature horse;
	3. Whether the miniature horse is housebroken; and
	4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements necessary for safe operations.
	Admission of Service Animals to Public Events
	Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.[2][3][9]
	School administrators may inquire of the owner or handler of a service animal whether the animal is required because of a disability and the specific work or tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.[2]
	Surcharges
	The district shall not ask or require an individual with a disability to pay a surcharge, even if individuals accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to individuals without pets. If the district normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by their service animal.[2]
	The district shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged, such as at a football game or school play.[2]
Delegation of Responsibility	The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles.
	The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an individual in district buildings or on district property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

	The owner or handler of a service animal shall be solely responsible for:
	1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.[2]
	2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
	3. Damages to district buildings, property and vehicles caused by the animal.
	4. Injuries to students, employees, volunteers and visitors caused by the animal.
	The building principal shall receive and forward to the Special Services Coordinator each completed request by an individual with a disability to be accompanied by a service animal. The Special Services Coordinator shall respond to the request.
	District administrators may exclude a service animal from district buildings, property and vehicles under the following circumstances:
	1. Presence of the animal poses a direct threat to the health and safety of others.
	2. Owner or handler is unable to control the animal.
	3. Animal is not housebroken.
	4. Presence of the animal would require a fundamental alteration to the program.
	Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.[7][10][11]
	Legal references: 1. 28 CFR 35.104 2. 28 CFR 35.136 3. 43 P.S. 953 4. 29 U.S.C. 794 5. 42 U.S.C. 12101 et seq 6. 28 CFR 35.130 7. Pol. 103.1 8. Pol. 113 9. Pol. 904 10. Pol. 104 11. Pol. 906 28 CFR Part 35 29 CFR Part 1630 Pol. 103 Pol. 707

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROPERTY TITLE: THERAPY DOGS ADOPTED: February 8, 2023 REVISED:

719. THERAPY DOGS

Authority

The school district supports the use of therapy dogs for the benefit of its students subject to the conditions of this policy. Benefits from working or visiting with a therapy dog include reduced stress, improved physical and emotional well-being, low blood pressure, decreased anxiety, improved self-esteem and normalization of the environment, increasing the likelihood of successful academic achievement by the student. Examples of activities that students may engage in with a therapy dog include petting and/or hugging the dog, speaking to the dog, giving the dog simple commands that the dog is training to respond to, and reading to the dog.

Definitions

Animal Assisted Therapy is a goal-driven intervention, which is directed and/or delivered by a health, human, or education service professional and is meant to improve physical, social, emotional and/or cognitive function of an individual.

A **therapy dog** is a dog that has been individually trained, evaluated and registered with his/her handler to provide animal assisted activities, animal assisted therapy and animal assisted interactions within a school or other facility. Therapy dogs are not the same as "service animals" as defined in Board Policy No. 718.

The **handler** is an individual school district staff member or volunteer who has been individually trained, evaluated, and registered with the therapy dog to provide animal assisted activities, animal assisted therapy, and animal assisted interactions within a school or other facility.

Delegation of Responsibility

The handler shall assume full responsibility for the therapy dog's care, behavior, and suitability for interacting with students and others in the school while the therapy dog is on school district property.

Guidelines

The following information will be kept current and submitted to the Board of School Directors by the handler:

- The proof of registration as a therapy dog handler with the individual therapy dog to be used. (Note: Such registration shall be from an organization that requires an evaluation of the therapy dog and handler prior to registration and at least every two years.)

- Proof from a licensed veterinarian that the therapy dog is in good health and has been immunized against diseases common to dogs. Such vaccinations shall be kept current and up to date at all times.

- Proof of licensure from the local dog licensing authority.

- Copy of an insurance policy that provides liability coverage for the work of the handler and therapy dog while the two are on school district property. If an independent agency or person is contracted to provide a therapy dog, such agency or person shall provide such insurance that designates the District as an additional insured provided with primary, non-contributory coverage.

Therapy Dog Standards & Procedures:

Registration –

The therapy dog shall have registration from an organization that requires an evaluation of the therapy dog and handler and shall remain current and in good standing at all times.

Health & Vaccinations –

The handler shall submit proof from a licensed veterinarian that the therapy dog is in good health and has been immunized against diseases common to dogs. Such vaccinations shall be kept current and up to date at all times.

Licensing –

The handler and therapy dog shall wear appropriate identification issued by the school district.

Health & Safety –

The Board of School Directors shall ensure that the therapy dog does not pose a health and safety risk to any student, employee, or other person at school and that the therapy dog is brought to the school district only when properly groomed, bathed, free of illness or injury and of the temperament appropriate for working with children and others in the schools.

Control –

The handler shall ensure that the therapy dog wears a collar or harness and a leash no longer than four feet and shall maintain control of the therapy dog by holding the leash at all times that the therapy dog is on school district property, including during breaks, unless holding such leash would interfere with the therapy dog's safe, effective performance of its work or tasks. However, the handler shall maintain control of the therapy dog at all times.

Supervision & Care of the Therapy Dog –

The handler shall be solely responsible for the supervision and humane care of the therapy dog, including any feeding, exercising, and cleaning up after the therapy dog while the therapy dog is in the school building or on school property. The handler shall not leave the therapy dog unsupervised or alone on school property at any time.

Authorized Area(s) –

The handler shall ensure that the therapy dog has access to only such areas of the school building or properties that have been authorized by school district administrators.

Allergies & Aversions –

The handler shall remove the therapy dog to a separate area, as designated by the school administrator, in such instances where any student or school employee who suffers dog allergies or aversion is present in an office, hallway, or classroom.

Recordkeeping –

Handlers who are school district staff shall sign in their therapy dog upon arrival and sign him/her out on their departure.

Damages & Injuries –

The handler shall assume full responsibility and liability for any damage to school property or injury to district staff, students, or others in the school caused by the therapy dog.

Notification –

The handler shall seek approval from the Building Principal prior to bringing the therapy dog into school. The request for administrative approval should include the date(s) and times on/during which the therapy dog will be present, the identification of the handler responsible for the therapy dog, the area (e.g., classroom, counselor's office, etc.) in which the therapy dog will interact with students and any other limitations or conditions to be established.

Additionally, an annual notification shall be included in the parent/student handbook or episodically in advance of a scheduled presence of the therapy dog to allow parents the opportunity to present any concerns to having their student interact with the therapy dog and for the district to plan for and implement any necessary accommodation.

	Exclusion or Removal from School District Property – A therapy dog may be excluded from school district property if a school administrator determines that: (1) The handler does not have control of the therapy dog; (2) The therapy dog is not housebroken; (3) The therapy dog presents a direct and immediate threat to others in the school; or (4) The therapy dog's presence otherwise interferes with the educational program. The handler shall immediately remove his/her therapy dog from school property when instructed to do so by a school administrator.

FREEPORT AREA SCHOOL DISTRICT	SECTION: PROPERTY TITLE: USE OF UNMANNED AIRCRAFT (UA) / DRONES ADOPTED: September 9, 2026 REVISED:

720. USE OF UNMANNED AIRCRAFT (UA) / DRONES

Purpose

The Indiana Area School Board recognizes the emerging and important role played by small unmanned aircraft, commonly known as drones, in various industries where the district's students will later be employed. The Board recognizes the educational benefits of instruction about drones and the importance of educating the district's students in this technology. The Board also recognizes that drones on campus pose a potential risk to the safety of students, members of the public and/or property and adopts this policy to ensure safety and security on campus.

The purpose of this policy is to assist the Indiana Area School District in promoting safety, reducing injuries and complying with federal, state and local laws, regulations and policies. In addition, the district recognizes its responsibility in regard to the protection of the privacy rights of students as provided in federal law and state statutes. Thus, the use of any non district-owned or operated Unmanned Aerial System (UAS)/Unmanned Aircraft Vehicles (UAV)/drone for any purpose on district property is prohibited unless authorized by the Superintendent or designee.

Definitions

Drone - any Unmanned Aerial System (UAS), Unmanned Aircraft Vehicles (UAV) or similar aircraft without a human pilot aboard the device.

Federal Aviation Administration (FAA) - The division of the Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety and installs and maintains air navigation control facilities.[1]

School property - all buildings and grounds, instructional or otherwise, indoors and outdoors, owned, leased or used for instructional, extra-curricular or social activities sponsored by the school district. Examples include but are not limited to: classrooms, hallways, gymnasiums, pools, athletic fields, courts, spectator areas and parking lots.

Visual Line-of-Sight (VLOS) - The direct line between the person manipulating the controls of the UAS or UAV and the UAS or UAV itself.

Guidelines	The use of drones on school property is strictly prohibited except as provided immediately hereafter: 1. The school district may acquire drones for use by students and employees of the school district for educational, operational and/or school-related purposes. 2. The school district will obtain appropriate insurance coverage to protect against potential claims arising from the use of drones by school district students and employees. 3. School district employees, students and/or independent contractors of the school district may be authorized to use drones indoors on school property for educational, operational and/or school-related purposes only with advance permission of the Superintendent or designee. 4. School employees, students and/or independent contractors of the school district may be authorized to use drones outdoors on school property for educational, operational and/or school-related purposes only with advance permission of the Superintendent or designee. Under no circumstances will authorized employees and/or students fly drones on or over non-school property without the prior written consent of the property owner. 5. Any use of drones on school property other than for approved educational, operational and/or school-related purposes must be authorized in advance by the Superintendent or his/her designee in accordance with this policy. 6. Persons requesting to use drones on school property must complete and submit a written request form (see attachment). The request must include the following information: a. The name, address and telephone number of the requester; b. The size and weight of the drone; c. The drone operator's training and/or experience with operation of the drone; d. The location of the planned flight; e. The date and time for of the planned flight; f. The anticipated flight duration (in minutes and/or hours); g. The purpose of the planned flight; h. FAA certification verification; i. Whether photos or video will be taken during the planned flight; and

j. Copy of certificate of insurance for non-student/employees.

7. The Superintendent or his/her designee may require the provision of such other information as is determined necessary or appropriate to consideration of the request.

8. The Superintendent or designee is granted the discretion and authority to grant or deny any request as s/he determines is in the best interests of the school district. Any person granted authorization to operate a drone on school property shall be responsible for compliance with any applicable Federal Aviation Administration requirements and/or applicable state and municipal laws, regulations and ordinances.

Student Use of Drones for Educational Purposes - *Prior Approval Required*

Drones may only be operated by students for educational purposes on school district property.

The Superintendent or designee shall only grant approval for the use of drones for educational purposes if:

1. The use of drones will be supervised by a school district employee;

2. The school district employee demonstrates to the building administrator sufficient understanding of the UAS and its safe operation;

3. The building administrator and school district employee are satisfied that the students operating the UAS have sufficient understanding of the drone and its safe operation;

4. The building administrator is satisfied that the use of drones will be in a safe location with minimal risk to the safety of property and others;

5. The building administrator is satisfied that the supervising employee has an understanding of the applicable FAA regulations and applicable law regarding outdoor use; and

6. The building administrator is satisfied that the use of the drone is consistent with the educational mission of the school district.

Lawful Operation

Any school district employee supervising the use of drones for educational purposes is responsible for ensuring adherence to all applicable laws and regulations.

The district will follow FAA and district insurance guidance for the use of drones.[1]

Delegation of Responsibility	School district employees supervising outdoor student use of drones for educational purposes may not operate the drones themselves unless the employee holds a Remote Pilot Certificate from the FAA. Employee and Independent Contractor Use of Drones Subject to the provisions below, the Board authorizes employees to use drones for purposes both related to and not directly related to the education of students, such as to inspect buildings and grounds, monitor the safety and security of students, analyze traffic patterns, and for promotional photographs and videos. Drones may be used by employees in the instruction of students. Prior Approval Required. Drones may only be operated by school district employees with prior approval by the Superintendent or his/her designee. Any school district employee operating a drone outdoors is responsible for complying with all applicable laws and regulations, and must hold a Remote Pilot Certificate from the FAA.[2] The Superintendent or his/her designee shall only grant approval for the use of a drone if he/she is: 1. Satisfied that the use of the drone will be in a safe location with minimal risk to the safety of property and others; 2. Satisfied that the use of the drone is consistent with the educational mission of the district; and 3. Satisfied that all applicable laws and regulations have been followed. Athletic Events The school district is a member of the Pennsylvania Interscholastic Athletic Association, Inc. (“PIAA”) and will enforce the policies of the PIAA regarding drone use. Drones are not permitted above the competition surface or spectator areas during interscholastic Contests, Inter-school Practices and Scrimmages. Drones may not be used to scout opposing team practices. Member schools may utilize drones for their own school team practice sessions based upon their local school policies.[3] **Legal resources:** 1. 49 U.S.C. 44809 2. Remote Pilot Certificate 3. 2025-2026 PIAA Policies and Procedures

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: RECORDS MANAGEMENT

ADOPTED: March 8, 2017

REVISED: August 9, 2017
August 9, 2023

800. RECORDS MANAGEMENT

Purpose

The Board recognizes the importance of establishing and maintaining a Records Management Plan that defines district staff responsibilities and complies with federal and state laws and regulations.

Authority

The Board shall retain, as a permanent record of the district, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the district for a period of not less than six (6) years.[1]

All other district records shall be retained in accordance with state and federal laws and regulations and the district Records Management Plan approved by the Board.

The district shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.[2][3]

Definitions

Electronic Mail (Email) System - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets and other electronic documents.

Litigation Hold - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

	Records - information, regardless of physical form or characteristics, that documents a transaction or activity of the district and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the district. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.[4] **Records Management Plan** - the system implemented by the district for the storage, retention, retrieval and disposition of all records generated by district operations. **Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.
Delegation of Responsibility	Any individual responsible for the collection, maintenance and/or security of records on behalf of the district shall comply with state and federal laws and regulations, Board policies, district procedures and the Records Management Plan. <u>Records Coordinator</u> In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Director of Finance and Operations or designee as the district's Records Coordinator who shall serve as the chairperson of the Records Management Committee. The Records Coordinator shall be responsible to: 1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include: a. Requirements of the Records Retention Schedule. b. Protocols for preserving and categorizing district records. c. Procedures and responsibilities of district staff in the event of a litigation hold. d. Identification of what is and what is not a record. e. Disposal of records. 2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.

Guidelines	3. Identify, when the retention period expires, the specific records to be disposed of and ensure that all identified records are properly disposed of annually. Records Management Committee A committee responsible for the development and recommendation of the district's Records Management Plan shall be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the: 1. Open Records Officer.[5] 2. Superintendent. 3. Board Secretary.[6] 4. District solicitor. 5. Director of Information Technology or designee. 6. Director of Finance and Operations. 7. Assistant Superintendent(s)/Program Director (s). 8. Board member(s). 9. Outside consultant(s). The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed. Records Management Plan The district's Records Management Plan shall be the principal means for the storage, retention, retrieval and disposition of manual and electronic records, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records. The Records Management Plan shall include: 1. Comprehensive listing of records and data of the district.

2. Criteria to distinguish records of the school district from the supplemental personal records of individual employees.[7][8]

3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced and disposed.

4. Preservation measures to protect the integrity of records and reduce the risk of a data breach. Such measures shall include encryption or other appropriate security procedures.[9][10][11]

5. Data map or flow chart detailing the sources, routes and destinations of electronic records.

6. Procedures and employee(s) designated for determining whether an item is a record.

7. Procedures for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.

8. Records Retention Schedule.

9. Provisions for the storage and retrieval of records in the event of an emergency or disaster.[11]

10. Staff positions authorized to access district records.

11. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify:

    a. Who can initiate a litigation hold.

    b. How and to whom a litigation hold is communicated.

    c. Who will determine which records are subject to the litigation hold.

    d. Who will be responsible for collecting and preserving such records and data.

    e. Who will be responsible for monitoring and ensuring the district's compliance with the litigation hold.

    f. In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.

For any record not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The district shall store, maintain and dispose of records in a manner that protects any sensitive, proprietary or confidential information or individual privacy rights, and helps conserve natural resources.

Manual Records

Manual records, which include all records not stored electronically, shall be retained and disposed of in accordance with the Records Management Plan.

Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The district shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Define the contents of the system, including record formats.
3. Identify vital records and information.
4. Determine restrictions on access and use.

Electronic Records

Electronic records shall be retained and disposed of in the same manner as records in other formats and in accordance with the Records Management Plan.

Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The district shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Specify all technical characteristics necessary for reading or processing the records stored on the system.
3. Identify all defined inputs and outputs of the system.

4. Define the contents of the system, including records formats and database tables.

5. Identify vital records and information.

6. Determine restrictions on access and use.

7. Describe update cycles or conditions.

Email Records

Email messages, in and of themselves, do not constitute records. Retention and disposition of email messages depend on the function and content of the individual message.

Records on an email system, including messages and attachments, shall be retained and disposed of in accordance with the district's Records Management Plan.

Email messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.

Email records may be maintained as an electronic record or be printed and maintained as a manual record.

For each email considered to be a record, the following information shall be retained:

1. Message content.

2. Name of sender.

3. Name of recipient.

4. Date and time of transmission and/or receipt.

Service Providers

The Board requires service providers contracted by the district to create, maintain, retain and dispose of district records in accordance with the Records Management Plan.[12]

	Legal References 1. 24 P.S. 518 2. 65 P.S. 67.901 3. Pol. 828 4. 65 P.S. 67.102 5. Pol. 801 6. 24 P.S. 433 7. 65 P.S. 67.708 8. 20 U.S.C. 1232g 9. 73 P.S. 2301 et seq 10. Pol. 830 11. Pol. 830.1 12. 65 P.S. 67.506 65 P.S. 67.101 et seq Federal Rules of Civil Procedure 16, 26, 34, 37, 45 Pol. 004 Pol. 006 Pol. 105.2 Pol. 113.4 Pol. 114 Pol. 138 Pol. 203 Pol. 203.1 Pol. 209 Pol. 212 Pol. 216 Pol. 216.1 Pol. 233 Pol. 314 Pol. 324 Pol. 326 Pol. 334 Pol. 601 Pol. 609 Pol. 610 Pol. 618 Pol. 619 Pol. 702 Pol. 706 Pol. 716 Pol. 800.1 Pol. 810 Pol. 810.1 Pol. 912

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: ELECTRONIC SIGNATURES/ RECORDS

ADOPTED: September 9, 2021

800.1 ELECTRONIC SIGNATURES/RECORDS

Purpose

Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business. The Board recognizes that the effectiveness of electronic records and signatures depends upon the authenticity and reliability of the signatures and the context in which the electronic records are created, transferred and stored. Therefore, the Board adopts this policy to allow for the use of and acceptance of electronic records and signatures and to establish the guidelines under which electronic signatures may be utilized by the district.[1]

Authority

The Board authorizes the use of electronic signatures in place of manual signatures to conduct district business unless a manual signature is required by law or regulations. Electronic signatures shall have the full force and effect of a manual signature when used in accordance with this policy and applicable law and regulations.[1]

Electronic records filed with or issued by the district shall have the full force and effect of paper records when the requirements of this policy and applicable law and regulations are satisfied.[2][3][4]

This policy applies to the use of electronic records and signatures when permitted or required in connection with district programs and operations.

Definitions

Electronic record – any record created, generated, sent, communicated, received, or stored by electronic means.[4][5][6]

Electronic signature – an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. More simply, it is a paperless means of committing to a contract or other document in a manner that indicates the signer's intent to bind themselves and/or the district.[5][6]

Delegation of Responsibility

The Superintendent or designee may develop administrative regulations to direct staff on the parameters for authorized use of electronic signatures related to district programs and operations.

Guidelines	Electronic Recordkeeping The maintenance of electronic records and signatures by the district shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the district's Records Management Plan.[4][7] Electronic records created or received by the district shall be appropriately attributed to the individual(s) responsible for their creation, authorization and/or approval. The district may specify the type of electronic signature required on an electronic record, the manner and format in which the electronic signature must be affixed to the electronic record, and the criteria that must be met when an individual uses a third party to file a document if electronic records must be signed by electronic means.[8] The district shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions in their original form.[6][9][10] Such a system shall allow the district to implement: 1. A security procedure for the purposes of verifying that an electronic signature is that of a specific person or for detecting changes or errors in the information in an electronic record. 2. Appropriate control processes and procedures to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records.[8] 3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received and stored.[8] Electronic Signatures An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be manually signed. The issuance and/or acceptance of an electronic signature by the district shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws and regulations. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:[1][2][11][12] 1. The signing employee is authorized to manually sign the document on behalf of the district.

	2. The electronic signature identifies the individual signing the document by their name and position. 3. The individual signing with an electronic signature has signed a statement of exclusive use (i.e., a statement that the signer alone has access to and use of the key, PIN, or password which was used to create the electronic signature). 4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail. 5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been applied. 6. The electronic signature conforms to all other provisions of this policy. Freeport Area School District shall maintain a secure hard copy log of each employee authorized to utilize an electronic signature in connection with district business, any associated key/PIN/password and a copy of their unique electronic signature.[4] This policy does not require a specific method for executing an electronic signature. The employee signing a particular document is responsible for verifying that the method chosen is appropriate for the nature of the transaction. Employees must consider confidentiality, authentication of signatures, and verification that the document signed is, in all respects, identical to the one to which the signer intends to bind the district. Any electronic signature that appears to be forged, altered, or otherwise not authentic, or that is not compliant with law or regulation, this policy or related administrative regulation, is not a valid signature. Should an electronic signature be deemed invalid, the Superintendent or designee may require a manual signature. All other policies that apply to the execution of contracts or other documents on behalf of the district remain in full force and effect.

	Legal References: 1. 73 P.S. 2260.101, et seq. 2. 15 U.S.C. 7001, et seq. 3. 73 P.S. 2260.301, et seq. 4. Pol. 800 5. 15 U.S.C. 7006 6. 73 P.S. 2260.103 7. Pol. 815 8. 73 P.S. 2260.502 9. 73 P.S. 2260.305 10. 73 P.S. 2260.306 11. 21 P.S. 483.1, et seq. 12. Pol. 716

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: PUBLIC RECORDS ADOPTED: August 9, 2017 REVISED: August 14, 2024

	801. PUBLIC RECORDS
Purpose	The Board recognizes the importance of public records as the record of the district's actions and the repository of information about this district. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative regulations.
Definitions	**Financial record** - any account, voucher or contract dealing with the receipt or disbursement of funds; or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; or a financial audit report, excluding the audit's underlying work papers.[1]
	Public record - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.[1]
	Record - information, regardless of physical form or characteristics, that documents a district transaction or activity and is created, received or retained pursuant to law or in connection with a district transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.[1]
	Response - the district's notice informing a requester of a granting of access to a record or the district's written notice to a requester granting, denying or partially granting and partially denying access to a requested record.[1]
	Requester - a person that is a legal resident of the United States who requests access to a record. The term Requester includes an agency.[1]
Authority	The Board shall make the district's public records available for access and duplication to a requester, in accordance with law, Board policy and administrative regulations.[2][3][4][5]
	The Board authorizes the district to deny anonymous requests for records. A request may be considered anonymous if the requester has submitted insufficient

	information for the district to identify if the requester is a legal resident of the United States.[1][6]
Delegation of Responsibility	The Board shall designate an Open Records Officer, who shall be responsible to:[7]
	1. Receive written requests for access to records submitted to the district.
	2. Review and respond to written requests in accordance with law, Board policy and administrative regulations.
	3. Direct requests to other appropriate individuals in the district or in another agency.
	4. Track the district's progress in responding to requests.
	5. Issue interim and final responses to submitted requests.
	6. Maintain a log of all record requests and their disposition.
	7. Ensure district staff are trained to perform assigned job functions relative to requests for access to records.
	Upon receiving a request for access to a record, the Open Records Officer shall:[7][8][9]
	1. Note the date of receipt on the written request.
	2. Compute and note on the written request the day on which the five-day period for response will expire.
	3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
	4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.
Guidelines	Requesters may access and procure copies of the public records of the district during the regular business hours of the administration offices.[5]
	A requester's right of access does not include the right to remove a record from the control or supervision of the Open Records Officer.
	The district shall not limit the number of records requested.[2]

	When responding to a request for access, the district is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the district does not currently use.[10]
	Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.[11][12][13]
	The district shall post at the administration office and on the district's website, the following information:[4][14]
	1. Contact information for the Open Records Officer.
	2. Contact information for the state's Office of Open Records or other applicable appeals officer.
	3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the district decides to create its own form.
	4. The district shall post the acceptable form(s) on the district website with information notifying requesters that the district may choose to deny a request for failure to submit the proper form.[15]
	Board policy, administrative regulations and procedures governing requests for access to the district's public records.
	<u>Request for Access</u>
	A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer.[4][14][15][16]
	Requests made in accordance with this policy may be submitted to the district in person, by mail or to a designated email address and must include the following information:[5][16]
	1. Identification or description of the requested record, in sufficient detail to allow the district to determine what records are being requested.
	2. Medium in which the record is requested.
	3. Name and address of the individual to receive the district's response.
	The district shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.[16]

	Fees
	Except for the duplication fee established by the state, the Board shall approve a list of reasonable fees relative to requests for public records. The district shall maintain a list of applicable fees and disseminate the list to requesters.[17]
	No fee may be imposed for review of a record to determine whether the record is subject to access under law.[17]
	Prior to granting access, the district may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed $100.[17]
	The Superintendent may waive duplication fees when the requester duplicates the record, or the Superintendent deems it is in the public interest to do so.[17]
	Response to Request
	District employees shall be directed to immediately forward requests for access to public records to the Open Records Officer.[7][18]
	Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the district has possession, custody or control of that record.[8]
	The Open Records Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer.[8]
	The initial response shall grant access to the requested record; deny access to the requested record; partially grant and partially deny access to the requested record; notify the requester of the need for an extension of time to fully respond; or request more detail from the requester to clearly identify the requested material.
	If the district fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.[8]
	Extension of Time
	If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected and an estimate of applicable fees owed when the record becomes available.[8][19]

	Up to a thirty-day extension for one (1) of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date.
	A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the day following the date specified in the notice if the Open Records Officer has not provided a response by that date.
	Granting of Request
	If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include a copy of the requested records, information on the regular business hours of the administration office, provide electronic access or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of $100 and the medium in which the records will be provided.
	A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the district is not required to permit use of its computers.[5]
	The Open Records Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the district shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the district's notice, submits a written request to have the record converted to paper, the district shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.[5][20]
	A public record that the district does not possess but is possessed by a third party with whom the district has contracted to perform a governmental function and which directly relates to that governmental function, shall be considered a public record of the district, and shall be made accessible in accordance with law, Board policy and administrative regulations. When the district contracts with such a third party, the district shall require the contractor to agree in writing to comply with requests for such records and to provide the district with the requested record in a timely manner to allow the district to comply with law.[21]
	If the Open Records Officer determines that a public record contains information both subject to and not subject to access, the Open Records Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Open Records Officer shall redact from the record the

	information that is not subject to access. The Open Records Officer shall not deny access to a record if information is able to be redacted.[22]
	If the Open Records Officer responds to a requester that a copy of the requested record is available for delivery at the administration office and the requester does not retrieve the record within sixty (60) days of the district's response, the district shall dispose of the copy and retain any fees paid to date.[23]
	Notification to Third Parties
	The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information, in accordance with law and administrative regulations.[24]
	When the district produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the district, the person that is the subject of the record and the requester.[24]
	Denial of Request
	If the Open Records Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:[8][25]
	1. Description of the record requested.
	2. Specific reasons for denial, including a citation of supporting legal authority.
	3. Name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued.
	4. Date of the response.
	5. Procedure for the requester to appeal a denial of access.
	The Open Records Officer may deny a request for access to a record if the requester has made repeated, identical requests for that same record and the repeated requests have placed an unreasonable burden on the district.[21]
	The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.[21]

	Information that is not subject to access and is redacted from a public record shall be deemed a denial.[22][25]
	Appeals
	If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial.[9]
	Appeals Involving Third Party Records –
	The Open Records Officer shall provide notice to a third party within seven (7) business days of any appeal relating to records requested, which affect the legal or security interest of an employee; contain or constitute proprietary, confidential or trademarked records of a third party; or are held by a third party contractor or vendor, the district shall notify such parties of the appeal and advise them of their ability to participate in accordance with law. The Open Records Officer shall also provide proof of such notice to the Office of Open Records within seven (7) business days of sending the third party notification.[9][26]
	Legal References 1. 65 P.S. 67.102 2. 65 P.S. 67.302 3. 65 P.S. 67.305 4. 65 P.S. 67.504 5. 65 P.S. 67.701 6. Anonymous v. Downingtown Area School District, OOR Dkt. No.: AP 2023-2329 7. 65 P.S. 67.502 8. 65 P.S. 67.901 9. 65 P.S. 67.1101 10. 65 P.S. 67.705 11. 42 U.S.C. 12132 12. 28 CFR 35.160 13. 28 CFR 35.164 14. 65 P.S. 67.505 15. K Pace v. City of Philadelphia Department of Licenses and Inspections, OOR Dkt. No.: AP 2024-0292 16. 65 P.S. 67.703 17. 65 P.S. 67.1307 18. 65 P.S. 67.702 19. 65 P.S. 67.902 20. 65 P.S. 67.704 21. 65 P.S. 67.506 22. 65 P.S. 67.706 23. 65 P.S. 67.905

	24. 65 P.S. 67.707 25. 65 P.S. 67.903 26. Office of Open Records Procedural Guidelines 24 P.S. 408 24 P.S. 518 42 U.S.C. 12101 et seq 65 P.S. 67.101 et seq Pol. 800

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SCHOOL ORGANIZATION

ADOPTED: August 9, 2017

REVISED:

802. SCHOOL ORGANIZATION

1. Purpose

The Board recognizes that the district's organizational structure can affect both the instructional program and the operation of the schools.

2. Authority
SC 1310
Title 22
Sec. 4.3, 4.41

Upon approval of the Department of Education, the Board directs that district schools be organized as follows:

1. Elementary school: Grades Kindergarten through 5.
2. Middle school: Grades 6 through 8.
3. High school: Grades 9 through 12.

3. Delegation of Responsibility

The Superintendent shall continually monitor the effectiveness of the district's organizational plan and recommend to the Board modifications that benefit the instructional program, effectively utilize district resources, and implement the Board's educational goals.

References:

School Code – 24 P.S. Sec. 1310

State Board of Education Regulations – 22 PA Code Sec. 4.3, 4.41

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SCHOOL CALENDAR

ADOPTED: August 9, 2017

REVISED: December 17, 2020
August 14, 2024

803. SCHOOL CALENDAR

Purpose

The Board recognizes that preparation of an annual school calendar is necessary for the efficient operation of the district and communication with students, staff, parents/guardians and the school community.

Authority

The Board shall determine annually the days and the hours when the schools will be in session for instructional purposes, in accordance with state law and regulations. This may include, as appropriate, activities qualifying as instructional days or hours under the direction of certified school employees for fulfilling the minimum required days or hours of instruction under law, regulations and state guidance.[1][2][3][4][5][6][7][8][9]

The school calendar shall normally consist of a minimum of 180 student days.[1][2][8][10]

The Board reserves the right to alter the school calendar when it is in the best interests of the district, including in cases of emergency, in accordance with applicable law and regulations. The Board shall take action to establish temporary provisions in cases of emergency, in accordance with law, and shall document such actions with the PA Department of Education when required.[2][5][6][7][9][11][12][13][14]

Temporary provisions established in accordance with law may include but are not limited to:[1][2][5][6][7][8][9][12][13][15]

1. Keeping schools in session such days and hours as the Board deems necessary, which shall include maintaining the requirement for a minimum of 180 student days or 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level.

2. Reducing the length of time of daily instruction for courses and classes.

3. Implementing remote and other alternative methods of delivering instruction under the direction of certified school employees.

Delegation of Responsibility	The Superintendent shall annually prepare a school calendar for Board consideration. The Superintendent or designee shall document alterations to the school calendar and any temporary provisions in accordance with law, regulations, guidance from the PA Department of Education and Board policy.[15] **Legal References** 1. 24 P.S. 133 2. 24 P.S. 1501 3. 24 P.S. 1502 4. 24 P.S. 1503 5. 24 P.S. 1504 6. 24 P.S. 1505 7. 24 P.S. 1506 8. 22 PA Code 11.1 9. 22 PA Code 11.2 10. 22 PA Code 4.4 11. 24 P.S. 520 12. 24 P.S. 520.1 13. 24 P.S. 1501.3 14. Pol. 006 15. Pol. 805 Pol. 204 Pol. 804

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SCHOOL DAY

ADOPTED: August 9, 2017

REVISED:

804. SCHOOL DAY

1. Purpose

The normal school day for the instruction of district students shall be in accordance with law, regulations and Board policy.

2. Authority
SC 1504
Title 22
Sec. 4.4, 11.2, 11.3

The Board shall establish the times for the daily sessions of district schools.

3. Delegation of Responsibility

The Superintendent may close, delay the opening, or dismiss schools early for emergency reasons and to protect the health and safety of students and staff. The Superintendent or designee shall prepare procedures for proper and timely notification of all concerned, in the event of an emergency closing. In all cases, the Superintendent shall inform the Board President as soon as possible.

Title 22
Sec. 11.25
Pol. 204

The Superintendent or designee shall develop rules that allow students to enter and leave schools under exceptional conditions so that variances with the normal school schedule may be accommodated. Such rules shall consider such things as inclement weather, illness, urgent reasons and other circumstances.

References:

School Code – 24 P.S. Sec. 1504

State Board of Education Regulations – 22 PA Code Sec. 4.4, 11.2, 11.3, 11.25

Board Policy – 204

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: EMERGENCY PREPAREDNESS AND RESPONSE

ADOPTED: August 9, 2017

REVISED: October 9, 2019
August 12, 2021
November 10, 2022
August 14, 2024

805. EMERGENCY PREPAREDNESS AND RESPONSE

Purpose

The Board recognizes its responsibility for the safety of students, staff, visitors and facilities. Therefore, the Board shall provide facilities, equipment and training necessary to protect against hazards and emergencies, including but not limited to natural disasters, hazardous chemicals, fires, weapons, bomb threats, intruders, terrorism, communicable diseases and pandemics. Advance planning, training, practice and comprehensive implementation are key components in protecting the safety and security of the school community.[1]

Authority

The district, in cooperation with the county Emergency Management Agency and the Pennsylvania Emergency Management Agency (PEMA), shall develop and implement a comprehensive disaster response and emergency preparedness plan, consistent with the guidelines developed by PEMA and other applicable state requirements.[2][3]

The Board shall also utilize the resources of and comply with the requirements of the Pennsylvania Department of Health, the Pennsylvania Department of Education and law enforcement agencies.[4]

The Board requires that emergency preparedness, emergency evacuation and school security drills be conducted at intervals required by state law.[3][5][6]

Definitions

School security drill – a planned exercise, other than a fire drill or natural disaster drill, designed to practice procedures to respond to an emergency situation that may include, but is not limited to, an act of terrorism, armed intruder situation or other violent threat.[5]

School Safety and Security Assessment – a strategic evaluation of a school entity's facilities and programs used to identify potential safety and security threats.[7]

Delegation of Responsibility	The Superintendent or designee shall collaborate with relevant stakeholders, including parents/guardians, students, staff, community agencies, law enforcement agencies and first responders, during the development and implementation of the emergency preparedness plan. The Superintendent or designee shall implement a communication system to notify parents/guardians of the evacuation or sheltering of students and to alert the entire school community when necessary. Annually, on or before April 10, the Superintendent shall certify that emergency evacuation drills and school security drills have been conducted in the manner prescribed by law.[5] In accordance with state law and regulations, the Superintendent shall execute a memorandum of understanding with each law enforcement agency that has jurisdiction over school property.[4][8][9][10] The Board directs the Superintendent or the Superintendent's designee to periodically complete a School Safety and Security Assessment in accordance with the provisions of law and established criteria, based on the needs of the district and availability of funding and resources.[7][11]
Guidelines	<u>Emergency Planning</u> The emergency preparedness plan shall be accessible in each district building, be reviewed at least annually, and be modified as necessary. A copy of the plan shall be made accessible to the county Emergency Management Agency, each law enforcement agency and each local fire department that have jurisdiction over school property. The district shall obtain assurances from each appropriate agency that the emergency preparedness plan will be safeguarded and maintained confidentially.[2][3][9] Appropriate information regarding the emergency preparedness plan shall be communicated to students, parents/guardians, staff, the community and other relevant stakeholders. Annually, by September 30, the district shall assemble information required to assist law enforcement agencies and fire departments in responding to an emergency. The required information shall be deployed immediately to the Incident Command Post in the event of an emergency incident or disaster.[2][3][4] Schools and school buses or transportation vehicles owned or leased by the district shall be made available to local, county and state officials for emergency planning and exercises.[3]

Continuity of Student Learning/Core Operations

In the event of an emergency, local, county or state officials may require that schools be made available to serve as mass-care facilities. Local, county or state officials may also utilize district-owned buses and other transportation vehicles. The Superintendent or designee shall determine whether schools shall be closed, or the educational program suspended, to safeguard student and staff health and safety.[3][12]

State officials may also direct schools to close in order to mitigate the spread of infection or illness in designated emergencies.[13]

The district shall make provisions in the emergency preparedness plan and any applicable health and safety plan for the continuity of student learning during school closings or excessive absences, in accordance with law. This may include, as appropriate, activities qualifying as instructional days or hours for fulfilling the minimum required days or hours of instruction under the law. Instructional activities may include:[14][15][16][17][18][19][20]

1. Web-based instruction.
2. Mailed lessons and assignments.
3. Other: asynchronous and/or synchronous instruction.

The continuity of core operations such as payroll and ongoing communication with staff, students and parents/guardians shall be an essential part of the emergency preparedness plan.

Education and Training

Students and staff members shall be instructed and shall practice how to respond appropriately to emergency situations.[5][6][21]

Effective infection control and prevention education and procedures, such as frequent hand washing and cough/sneeze etiquette, shall be encouraged continually to help limit the spread of germs at district schools.[22][23]

The district shall provide mandatory training for school staff on school safety and security, in accordance with law and the standards specified by the state's School Safety and Security Committee:[21][24][25][26]

1. Two (2) hours of required training addressing any combination of one (1) or more of the following areas shall be completed each year, in person or virtually:

a. Situational awareness.

b. Trauma-informed approaches.[25][27]

c. Behavioral health awareness.

d. Suicide and bullying awareness.[28][29]

e. Substance use awareness.[30][31]

2. One (1) hour of required training in the following areas shall be completed each year:

a. Emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat. This training must be conducted in person.[32]

b. Identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities, or the community. This training may be conducted in person or virtually.[33][34]

The required school safety and security training shall be credited toward professional education requirements, in accordance with law and the district's Professional Education Plan.[21][25][35]

Required Drills

Emergency Preparedness Drill -

The Board directs district schools to conduct a disaster response or emergency preparedness plan drill at least annually, in accordance with the provisions of law.[3]

Fire Drills -

The Board directs each district school to conduct fire drills at least once a month during the school year, in accordance with the provisions of law.[5][6]

School Security Drills -

The Board directs each district school to conduct a school security drill within ninety (90) days of the beginning of each school year. The school security drill shall be conducted while school is in session, with students present.[5]

The school security drill may take the place of a fire drill for the month in which it is conducted.

The Superintendent or the Superintendent's designee may conduct additional school security drills in district schools after the first ninety (90) days of the school year. Up to two (2) additional school security drills per school year may be conducted in place of the required fire drills for the month in which they are conducted.[5]

The Superintendent or designee shall:[5]

1. Oversee instruction and training of students and school employees in procedures for conducting school security drills and responding to emergency situations.

2. Notify and request assistance from local law enforcement and the emergency management agency prior to conducting a school security drill.

3. Notify parents/guardians of the students attending the school building where the school security drill is scheduled in advance of conducting the drill.

Bus Evacuation Drills -

Bus evacuation and safety drills shall be conducted twice a year, in accordance with the provisions of law.[5][36]

Safe2Say Something Program

The Board directs the Superintendent or designee to develop procedures for assessing and responding to reports received from the Safe2Say Something anonymous reporting program, in accordance with law. The procedures shall establish a framework within which district administration and staff will respond to program reports, coordinate with the county emergency dispatch center(s) and law enforcement, and provide appropriate assessment and response for the safety and security of students, staff and school facilities, in accordance with applicable law and Board policy and administrative regulations.[4][26][32][34][37]

Legal References
1. Pol. 705
2. 22 PA Code 10.24
3. 35 Pa. C.S.A. 7701
4. Pol. 805.1
5. 24 P.S. 1517
6. 24 P.S. 1518
7. 24 P.S. 1301-B
8. 22 PA Code 10.11
9. 24 P.S. 1306.2-B
10. 24 P.S. 1319-B
11. 24 P.S. 1303-B
12. Pol. 804

	13. 35 Pa. C.S.A. 7301 et seq 14. 24 P.S. 133 15. 24 P.S. 520.1 16. 24 P.S. 1501 17. 24 P.S. 1505 18. 24 P.S. 1506 19. 22 PA Code 11.2 20. Pol. 803 21. 24 P.S. 1310-B 22. Pol. 203 23. Pol. 203.1 24. 24 P.S. 102 25. Pol. 333 26. Pol. 805.2 27. Pol. 146.1 28. Pol. 249 29. Pol. 819 30. Pol. 227 31. Pol. 351 32. Pol. 805 33. 24 P.S. 1302-E 34. Pol. 236.1 35. 24 P.S. 1205.2 36. 75 Pa. C.S.A. 4552 37. 24 P.S. 1303-D 24 P.S. 1205.7 20 U.S.C. 7112 20 U.S.C. 7118 20 U.S.C. 7801 Pol. 146 Pol. 236 Pol. 709 Pol. 810 Pol. 909

SAFE2SAY SOMETHING PROCEDURES

Overview

In accordance with law, the district establishes the following procedures for receiving, assessing and responding to reports received from the Safe2Say Something anonymous reporting program of the Pennsylvania Office of the Attorney General. (24 P.S. 1303-D)

These procedures establish a framework within which district administrators and staff will operate and coordinate with the county emergency dispatch center and law enforcement agencies.

Safe2Say Something reports may be submitted by any individual, including students, parents/guardians, staff and others as a secure and anonymous report about unsafe, potentially harmful, dangerous, violent or criminal activities in a school entity or threat of such activities in a school entity through:

1. A twenty-four (24) hours a day, seven (7) days a week telephone hotline maintained by the Office of the Attorney General's Safe2Say Something Crisis Center;

2. A Safe2Say Something program secure website; or

3. A Safe2Say Something software program application, or "app" accessed through a mobile electronic device.

Reports may be submitted through any of these methods for an identified K-12 school anywhere in the state. Anonymous reports will be triaged by the Safe2Say Something Crisis Center and delivered to the appropriate school entity based on the location of the identified school, and county emergency dispatch center, where applicable, by Crisis Center staff through telephone communication, text and/or email.

Report Categorization and Delivery

Reports, also known as tips, will be analyzed by the Safe2Say Something Crisis Center and categorized based on definitions determined and approved by the Office of the Attorney General.

The following lists provide examples of incidents, concerns or threats that may be categorized as Life Safety, Non-Life Safety or Non-Notification, and are not all-inclusive lists. The status of a report may also be changed at the discretion of the Safe2Say Something Crisis Center when additional information becomes available regarding the report.

The Safe2Say Something Crisis Center will forward reports to a team, established by the district, via telephone communication, text and/or email and through the Safe2Say Something management program, depending on the nature and categorization of the report received:

Life Safety Categories and Process –

Life Safety – Imminent and In-Progress
Active Shooter – In Progress
Bodily Injury – Emergency Condition
Cutting/Self-Harm
Disorderly/Dangerous Conduct
Domestic Violence
Human Trafficking
Intent to Harm Someone – Active
Physical Abuse
Planned Attack
Sexual Assault/Rape
Sexual Exploitation/Abuse
Stranger/Potential Predator on School Grounds
Suicide/Suicide Ideation
Terrorism
Weapons/Explosive Device

Chart provided courtesy of the Pennsylvania Office of the Attorney General

During the school year, Life Safety tips coming into the Safe2Say Something Crisis Center during school hours will be:

1. Delivered to the district's designated Crisis Team via email and text message. The Safe2Say Something Crisis Center will call to see if the student is in school.

2. If the student is not in school at that time, the Safe2Say Something Crisis Center will request the student's address, parent/guardian name(s) and phone number. The Safe2Say Something Crisis Center will contact the county emergency dispatch center and request a welfare check for the student.

3. The district's designated Crisis Team will respond to the report in accordance with the designated procedures. The Crisis Team will coordinate with law enforcement to follow up on a student welfare check.

Life Safety tips coming into the Safe2Say Something Crisis Center after school hours, on weekends and holidays will be:

1. Delivered to the district's designated Crisis Team via email and text message. The Safe2Say Something Crisis Center will call to request the student's address, parent/guardian name(s) and phone number. Calls will continue to be made through the list of designated team members until a response is received via telephone or in the Safe2Say Something management program.

2. The Safe2Say Something Crisis Center will contact the county emergency dispatch center and request a welfare check for the student.

3. The district's designated Crisis Team will respond to the report in accordance with the designated procedures. The Crisis Team will coordinate with law enforcement to follow up on a student welfare check.

In the event of an active emergency situation, the Safe2Say Something Crisis Center will contact the county emergency dispatch center immediately, without delay.

The school entity shall provide for a final disposition within forty-eight (48) hours of the receipt of a life safety event report from the Safe2Say Something Crisis Center.

Non-Life Safety Categories and Process –

Non-Life Safety *(CV) = Crime/Violence
Alcohol Possession (CV)
Anger Issues
Animal Cruelty (CV)
Breaks School District Code
Bullying/Cyber Bullying
Dating Violence
Depression/Anxiety
Discrimination
Distributing Inappropriate Photos (CV)
Drug use/Distribution/Possession (CV)
Drunk/Under the Influence (CV)
Eating Disorder
Gang Violence/Activity (CV)
General Harassment
Harm to Building/Property
Hate Crime/Speech (CV)
Hazing (CV)
Homeless Child/Student
Hostile Environment
Inappropriate Bus Behavior
Inappropriate Language/Behavior/Gesture
Inappropriate Physical Contact
Inappropriate Use of School Technology/Equip.
Intimidation
Missing Person
Other
Planned Fight/Assault

Chart provided courtesy of the Pennsylvania Office of the Attorney General

Non-Life Safety tips are those considered to be non-imminent. This may include acts that are considered violent or criminal, but are not currently active.

Non-Life Safety tips coming into the Safe2Say Something Crisis Center will be:

1. Delivered to the district's designated Crisis Team via email and text message between the hours of 6 a.m. to 6 p.m., Monday through Friday.

2. Delivered to the district's designated Crisis Team via email and text message between the hours of 9 a.m. to 4 p.m. on Saturdays, Sundays and holidays.

3. The Safe2Say Something Crisis Center may reach out to the district's Crisis Team for student information as deemed necessary, to provide that information to law enforcement.

4. The district's designated Crisis Team will respond to the report in accordance with the designated procedures.

The school entity shall provide for a final disposition of each report received from the Safe2Say Something Crisis Center within thirty (30) days of receipt, except as noted above for life safety events.

Non-Notification Categories and Process –

Non-Notification
General School Complaint
General Student Concern
Non-School Based – Information Only
Non-School Event - Crime

Chart provided courtesy of the Pennsylvania Office of the Attorney General

Non-Notification tips coming into the Safe2Say Something Crisis Center will be delivered to the district's designated Crisis Team through the Safe2Say Something management program only, twenty-four (24) hours a day, seven (7) days a week, without direct notification via email or text message sent to the Crisis Team.

The district's designated Crisis Team will respond to the report in accordance with the designated procedures.

General School Complaint - tips may include complaints about school food, condition of the building, etc.

General Student Concern - tips may include reports of concern about student clothing, cleanliness, etc.

Non-School Based – Information Only - tips will include events that may be related to a student, but not a school issue, such as social media. These tips are being sent for informational purposes.

Non-School Event – Crime - tips will include crimes that may involve a student, but the event is unrelated to the school. These tips are being sent for informational purposes and will be forwarded to law enforcement. The Safe2Say Something Crisis Center may reach out to the district's Crisis Team for student information as deemed necessary, to provide that information to law enforcement.

Crisis Team

The Superintendent, School Safety and Security Coordinator or designee will establish a Crisis Team of three (3) to five (5) members, who will be designated, registered and trained to receive Safe2Say Something reports for all school buildings in the district.

The Crisis Team will be comprised of:

1. School Safety and Security Coordinator.
2. Superintendent.
3. Building principals.
4. Special Services Coordinator.
5. Program Director.
6. School and Student Events Coordinator.

For purposes of communication, training and administration of district information in the Safe2Say Something program, the Building Principal(s) will be designated as the Crisis Team lead administrator. The lead administrator will be responsible for updating contact information for all school buildings and designated Crisis Team members in the Safe2Say Something program, and determining the priority order of team members to receive calls about Life Safety reports.

The Crisis Team may be assigned by the Superintendent or designee to handle other emergency, crisis management and/or threat assessment situations, such as emergency preparedness planning; suicide awareness, prevention and response; or other situations, based on appropriate physical and/or behavioral health training and in accordance with law, regulations, Board policies and administrative regulations. (Pol. 236.1)

Training

The Crisis Team lead administrator and team members designated to receive reports from the Crisis Center must attend training designated by the Safe2Say Something program. Training must include practicing report handling in the system.

The Crisis Team will also be trained in threat assessment, in accordance with the requirements of law, Board policies and procedures. (24 P.S. 1302-E; Pol. 236.1)

The Crisis Team will ensure that middle school and high school students and other staff members are provided with information about how to make reports and also awareness on risk factors and the importance of reporting. Information may include online and interactive video training.

Confidentiality

Crisis Team members will receive training regarding confidentiality and the handling of student and staff information, in accordance with applicable laws, regulations, Board policies, administrative regulations and procedures. (20 U.S.C. 1232g; 24 P.S. 1304-D, Pol. 113.4, 207, 216, 236, 236.1, 249, 324, 800, 819)

Confidentiality will be handled in accordance with these procedures and the district's legal and investigative obligations.

The Safe2Say Something program is required to ensure anonymous reporting for individuals who submit reports. Crisis Team members should ensure that if the identity of an individual making a report becomes known through other means, other than voluntary disclosure, that individual's identity is not further disclosed and records of the Safe2Say Something program are maintained confidentially, in accordance with law. (24 P.S. 1304-D)

Crisis Team members whose other assignments and roles require confidentiality of specific student communications, in accordance with law, will ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Board policy and administrative regulations. (22 PA Code 12.12; 42 Pa. C.S.A. 5945; 42 Pa. C.S.A. 8337; Pol. 207)

Receiving Reports

Upon receipt of a report notification via telephone call, text message and/or email, each Crisis Team member will log in to the Safe2Say Something management program to retrieve the report.

The Crisis Team will communicate with other team members regarding the report through established district processes and communication methods.

The Crisis Team will notify the Safe2Say Something Crisis Center by telephone if a report is received identifying a student who is not enrolled in the school district. Information on the student's current enrollment in another school or program will be provided to the Crisis Center, if known by the Crisis Team member responding to the report.

Tip Preservation –

If the district's Crisis Team identifies the need for a tip reported to the Safe2Say Something Crisis Center to be preserved for further investigation, the district and/or law enforcement agency will contact the Safe2Say Something Crisis Center within seventy-two (72) hours of receiving the initial report to request that it be preserved.

Law Enforcement Coordination

The Crisis Team lead administrator, in coordination with the Superintendent and/or School Safety and Security Coordinator, will schedule and facilitate meetings with the county emergency dispatch center and each law enforcement agency that has jurisdiction over school property to discuss communication and handling of reports from the Safe2Say Something program.

The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies on Safe2Say Something reports in accordance with the documented procedures.

When requested, designated Crisis Team members will provide student directory information, such as full name, address, home phone number, parent/guardian name(s), grade level, etc., to the Safe2Say Something Crisis Center, county emergency dispatch center and/or law enforcement agency with jurisdiction, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. The Crisis Team and/or Superintendent will consult the school solicitor regarding questions on disclosure of student directory information if necessary. (20 U.S.C. 1232g; Pol. 113.4, 216)

The district will ensure that all Crisis Team members designated to receive Safe2Say Something program reports have continual access to the district's electronic student information system and have received authorization and training on handling student education records.

When a law enforcement agency takes the lead in handling a Life Safety report, the designated Crisis Team member(s) will document this action and coordinate follow-up activities for students and/or staff based on the nature of the report, in accordance with procedures under Response below.

When a report is handled by the district's Crisis Team, and a determination is made to contact the law enforcement agency to take protective action or report an incident, the district will coordinate with the law enforcement agency in accordance with documented procedures, the memorandum of understanding and applicable laws, regulations and Board policies.
(24 P.S.1306.2-B, 1319-B; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

Assessment and Response

Members of the Crisis Team receiving Safe2Say Something reports will identify if the report has been categorized as a Life Safety or Non-Life Safety report. Crisis Team members will make a determination about whether to anonymously communicate with the reporter, if possible, through the Safe2Say Something management program for additional information based on:

1. The nature of the report and the scope of information provided initially.

2. The recommendation of the county emergency dispatch center and/or law enforcement agency, when applicable.

3. The training and experience of the Crisis Team member(s).

Reports received initially from the Safe2Say Something Crisis Center will have inappropriate images and attachments blocked, including images or recordings that may be considered obscene or pornographic; however, Crisis Team members should be aware that images and attachments may be added by the reporter in follow-up responses and communication. If images or other content that could be considered obscene or pornographic are added to the report, Crisis Team members will contact the Superintendent, who will coordinate with the school solicitor and/or law enforcement agency, in handling such images and attachments that are received, and addressing their disposition in the Safe2Say Something management program. Such images and attachments should not be disseminated or downloaded beyond the reporting system until such coordination occurs and further direction is provided. Under no circumstances should images constituting pornography be downloaded or saved to a school-issued or school-owned electronic device or computer, or printed into a paper or other format.

Pornography includes, but is not limited to:

1. Any visual or audio depiction, including any photograph, digital image, film, video, picture, recording or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct; and

2. Nude pictures or images of the genitalia of any male or female or the breasts of any female, including any photograph, digital image, film, video, picture or computer or computer-generated image or picture of such.

Obscene includes any material, if:

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.

Coordination With Other School Entities –

The Crisis Team will contact and coordinate with other school entities in assessing and responding to a report if an identified student that is the subject of a report is enrolled in the district and also attends another school, such as a career and technical education program, approved private school placement or intermediate unit program.

Coordination With Threat Assessment Process –

When a student's behavior reported through the Safe2Say Something program indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, the student's behavior shall be addressed through the threat assessment process, in accordance with applicable law and Board policy. (24 P.S. 1302-E, Pol. 236.1)

Life Safety Reports –

The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies when assessing and responding to Life Safety reports. Coordination may include, but is not limited to:

1. Providing student or staff information for immediate response by law enforcement.

2. Providing required information to the Incident Command Post in an emergency situation. (22 PA Code 10.24)

3. Notification of the school community.

4. Cooperating in joint investigation and response to a report.

5. Providing care, support and/or ongoing monitoring following the resolution of a report.

The Crisis Team, in consultation with the building principal, Superintendent and law enforcement agency, will determine if the parent(s)/guardians(s) of a student(s) identified in or the subject of a report should be notified concerning a report, based on the nature of the report and the need for ongoing investigation.

Non-Life Safety or Non-Notification Reports –

Note: Non-Life Safety reports may be updated to Life Safety status by the Safe2Say Something Crisis Center if additional updates are made by the reporter that indicate the need to revise the status.

The Crisis Team members receiving a report will determine if additional members of the Crisis Team should meet to assess and respond to a report.

The Crisis Team may reach out to and include other teams and/or staff who are familiar with the student and/or situation in assessing and responding to a report.

The Crisis Team, in consultation with the building principal and/or Superintendent, will determine if the parent(s)/guardians(s) of a student(s) identified in or the subject of a report should be notified concerning a report, based on the nature of the report and the need for ongoing investigation.

Relation to Board Policies/Administrative Regulations/Procedures –

In assessing and responding to reports, the Crisis Team will make a determination if handling the report should be done under one or more specific Board policies, administrative regulations or district procedures, based on the subject matter of the report. Policies that may address Safe2Say Something report subjects include, but are not limited to:

1. Threat Assessment. (Pol. 236.1)
2. Bullying/Cyberbullying. (Pol. 249)
3. Suicide Awareness, Prevention and Response. (Pol. 819)
4. Child Abuse. (Pol. 806)
5. Student Assistance Program. (Pol. 236)
6. Student Discipline. (Pol. 218)
7. Weapons. (Pol. 218.1)

8. Terroristic Threats. (Pol. 218.2)
9. Controlled Substances/Paraphernalia. (Pol. 227)
10. Tobacco and Vaping Products. (Pol. 222, 323, 904)
11. Searches. (Pol. 226)
12. Hazing. (Pol. 247)
13. Discrimination/Title IX Sexual Harassment. (Pol. 103, 103.1, 104)
14. Dating Violence. (Pol. 252)
15. Emergency Preparedness and Response. (Pol. 805)
16. Employee Conduct/Disciplinary Procedures and/or Educator Misconduct. (Pol. 317, 317.1)
17. Maintaining Professional Adult/Student Boundaries. (Pol. 824)

Assessment –

In assessing Safe2Say Something reports that are not addressed through other Board policies, administrative regulations and district procedures, the Crisis Team will follow a standard practice, which may include, but is not limited to:

1. Interviewing students, staff, parents/guardians or others regarding the subject(s) of the report.

2. Reviewing existing academic, disciplinary and/or personnel records and assignments, as appropriate, regarding the subject(s) of the report.

3. Conducting searches of lockers, storage spaces and other possessions on school property as applicable, in accordance with applicable law, regulations and Board policy. (Pol. 226)

4. Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Child Study team, Student Assistance Program team or others. (Pol. 103.1, 113, 113.1, 113.2, 113.3, 236)

The Crisis Team will conduct interviews and investigations in accordance with applicable laws, regulations, Board policies and administrative regulations, and will respect the rights and confidentiality of students, staff, parents/guardians and others in assessing and responding to Safe2Say Something reports. (Pol. 103, 103.1, 104)

Response –

Following assessment and coordination with other teams and individuals as necessary, the Crisis Team will recommend and/or implement one or more responses to address the Safe2Say Something report. The timeline for assessment and response, as well as the nature of responses, will vary based on the nature and complexity of the report. Responses may include but are not limited to:

1. Counseling – this may include counseling within or outside of the school. (Pol. 112, 146)

2. Monitoring – monitoring may be done by the Crisis Team, threat assessment team, a Child Study team, IEP team or other appropriate team of individuals within the district.

3. Parental notification, as appropriate.

4. Review of appropriate plan or support – this may include a review of a student's IEP, Section 504 Service Agreement, Behavior Support Plan, Student Assistance Program, Employee Assistance Program or other type of plan or system of support. (Pol. 103.1, 113, 113.2, 146, 236)

5. Immediate intervention – this may include an immediate assessment or action through the threat assessment process, student services, Student Assistance Program, a crisis response team, law enforcement and/or a community agency.

6. Outside referral – this may include an outside referral to a behavioral health resource, medical provider, community agency or other outside or contracted service or provider. (Pol. 146, 236)

7. Investigation/School discipline – this may include investigation and/or discipline under a specific Board policy as noted above, such as an investigation of bullying/cyberbullying or hazing, or discipline, up to and including suspension and

expulsion, in accordance with law, regulations, Board policy and administrative regulations. (Pol. 113.1, 218, 233, 236.1, 247, 249, 317, 317.1)

8. Reporting/Law enforcement action – this may include a referral to law enforcement in accordance with the memorandum of understanding, reporting in accordance with school safety and security incident reporting, or other types of required reporting to state or federal agencies. (Pol. 103.1, 113.1, 113.2, 218, 218.1, 218.2, 218.3, 222, 227, 317.1, 323, 351, 805.1, 806, 904)

Interplay with Child Protective Services Law –

The Crisis Team will respond to Safe2Say Something reports involving suspected child abuse in accordance with Board policy and the Child Protective Services Law, and will follow the requirements for making a mandated report, even if the county emergency dispatch center or law enforcement agency has also received the Safe2Say Something report. When a report of suspected child abuse is made by a school employee as a member of the Crisis Team, the district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, is not required to make an additional report. (23 Pa. C.S.A. 6305, 6311, 6313; Pol. 806)

School Safety and Security Incident Reporting –

For school safety and security reporting purposes, the term incident will 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 products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code. (24 P.S. 1319-B; 22 PA Code 10.2; 35 P.S. 780-102)

In accordance with reporting requirements, the Superintendent or designee will 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 law enforcement agency 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 law enforcement and Board policies. (24 P.S. 1306.2-B, 1319-B; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

The Superintendent or designee will notify the parent/guardian of any student directly involved in an incident on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Superintendent or designee will inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian. (22 PA Code 10.2, 10.25; Pol. 805.1)

Students With Disabilities –

When reporting an incident committed by a student with a disability to a law enforcement agency, the district will provide the information required by state and federal laws and regulations and will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district will ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records. (20 U.S.C. 1232g, 1415; Pol. 113.1, 113.4, 216)

For purposes of protection and continuity in handling students with disabilities, the district will provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each law enforcement agency that has jurisdiction over school property. Updated copies will be provided each time the administrative regulations and procedures for behavior support are revised by the district. (22 PA Code 10.23, 14.104; Pol. 113, 113.2, 805.1)

The district will invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program. (22 PA Code 10.23, 14.104, 14.133; Pol. 113, 113.2, 805.1)

Closure and Documentation

Crisis Team members designated to receive Safe2Say Something reports will coordinate and ensure that all reports are officially closed in the Safe2Say Something management program.

The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies in documenting responses to reports and/or handling student information and records, in accordance with these procedures, the memorandum of understanding with law enforcement and applicable laws and regulations.

Notes briefly detailing ongoing response activities or resolution of the report must be noted as applicable in the Safe2Say Something management program and shared with other members of the Crisis Team, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. (20 U.S.C. 1232g; Pol. 113.4, 216)

The Crisis Team will develop reports, databases and/or files for documenting and storing information regarding Safe2Say Something reports, assessments, resolutions and follow-up responses.

Documentation from Safe2Say Something reports that includes specific student information will be handled by the district in accordance with applicable laws, regulations, Board policies, administrative regulations and procedures. (20 U.S.C. 1232g; 24 P.S. 1304-D, Pol. 113.4, 207, 216, 236, 236.1, 249, 800, 819)

Student Assistance Program documentation and follow-up information will be handled in accordance with Board policy, administrative regulations and program requirements. (Pol. 236)

Noncompliance – Consequences

If the school entity fails to provide a final disposition of each report received through the Safe2Say Something Program in the timeline required for life safety events and all other events, the following will apply:

1. The Office of the Attorney General will post on its public website the name of the school entity that has not submitted final dispositions.

2. The Office of the Attorney General will report to the School Safety and Security Committee that the school entity has not submitted final dispositions.

3. The School Safety and Security Committee may not award any grant administered by the Committee to the school entity until the school entity has submitted its final dispositions to the Office of the Attorney General.

Resources

Safe2Say Something Program Frequently Asked Questions:
https://www.safe2saypa.org/faq/

Safe2Say Something Resource Portal (contains team and student training guides, including awareness materials in multiple languages):
www.safe2saypa.org/resources

School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA):
FERPA guidance from the Privacy Technical Assistance Center, U.S. Department of Education, February 2019

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: RELATIONS WITH LAW ENFORCEMENT AGENCIES

ADOPTED: August 9, 2017

REVISED: October 9, 2019
August 14, 2024
January 14, 2026

805.1 RELATIONS WITH LAW ENFORCEMENT AGENCIES

Purpose

The Board recognizes that cooperation with law enforcement agencies is considered essential for protecting students and staff, maintaining a safe environment in schools and safeguarding district property.

Authority

It shall be the policy of the Board to establish and maintain a cooperative relationship between the school district and law enforcement agencies with jurisdiction over school property of the school district in maintaining school safety and security; responding to school safety and security reports; and reporting and resolution of incidents that occur on school property, at any school-sponsored activity or on any conveyance providing transportation to or from a school or school-sponsored activity.[1][2][3][4][5]

The Board directs the Superintendent to execute and update, on a biennial basis, a memorandum of understanding with each law enforcement agency that has jurisdiction over school property in accordance with state law and regulations.[1][2][6]

Definition

Incident - an instance involving an act of violence; the possession of a weapon by any person; 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 products by any person on school property; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[2][7][8][9][10][11][12][13][14][15][16]

Guidelines

Memorandum of Understanding

In accordance with state law and regulations, the Superintendent shall form an advisory committee composed of relevant school staff to assist in the development of a memorandum of understanding with law enforcement. The Superintendent shall execute and update, every two (2) years, a memorandum of understanding with each law enforcement agency that has jurisdiction over school property. The memorandum of understanding shall be signed by the Superintendent, chief of police of the law enforcement agency with jurisdiction over the relevant school property and each building principal, and be filed with the PA Department of Education.[1][2][6]

In developing and updating the memorandum of understanding, the district shall consult and consider the model memorandum of understanding, in accordance with applicable law and regulations.[1][2][6]

The memorandum of understanding shall comply with state law and regulations and set forth:[1][2][6]

1. A procedure for law enforcement agency review of the district's annual incident report required by law, prior to the Superintendent filing the report with the PA Department of Education.

2. A procedure for the resolution of incident data discrepancies in the report prior to filing the report.

3. A procedure for the timely coordination between the district's threat assessment team and the law enforcement agency, as necessary.[17]

4. Additional matters pertaining to crime prevention agreed to between the Superintendent and the law enforcement agency.

Students With Disabilities

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each law enforcement agency that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[18][19][20][21]

The district shall invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[18][19][20][21][22]

Training

The district shall invite representatives of each law enforcement agency that has jurisdiction over school property to participate in district training related to subjects that enhance understanding of and build positive relationships with students, which may include but not be limited to training on trauma-informed approaches, restorative practices, suicide awareness and prevention, child abuse recognition and reporting, maintaining confidentiality of students' personally identifiable information and maintaining professional adult/student boundaries.[4][23][24][25][26][27][28]

Referral to Law Enforcement

The Superintendent 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, to the law enforcement agency 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 law enforcement and Board policies.[1][2][7][9][10][11][12][13][14][15][16][21][29][30][31][32]

School Safety and Security Incidents Report

Annually, by July 31, the Superintendent shall report on the designated form, to the PA Department of Education, all new incidents as required by state law.[2]

Prior to submitting the incidents report, the Superintendent and each law enforcement agency having jurisdiction over school property shall do all of the following:[2]

1. No later than thirty (30) days prior to the deadline for submitting the report to the PA Department of Education, the Superintendent shall submit the report to the law enforcement agency that has jurisdiction over the relevant school property. The law enforcement agency shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine whether the report accurately reflects law enforcement incident data.

2. No later than fifteen (15) days prior to the deadline for the Superintendent to submit the report to the PA Department of Education, the law enforcement agency shall notify the Superintendent, in writing, whether the report accurately reflects law enforcement incident data. Where the law enforcement agency determines that the report accurately reflects law enforcement incident data, the chief of police shall sign the report. Where the law enforcement agency determines that the report does not accurately reflect law enforcement incident data, the law enforcement agency shall indicate any discrepancies between the report and law enforcement incident data.

3. Prior to submitting the report to the PA Department of Education, the Superintendent and the law enforcement agency shall attempt to resolve any discrepancy between the report and law enforcement incident data. If a discrepancy remains unresolved, the law enforcement agency shall notify the Superintendent and the PA Department of Education in writing.

4. Where a law enforcement agency fails to take action as required above, the Superintendent shall submit the report to the PA Department of Education and indicate that the law enforcement agency failed to take the required action.

	Legal References 1. 24 P.S. 1306.2-B 2. 24 P.S. 1319-B 3. 22 PA Code 10.1 4. Pol. 805 5. Pol. 805.2 6. 22 PA Code 10.11 7. 22 PA Code 10.2 8. 35 P.S. 780-102 9. Pol. 218 10. Pol. 218.1 11. Pol. 218.2 12. Pol. 222 13. Pol. 227 14. Pol. 323 15. Pol. 351 16. Pol. 904 17. 24 P.S. 1302-E 18. 22 PA Code 10.23 19. 22 PA Code 14.104 20. Pol. 113 21. Pol. 113.2 22. 22 PA Code 14.133 23. Pol. 113.4 24. Pol. 216 25. Pol. 333 26. Pol. 806 27. Pol. 819 28. Pol. 824 29. 22 PA Code 10.21 30. 22 PA Code 10.22 31. Pol. 103.1 32. Pol. 113.1 22 PA Code 10.24 75 Pa. C.S.A. 3345.1 Pol. 909

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: SCHOOL SECURITY PERSONNEL ADOPTED: November 13, 2019 REVISED: March 12, 2020; August 12, 2021 November 10, 2022; August 14, 2024; October 9, 2024; January 14, 2026

805.2 SCHOOL SECURITY PERSONNEL

Authority

The Board shall employ, contract for and/or assign staff to coordinate the safety and security of district students, staff, visitors and facilities.

The district shall employ or contract for at least one (1) full-time school security personnel who has completed the training required by law and this Board policy to be on duty during the school day.[1]

The district shall certify to the state School Safety and Security Committee annually that it has met the requirements for school security personnel or has received a waiver, in accordance with applicable law.[1]

Definitions

School security personnel - school police officers, school resource officers and school security guards.[2]

Independent contractor - an individual, including a retired federal agent or retired state, municipal or military police officer or retired sheriff or deputy sheriff, whose responsibilities, including work hours, are established in a written contract with the district for the purpose of performing school security services.[2]

School day - the hours between the morning opening of a school building and the afternoon dismissal of students on a day which classes are in session.[1]

Third-party vendor - a company or entity approved by the PA Commission on Crime and Delinquency that provides school security services in accordance with law.[2]

Delegation of Responsibility

The Superintendent shall appoint a school administrator to serve as the School Safety and Security Coordinator, in accordance with law. When a vacancy occurs in the role of the School Safety and Security Coordinator, the Superintendent shall appoint another school administrator to serve as the School Safety and Security Coordinator within thirty (30) days of the vacancy and shall notify the Board regarding the appointment.[3]

The Superintendent or designee shall submit the name and contact information for the appointed School Safety and Security Coordinator to the state's School Safety and Security Committee within thirty (30) days of the appointment.[3]

The School Safety and Security Coordinator shall report directly to the Superintendent, and shall be responsible for the following:[3]

1. Oversee all school police officers.

2. Review and provide oversight of all Board policies, administrative regulations and procedures related to school safety and security, and ensure compliance with federal and state laws and regulations regarding school safety and security.

3. Coordinate training and resources for students and staff related to situational awareness, trauma-informed approaches, behavioral health awareness, suicide and bullying awareness, substance use awareness, emergency procedures and training drills, and identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities or the community, in accordance with the standards established by the state's School Safety and Security Committee and the requirements of applicable law and regulations.[4][5][6][7][8][9][10][11][12][13]

4. Meet with school employees annually to seek their input on the mandatory school safety and security training.

5. Coordinate a tour of the district's buildings and grounds biennially, or when a building is first occupied or reconfigured, with law enforcement and first responders responsible for protecting and securing the district to discuss and coordinate school safety and security matters.

6. Serve as the liaison with law enforcement and other state committees and agencies on matters of school safety and security.

7. Serve on the district's threat assessment team(s) and participate in required training and the threat assessment process.[7][14]

8. Coordinate School Safety and Security Assessments, School Safety and Security grant requirements and respond to School Safety and Security surveys, as applicable.[11][15]

9. Coordinate school safety and security meetings with school and building leadership, at least on a quarterly basis.

The School Safety and Security Coordinator shall, within one (1) year of appointment, complete required training as specified by the state's School Safety and Security Committee for serving in the role of a School Safety and Security Coordinator. This training shall be in addition to other training requirements for school administrators, but shall count toward professional education credit, where applicable.[3][16][17][18]

The School Safety and Security Coordinator must complete any additional continuing education as required by the School Safety and Security Committee.[3]

By June 30 of each year, the School Safety and Security Coordinator shall make a report to the Board at an executive session on the district's current safety and security practices, and identify strategies to improve school safety and security.[3][19]

The Board directs the School Safety and Security Coordinator to include the following information in the annual report:

1. Threat assessment team information, including verification of compliance with law and regulations, the number and composition of the district's threat assessment team(s), the total number of threats assessed in the past year and additional information on threat assessment required by the Superintendent or designee, in accordance with Board policy.[7][14]

2. The number and type(s) of school security personnel contracted or employed by the district, including:[3]

    a. The number of school security personnel that are armed, listed by type(s) of personnel.

    b. The school building at which each school security personnel is assigned, listed by type(s) of personnel.

    c. The training, including the type of training and completion dates, of each school security personnel, listed by type(s) of personnel.

    d. A listing of other individuals utilized by the district for school safety-related duties.

3. An attendance report of the school and building personnel present at each school safety and security meeting, including yearly attendance totals.

A copy of the report, including the required information on threat assessment and school security personnel, shall be submitted to the state's School Safety and Security Committee.[3]

Guidelines	The Superintendent or designee shall implement job descriptions and procedures to address the responsibilities and requirements specific to each category of school security personnel in carrying out their duties. School security personnel shall carry weapons, including firearms, in performance of their duties only if, and to the extent, authorized by the Board, including as provided in an agreement with a law enforcement agency for the stationing of a School Resource Officer or in a contract with an independent contractor or third-party vendor approved by the Board. <u>School Police Officers</u> 1. The district shall employ and/or contract for one or more school police officers and apply to the appropriate court for appointment and powers of authority, in accordance with the provisions of law.[2][22][23][24][25][26] 2. Within thirty (30) days of court approval for appointment of a school police officer, the district shall notify the School Safety and Security Committee and submit a copy of the court's order.[22] ***School police officer*** - [2][23][24] 1. A law enforcement officer employed by the district whose responsibilities, including work hours, are established by the district; or 2. An independent contractor or an individual provided through a third-party vendor who has been appointed in accordance with law, and who meets the requirements of contracted services personnel, in accordance with Board policy.[26] *Background Checks* - Prior to receiving an offer of employment, all school police officers shall comply with the requirements for background checks/certifications and employment history reviews for all school employees, in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for school police employed by the district and Board policy 818 for school police employed by an independent contractor or third-party vendor.[25][26][27][28][29][30]

The district shall conduct a law enforcement agency background investigation in compliance with applicable law and regulations for all school police employed by the district and shall review a background investigation conducted for all school police employed by an independent contractor or third-party vendor.[31][32]

Following an offer of employment, the district shall request the separation record for a school police officer employed or contracted by the district, in accordance with applicable law and regulations for a law enforcement agency.[33][34]

Requirements -

The district shall annually report the following information regarding school police officers receiving required training to the PA Department of Education, the School Safety and Security Committee and the PA Commission on Crime and Delinquency:[35]

1. The district's name and the number of school police officers employed or contracted by the district.
2. The municipalities comprising the district.
3. The date and type of training provided to each school police officer.

The district shall make reports regarding hiring and separation, and shall maintain all records, as required for a law enforcement agency, in accordance with applicable law and regulations.[32][36]

School police officers shall take and subscribe to the Oath of Office required by law.[37]

The district shall request that the court grant the school police officer authority to carry a firearm, in accordance with law. The school police officer shall maintain all applicable firearm license and training requirements, in accordance with applicable law and Board policy.[22][38]

School police officers shall successfully complete required training, in accordance with law, and other required staff training, including district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to behavior for students with disabilities, in accordance with law, regulations and Board policy.[38][39][40][41][42]

School police officers shall possess and exercise the following duties:[43]

1. Enforce good order in school buildings, on school buses or vehicles owned or leased by the district, and on school grounds.
2. If authorized by the court, issue summary citations or detain individuals who are in school buildings, on school buses and on school grounds in the district until local law enforcement is notified.

3. If authorized by the court, a school police officer who is a law enforcement officer employed by the district whose responsibilities, including work hours, are established by the district, may exercise the same powers as exercised under authority of law or ordinance by the police of the municipality in which the school property is located.

School police officers shall wear the assigned metallic shield or badge provided by the district in plain view when on duty.[44]

School Security Guards

The district shall employ and/or contract for one or more school security guards, in accordance with the provisions of law.[2][25][26][47]

School security guard - an individual employed by the district or a third-party vendor or an independent contractor who is assigned to a school for routine safety and security duties, and has not been granted powers by the court to issue citations, detain individuals or exercise the same powers as exercised by police of the municipality in which the school property is located, in accordance with law. An independent contractor or individual employed by a third-party vendor contracted with the district shall meet the requirements of contracted services personnel, in accordance with Board policy and the provisions of applicable law.[2][24][26][47]

Background Checks –

Prior to receiving an offer of employment, all school security guards shall comply with the requirements for background checks/certifications and employment history reviews for all school employees, in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for school security guards employed by the district and Board policy 818 for school security guards employed by an independent contractor or third-party vendor.[25][26][27][28][29][30]

The district shall conduct a law enforcement agency background investigation in compliance with applicable law and regulations for all school security guards employed by the district and shall review a background investigation conducted for all school security guards employed by an independent contractor or third-party vendor.[31][32]

Following an offer of employment, the district shall request the separation record for a school security guard employed or contracted by the district, in accordance with applicable law and regulations for a law enforcement agency.[33][34]

Requirements -

School security guards shall provide the following services, as directed by the district:[47]

1. School safety support services.

2. Enhanced campus supervision.
3. Assistance with disruptive students.
4. Monitoring visitors on campus.[48]
5. Coordination with law enforcement officials, including school police officers.
6. Security functions which improve and maintain school safety.

School security guards shall successfully complete required training, in accordance with law, and applicable staff training in accordance with Board policy.[47]

School security guards authorized to carry a firearm shall maintain an appropriate license and successfully complete required firearm training in accordance with law.[47]

The district shall make reports regarding hiring and separation, and shall maintain all records, as required for a law enforcement agency, in accordance with applicable law and regulations.[32][36]

Other Agreements

The district shall enter into a cooperative police service agreement(s) with a municipality(ies), in accordance with the provisions of law.[45][49][50][51]

The district shall enter into an intergovernmental agreement(s) otherwise providing for School Resource Officers with other political subdivisions, in accordance with the provisions of law.[45][46][51]

Legal References:
1. 24 P.S. 1316-C
2. 24 P.S. 1301-C
3. 24 P.S. 1309-B
4. Pol. 146.1
5. Pol. 227
6. Pol. 236
7. Pol. 236.1
8. Pol. 249
9. Pol. 333
10. Pol. 351
11. Pol. 805
12. Pol. 819
13. 24 P.S. 1310-B
14. 24 P.S. 1302-E
15. 24 P.S. 1305-B
16. 24 P.S. 1316-B
17. 24 P.S. 1205.1
18. 24 P.S. 1205.5

	19. Pol. 006 20. Pol. 235.1 21. Pol. 805.1 22. 24 P.S. 1302-C 23. 24 P.S. 1310-C 24. 24 P.S. 1311-C 25. Pol. 304 26. Pol. 818 27. 24 P.S. 111 28. 24 P.S. 111.1 29. 23 Pa. C.S.A. 6344 30. 23 Pa. C.S.A. 6344.3 31. 37 PA Code 241.5 32. 44 Pa. C.S.A. 7301 et seq 33. 37 PA Code 241.6 34. 44 Pa. C.S.A. 7310 35. 24 P.S. 1303-C 36. 37 PA Code 241.1 et seq 37. 24 P.S. 1304-C 38. 24 P.S. 1305-C 39. 22 PA Code 10.23 40. 22 PA Code 14.104 41. 22 PA Code 14.133 42. Pol. 113.2 43. 24 P.S. 1306-C 44. 24 P.S. 1307-C 45. Pol. 909 46. 24 P.S. 1313-C 47. 24 P.S. 1314-C 48. Pol. 907 49. 24 P.S. 1309-C 50. 42 Pa. C.S.A. 8953 51. 53 Pa. C.S.A. 2303 24 P.S. 1306.2-B 24 P.S. 1319-B 53 Pa. C.S.A. 2301 et seq Pol. 705 Pol. 709

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: CHILD ABUSE ADOPTED: August 9, 2017 REVISED: October 10, 2018 August 14, 2024

806. CHILD ABUSE

Authority

The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.[1][2][3][4]

Definitions

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

Adult - an individual eighteen (18) years of age or older.[5]

Bodily injury - impairment of physical condition or substantial pain.[5]

Certifications - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code.[6][7]

Child - an individual under eighteen (18) years of age.[5]

Child abuse - intentionally, knowingly or recklessly doing any of the following:[5]

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.

5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

7. Causing serious physical neglect of a child.

8. Engaging in any of the following recent acts:

    a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

    b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

    c. Forcefully shaking a child under one (1) year of age.

    d. Forcefully slapping or otherwise striking a child under one (1) year of age.

    e. Interfering with the breathing of a child.

    f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[8]

    g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender, has to register for life or has been determined to be a sexually violent predator or sexually violent delinquent.[9][10][11][12]

9. Causing the death of the child through any act or failure to act.

10. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined in the law.[13]

The term **child abuse** does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term child abuse is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:[14]

1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;

2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;

3. Is necessary for self-defense or defense of another;

4. Is necessary to prevent the child from self-inflicted physical harm; or

5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

Direct contact with children - the possibility of care, supervision, guidance or control of children or routine interaction with children.[1]

Independent contractor - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[5][15]

Perpetrator - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child; or an adult who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined in the law. Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child.[5][13]

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.[5]

Program, activity or service - any of the following in which children participate and which is sponsored by a school or a public or private organization:[5]

1. A youth camp or program.

2. A recreational camp or program.

3. A sports or athletic program.

4. A community or social outreach program.

5. An enrichment or educational program.

6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.[5]

Routine interaction - regular and repeated contact that is integral to a person's employment or volunteer responsibilities.[5]

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[5]

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:[5]

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or

2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:[5]

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following:[5]

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.

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

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.

Student - an individual enrolled in a district school under eighteen (18) years of age.[5]

Volunteer - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children.[15]

Delegation of Responsibility

The Superintendent or designee shall:

1. Require each candidate for employment to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[6][7][16][17][18][19]

2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.[20][21][22]

School employees and independent contractors shall obtain and submit new certifications every sixty (60) months.[21]

	Certification requirements for volunteers are addressed separately in Board Policy 916.[23] The Superintendent or designee shall annually notify district staff, independent contractors and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations. The Superintendent or designee shall ensure that the poster, developed by the PA Department of Education, displaying the statewide toll-free telephone numbers for reporting suspected child abuse, neglect and school safety issues be posted in a high-traffic, public area of each school. The designated area shall be readily accessible and widely used by students.[24] The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.
Guidelines	<u>Aiding and Abetting Sexual Abuse</u> School employees, acting in an official capacity for this district, are prohibited from assisting another school employee, contractor or agent in obtaining a new job if the school employee knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student.[16][17][18][19][22][25][26][27][28] This prohibition applies only to assistance that extends beyond performance of normal processing of personnel matters including routine transmission of files or other information. This prohibition shall not apply if:[26] 1. The relevant information has been properly reported to law enforcement officials and any other authority required by federal, state or local law and the matter has been officially closed or the prosecutor or law enforcement officials notified school officials that there is insufficient information to establish probable cause. 2. The school employee, contractor or agent has been acquitted or otherwise exonerated of the alleged misconduct. 3. The case or investigation remains open and no charges have been filed against, or indictment of, the school employee, contractor or agent within four (4) years of the date on which the information was reported to the law enforcement agency.

Training

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[1][3][4][27]

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[27][29]
3. District policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.[28]

Employees are required to complete a minimum of three (3) hours of training every five (5) years.[1]

Duty to Report

School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:[15]

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that the individual has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.[15]

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.[15]

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.[30]

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.[31]

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.[32]

Any person who engages in intimidation, retaliation or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.[33]

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.[34]

Reporting Procedures

School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis) or an oral report via the statewide toll-free telephone number (1-800-932-0313). A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.[15][35][36]

A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the building principal or administrator and if the initial report was made electronically, also provide the building principal or administrator with a copy of the report confirmation. The building principal or administrator shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation.[15][35][36]

When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the building principal or administrator with a copy of the report confirmation promptly after the written electronic report has been filed. The building principal or administrator shall in turn provide a copy of the report confirmation to the Superintendent or designee.[15][35][36]

When necessary to preserve potential evidence of suspected child abuse, a school employee may, after the initial report is made, take or cause to be taken photographs of the child who is the subject of the report. Any such photographs shall be sent to the county agency at the time the written report is sent or within forty-eight (48) hours after a report is made by electronic technologies or as soon thereafter as possible. The building principal or administrator shall be notified whenever such photographs are taken.[37]

If the Superintendent or designee reasonably suspects that conduct being reported involves a school safety and security incident required to be reported under law, the Superintendent or designee shall inform the law enforcement agency that has jurisdiction over the school's property, in accordance with applicable law, regulations and Board policy.[38][39][40][41][42][43]

Investigation

The building principal or administrator shall facilitate the cooperation with the Department of Human Services of the Commonwealth and/or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school.[15][44]

Upon notification that an investigation involves suspected child abuse by a school employee, the building principal or administrator shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.[45]

Legal References

1. 24 P.S. 1205.6
2. 23 Pa. C.S.A. 6301 et seq
3. Pol. 333
4. Pol. 818
5. 23 Pa. C.S.A. 6303
6. 24 P.S. 111

	7. 23 Pa. C.S.A. 6344 8. 18 Pa. C.S.A. 7508.2 9. 42 Pa. C.S.A. 9799.12 10. 42 Pa. C.S.A. 9799.24 11. 42 Pa. C.S.A. 9799.55 12. 42 Pa. C.S.A. 9799.58 13. 22 U.S.C. 7102 14. 23 Pa. C.S.A. 6304 15. 23 Pa. C.S.A. 6311 16. Pol. 302 17. Pol. 304 18. Pol. 305 19. Pol. 306 20. 23 Pa. C.S.A. 6344.3 21. 23 Pa. C.S.A. 6344.4 22. Pol. 309 23. Pol. 916 24. 23 Pa. C.S.A. 6332 25. 24 P.S. 111.1 26. 20 U.S.C. 7926 27. Pol. 317.1 28. Pol. 824 29. 24 P.S. 2070.1a 30. 23 Pa. C.S.A. 6318 31. 23 Pa. C.S.A. 6319 32. 18 Pa. C.S.A. 4906.1 33. 18 Pa. C.S.A. 4958 34. 23 Pa. C.S.A. 6320 35. 23 Pa. C.S.A. 6305 36. 23 Pa. C.S.A. 6313 37. 23 Pa. C.S.A. 6314 38. 22 PA Code 10.2 39. 22 PA Code 10.21 40. 22 PA Code 10.22 41. 24 P.S. 1306.2-B 42. 24 P.S. 1319-B 43. Pol. 805.1 44. 23 Pa. C.S.A. 6346 45. 23 Pa. C.S.A. 6368 24 P.S. 1527 24 P.S. 2070.1a et seq 22 PA Code 10.1 et seq 18 Pa. C.S.A. 4304 Pol. 317

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: OPENING EXERCISES/ MOMENT OF SILENCE/ FLAG DISPLAYS ADOPTED: August 9, 2017 REVISED: September 11, 2024

807. OPENING EXERCISES/MOMENT OF SILENCE/FLAG DISPLAYS

Purpose

The Board adopts this policy to ensure that all district schools comply with state and federal laws concerning flag displays, opening exercises and the moment of silence on the anniversary of September 11, while respecting the rights of individuals.

Authority

A United States flag shall be displayed in classrooms and on or near each school building during school hours, in clement weather and at other times determined by the Board.[1]

District schools shall provide opening exercises that include a salute to the flag and/or recitation of the Pledge of Allegiance or the National Anthem.[1]

Students may decline to recite the Pledge of Allegiance or National Anthem and to salute the flag on the basis of personal belief or religious conviction. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do participate.[1][2]

The Board directs the district to annually provide, during instructional hours, a moment of silence for students and staff to observe the anniversary of September 11, 2001.[4]

Legal References:
1. 24 P.S. 771
2. 22 PA Code 12.10
3. 24 P.S. 1516.1
4. 24 P.S. 1555

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: FOOD SERVICES ADOPTED: August 9, 2017 REVISED: January 17, 2018 August 8, 2018 October 10, 2018 June 9, 2022 November 10, 2022

808. FOOD SERVICES

Purpose

The Board recognizes that students require adequate, nourishing food and beverages in order to grow, learn and maintain good health. The Board directs that students shall be provided with adequate space and time to eat meals during the school day.

Authority

The food service program shall be operated in compliance with all applicable state and federal laws and regulations, as well as federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture (USDA).[1][2][3][4][5][6][7][8][9][10]

The district shall ensure that, in the operation of the food service program, no student, staff member, or other individual shall be discriminated against on the basis of race, color, national origin, age, sex or disability.[11][12]

Food sold by the school may be purchased by students and district employees but only for consumption on school premises. The price charged to students shall be established annually by the district in compliance with state and federal laws.[4][13]

Nonprogram food shall be priced to generate sufficient revenues to cover the cost of such items. A nonprogram food shall be defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account. Nonprogram foods include but are not limited to adult meals and a-la-carte items. All revenue from the sale of nonprogram food shall accrue to the child nutrition program account.[13][14]

Delegation of Responsibility

Operation and supervision of the food service program shall be the responsibility of the Food Services Director.

	The individual responsible for the operation and supervision of the food service program shall present to the Board each month for its approval a statement of receipts and expenditures for cafeteria funds.[4] Cafeterias shall be operated on a nonprofit basis. A periodic review of the cafeteria accounts shall be made by the Business Manager.[3][4] The individual responsible for the operation and supervision of the food service program shall ensure that school meals meet the standards required by the School Breakfast Program, the National School Lunch Program and the Special Milk Program.[2][3][4][6][7][8][9][10] The Superintendent or designee shall comply with state and federal requirements for conducting cafeteria health and safety inspections and ensuring employee participation in appropriate inspection services and training programs.[15][16][17][18] The Superintendent or designee shall develop and disseminate guidelines to implement this policy. The Superintendent or designee shall annually notify students, parents/guardians and employees concerning the contents of this policy and applicable guidelines. Notification shall include information related to nondiscrimination.[12]
Guidelines	To reinforce the district's commitment to nutrition and student wellness, foods served in school cafeterias shall:[19] 1. Be carefully selected to contribute to students' nutritional well-being and health. 2. Meet the nutrition standards specified in law and regulations and approved by the Board. 3. Be prepared by methods that will retain nutritive quality, appeal to students and foster lifelong healthy eating habits. 4. Be served in age-appropriate quantities, at reasonable prices. The district shall use USDA Foods for school menus available under the Child Nutrition USDA Foods Programs.

All funds derived from the operation, maintenance or sponsorship of the food service program shall be deposited in the separate cafeteria fund, in the same manner as other district funds. Such funds shall be expended in the manner approved and directed by the Board, but no amount shall be transferred from the cafeteria fund to any other account or fund; however, district advances to the food service program may be returned to the district's general fund from any surplus resulting from its operation.[4]

Surplus accounts shall be used only for the improvement and maintenance of the cafeteria.[4]

Free/Reduced-Price School Meals and Free Milk

The district shall provide free and reduced-price school meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program, the School Breakfast Program and the Special Milk Program.[20][21]

The district shall conduct direct certification three (3) times per year using the Pennsylvania Student Eligibility System (PA-SES) to identify students who are eligible for free school meal benefits without the need for submission of a household application. Direct certification shall be conducted:[20][21]

1. At or around the beginning of the school year.
2. Three (3) months after the initial effort.
3. Six (6) months after the initial effort.

The district may also conduct direct certification on a weekly or monthly basis.

Accommodating Students With Special Dietary Needs

The district shall make appropriate food service and/or meal accommodations to students with special dietary needs in accordance with applicable law, regulations and Board policy.[23][24][25][26]

School Meal Service and Accounts

To ensure the effective operation of the district's food service program and delivery of school food program meals to students, the district shall:

1. Assign individual school meal accounts to each student for the purchase of meals served in school cafeterias, which ensure that the identity of each student is protected.

2. Notify parents/guardians when the student's school meal account reaches a negative balance. The notice shall include information on payment options.

3. Provide a school food program meal to each student who does not have the money to pay for the school food program meal or who has a negative balance in their school meal account, except when the student's parent/guardian has specifically provided written notice to the district to withhold a school food program meal.[3]

When a student owes money for five (5) or more school food program meals, the district shall make at least two (2) attempts to contact the student's parent/guardian and shall provide the application for free/reduced-price school meal benefits to the parent/guardian to apply for benefits under federal school meal programs. The district shall offer assistance to parents/guardians with applying for free/reduced-price school meal benefits.[3][20][21]

Communications regarding a low balance or money owed by a student for school meals shall be made to the student's parent/guardian.[3]

School staff may communicate a low balance or money owed by a student for school meals to a student in grades 9-12; such communication shall be made to the individual student in a discreet manner.[3]

The district shall be permitted to contact the student's parent/guardian by means of a letter addressed to the parent/guardian that is delivered by the student.[3]

District schools shall be prohibited from:[3]

1. Publicly identifying or stigmatizing a student who cannot pay for a school food program meal or who has a negative school meal account balance. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes.

2. Requiring a student who cannot pay for a school food program meal to perform chores or other work to pay for the meal, unless chores or other work are required of all students regardless of their ability or inability to pay for a school food program meal.

3. Requiring a student or school staff to discard a school food program meal after it was served to the student due to the student's inability to pay for the meal or due to a negative school meal account balance.

This policy and any applicable procedures or guidelines regarding school meal charges and school meal accounts shall be communicated annually to school administrators, school food service personnel, other appropriate school staff and contracted food service personnel.

The district shall provide parents/guardians with a written copy of this policy and any applicable procedures or guidelines at the start of each school year, when a student enrolls in school after the start of the school year and when a parent/guardian is notified of a negative school meal account balance.

The district shall annually inform parents/guardians, students and staff about the contents of this policy and any applicable procedures via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods.

Collection of Unpaid Meal Charges

Reasonable efforts shall be made by the district to collect unpaid meal charges from parents/guardians. Efforts taken in the collection shall not have a negative impact on the student involved, but shall focus primarily on the parents/guardians responsible for providing funds for meal purchases.

Procurement

Procurement of goods or services for the food service program shall meet the requirements of applicable law, regulations and Board policy and procedures.[27][28][29]

Professional Standards for Food Service Personnel

The district shall comply with the professional standards for school food service personnel who manage and operate the National School Lunch and School Breakfast Programs. For purposes of this policy, professional standards include hiring standards for new food service program directors and annual continuing education/training for all individuals involved in the operation and administration of school meal programs. Such professional standards shall apply to both district-operated food service programs and contracted food service programs.[6][7][18][30]

School Food Safety Inspections

The district shall obtain two (2) safety inspections per year in accordance with local, state, and federal laws and regulations.[16][17][31]

The district shall post the most recent inspection report and release a copy of the report to members of the public, upon request.

	School Food Safety Program The district shall comply with federal requirements in developing a food safety program that enables district schools to take systematic action to prevent or minimize the risk of foodborne illness among students.[8][10][16] The district shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with applicable state and local laws and regulations and federal food safety requirements.[17][31][32] Legal References 1. 2 CFR Part 200 2. 24 P.S. 1335 3. 24 P.S. 1337 4. 24 P.S. 504 5. 24 P.S. 807.1 6. 42 U.S.C. 1751 et seq 7. 42 U.S.C. 1773 8. 7 CFR Part 210 9. 7 CFR Part 215 10. 7 CFR Part 220 11. 7 CFR 210.23 12. FNS Instruction 113-1 (USDA) 13. 42 U.S.C. 1760 14. 7 CFR 210.14 15. 3 Pa. C.S.A. 5713 16. 42 U.S.C. 1758(h) 17. 7 CFR 210.13 18. 7 CFR 210.30 19. Pol. 246 20. 42 U.S.C. 1758 21. 7 CFR Part 245 22. 42 U.S.C. 1759a 23. 7 CFR 15b.40 24. Pol. 103.1 25. Pol. 113 26. Pol. 209.1 27. Pol. 610 28. Pol. 626 29. Pol. 827 30. 7 CFR 210.15 31. 7 CFR 220.7 32. 7 CFR 210.9 P.L. 111-296 7 CFR Part 15 Pol. 103

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: FREE/REDUCED-PRICE MEALS AND FREE MILK

ADOPTED: August 9, 2017

REVISED:

808.1 FREE/REDUCED-PRICE MEALS AND FREE MILK

1. Authority
42 U.S.C. Sec. 1758
7 CFR Part 245

The Board shall provide free and reduced-price meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program, the School Breakfast Program, and the Special Milk Program.

2. Definition
7 CFR Sec. 210.2

Point of service - the point in the food service operation where a determination can accurately be made that a reimbursable free, reduced-price or paid lunch has been served to any eligible student.

3. Delegation of Responsibility

The Food Services Director shall review applications for free or reduced-price meals and/or free milk and make determinations of eligibility.

The Superintendent or designee shall develop and disseminate administrative regulations that establish procedures in accordance with the terms and conditions of the National School Lunch Program, the School Breakfast Program, and the Special Milk Program. Administrative regulations should include the following:

1. Application procedures, including procedures for approval, denial and verification of applications.

2. An appeals process for parents/guardians to appeal a district's decision regarding eligibility.

3. Method of retaining records required by this policy.

4. Procedures for disclosure of information, including what information can be disclosed with or without consent from the parent/guardian.

5. Procedures for compliance with nondiscrimination practices as well as procedures for receiving and processing discrimination complaints.

	6. Procedures for collecting money from students or parents/guardians eligible for reduced-price meals because of an outstanding balance in the student's account. 7. Method by which the district will keep an accurate count of meals served in each building.
4. Guidelines	<u>General Requirements</u>
42 U.S.C. Sec. 1758 **7 CFR Sec. 245.5**	The district shall publish and disseminate information about free and reduced-price meals and/or free milk and the income eligibility guidelines on or before the first day of school by sending a letter to parents/guardians and issuing a public media release to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
	<u>Application Procedures</u>
42 U.S.C. Sec. 1758	The district shall provide all parents/guardians with program application forms on or before the first day of school, upon enrollment, or whenever there is a change in eligibility criteria. The district shall approve, deny and verify applications in accordance with state and federal laws and regulations. The district shall inform parents/guardians of their eligibility status.
	<u>Confidentiality/Disclosure of Eligibility</u>
42 U.S.C. Sec. 1758	The district shall only release a student's name, eligibility status, and other information provided on the application, or obtained through direct certification or verification, if disclosure of such information is specifically authorized by law.
	<u>Appeals</u>
7 CFR Sec. 245.7	The district shall establish an appeals process under which a parent/guardian may appeal a decision regarding his/her initial application for benefits, or any subsequent reduction or termination of benefits.
	<u>Meal Pricing</u>
42 U.S.C. Sec. 1758	The district shall set reduced-price charges for lunch and breakfast at or below the maximum reduced price allowed by federal regulations and below the full price of lunch or breakfast.

7 CFR Sec. 210.10 Pol. 103.1	The district shall make meal substitutions at no extra charge to eligible students who require such modifications because of a disability.
	Counting/Claiming
7 CFR Sec. 210.7	The district shall be responsible for the establishment and maintenance of the free and reduced-price meals eligibility roster.
	The district shall implement an approved counting system that provides an accurate count at the point of service of free, reduced-price and paid meals in each building.
	The district shall claim reimbursement only for reimbursable meals served to eligible students.
	Records Retention
SC 1337 7 CFR Sec. 210.9, 210.20, 245.6a Pol. 800	The district shall retain all free and reduced-price meal applications for a minimum of three (3) and not in excess of five (5) years after the final claim is submitted for the fiscal year to which they pertain. If a federal audit is being conducted, records must be kept until the audit is completed.
SC 1337 7 CFR Sec. 210.9, 210.10, 210.20	The district shall retain production and menu records for the meals they produce for a minimum of three (3) and not in excess of five (5) years.
	Nondiscrimination
42 U.S.C. Sec. 1758 7 CFR Sec. 245.8 Pol. 103, 103.1	The district shall ensure that, in the operation of the free and reduced-price meals and/or free milk programs, no student shall be discriminated against because of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.
	The district shall treat students who receive free or reduced-price meals and/or free milk in the same manner as those students who pay full price for their meals.
	The district shall take such actions as are necessary to ensure that the names of students eligible to receive free or reduced-price meals and/or milk shall not be published, posted, or announced in any manner and there shall be no overt identification by the use of special tokens or tickets or any other means.

	References: School Code – 24 P.S. Sec. 1335, 1337 School Lunch and Breakfast Programs – 42 U.S.C. Sec. 1758 National Food Service Programs, Title 7, Code of Federal Regulations – 7 CFR Part 210, Part 215, Part 220, Part 245 Board Policy – 000, 103, 103.1, 800, 808

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: TRANSPORTATION

ADOPTED: August 9, 2017

REVISED: August 8, 2018
January 18, 2023
February 14, 2024
May 13, 2026

810. TRANSPORTATION

Purpose

Transportation for students shall be provided in accordance with law and Board policy.

Definitions

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[1]

School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[1]

Authority

The Board shall provide transportation for resident students in grades kindergarten through 12 to the district's public schools and charter, regional charter and nonpublic schools located in the district or within the district's transportation boundary or other placements as required by law or agreements. The district's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district's border.[2][3][4]

The Board shall purchase, lease, equip and maintain school buses/vehicles and/or contract for school bus/vehicle services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.[2][3][5][6][7][8][9][10][11]

The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.[3][12]

	The Board shall provide transportation for students with disabilities, without regard to distance or hazardous walking conditions, when required by the student's individualized education program (IEP) or Section 504 Service Agreement.[13][14][15][16][17] The Board shall provide free transportation for eligible resident students who are enrolled in nonpublic schools or charter schools as required by law. Transportation provided to charter school students need not be identical to transportation provided to traditional public school students.[2][4][18][19] The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[20][21] The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.[21][22] The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[23] The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[24][25]
Delegation of Responsibility	The school bus/vehicle driver shall be responsible to maintain order while students are being transported. The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable. The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[7] The Superintendent or designee shall be responsible to: 1. Maintain records and make required reports regarding school transportation.[5][7] 2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[7] 3. Provide each school bus/school vehicle driver with:

a. The Pennsylvania School Bus Driver's Manual;

b. The written rules for student conduct on buses/vehicles;

c. The procedures for evacuation drills; and

d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers.

4. Establish administrative regulations that specify the number of chaperones to accompany students in connection with school-related activities and field trips.[7][26]

5. Prepare a district map or schedule indicating each bus stop and bus route.[7]

Guidelines

Student Health Information

When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.[16][17][27][28][29][30]

School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with district policies and procedures and applicable law.[31][32]

Evacuation Drills

Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.[33][34][35]

Legal References

1. 75 Pa. C.S.A. 102
2. 24 P.S. 1361
3. 24 P.S. 1362
4. 24 P.S. 1726-A
5. 22 PA Code 23.1
6. 22 PA Code 23.2
7. 22 PA Code 23.4
8. Pol. 610
9. Pol. 611
10. Pol. 818
11. 75 Pa. C.S.A. 3345.1
12. 67 PA Code 447.1 et seq
13. 22 PA Code 23.3
14. 24 P.S. 1374
15. Pol. 103
16. Pol. 103.1

	17. Pol. 113 18. Pol. 140 19. Bell v. Wilkinsburg Sch. Dist., No. 23 WAP 2024, 2026 WL 152043 (Pa. Jan. 21, 2026) 20. 20 U.S.C. 6312 21. Pol. 251 22. 42 U.S.C. 11432 23. 35 P.S. 4601 et seq 24. 35 P.S. 4608 25. 67 PA Code 212.101 26. Pol. 121 27. Pol. 209.1 28. Pol. 209.2 29. Pol. 210 30. Pol. 210.1 31. Pol. 113.4 32. Pol. 216 33. 24 P.S. 1517 34. 75 Pa. C.S.A. 4552 35. Pol. 805 24 P.S. 1331 24 P.S. 1365 24 P.S. 1366 24 P.S. 2541 24 P.S. 2542 22 PA Code 15.1 et seq 22 PA Code 23.6 75 Pa. C.S.A. 4551-4553 20 U.S.C. 6301 et seq 42 U.S.C. 11431 et seq 49 CFR Part 37 49 CFR Part 38 Pol. 810.1

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL MOTOR VEHICLE DRIVERS

ADOPTED: August 9, 2017

REVISED: August 8, 2018
March 12, 2020
April 8, 2021

810.1. SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL MOTOR VEHICLE DRIVERS

Purpose

The Board recognizes that an employee must be fit to operate a school bus and commercial motor vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.

Definitions

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

A **covered driver** shall include any district employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial motor vehicle owned, leased or operated by the school district. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus or commercial motor vehicle owned or leased by the district.[1]

Commercial motor vehicle - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:[1]

1. Has a gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, inclusive of towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater;

2. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds, whichever is greater;

3. Is designed to transport sixteen (16) or more passengers, including the driver; or

4. Is transporting hazardous materials and is required to be placarded.

Driving - operating a commercial motor vehicle or motor carrier vehicle on a highway, with the motor running, including while the commercial motor vehicle or motor carrier vehicle is temporarily stationary because of traffic, a traffic control device or other momentary delay. The term does not include operating a commercial motor vehicle or motor carrier vehicle with or without the motor running if the driver moved the vehicle to the side of or off of a highway and halted in a location where the vehicle can safely remain stationary.[2][3][4]

Electronic device - an electronic device includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer or any other device used to input, write, send, receive or read text.[3]

Mobile telephone - a mobile communication device which uses a commercial mobile radio service.[4]

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until the driver is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing other requirements related to accidents.[1]

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[5]

Texting - manually entering alphanumeric text into or reading text from an electronic device. The following shall apply:[3]

1. The term includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access an Internet web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone or engaging in any other form of electronic text retrieval or entry, for present or future communication.

2. The term does not include:

    a. Inputting, selecting or reading information on a global positioning system or navigation system.

    b. Pressing a single button to initiate or terminate a voice communication using a mobile telephone.

c. Using a device capable of performing multiple functions, including, but not limited to, fleet management systems, dispatching devices, citizens band radios and music players, for a purpose that is not prohibited by law.

Use a handheld mobile telephone or other electronic device –[4]

1. Using at least one (1) hand to hold a mobile telephone to conduct a voice communication.

2. Dialing or answering a mobile telephone by pressing more than a single button.

3. Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, restrained by a seat belt.

Authority

The Board shall implement a drug use and alcohol misuse prevention program for employees who are required to hold a commercial driver's license and who perform safety-sensitive functions in accordance with federal and state laws and regulations.[6][7][8][9]

All contracted transportation providers shall implement a drug use and alcohol misuse prevention program in accordance with federal law and regulations.[10]

Covered drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school bus and commercial motor vehicle operation.

The Board prohibits covered drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school bus or commercial motor vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.[2][3][11][12]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which include the following components:

1. Selecting and contracting with a qualified medical review officer, substance abuse professional, a certified laboratory and other service agents as necessary.[13]

2. Establishment of procedures for required testing of covered drivers.[14]

3. Maintenance of the confidentiality of all aspects of the testing process.[8]

4. Delegation of responsibility for monitoring employee compliance with the provisions of Board policy and administrative regulations, including, but not limited to, an annual query of the Federal Motor Carrier Safety Administration's Commercial Driver's License Drug and Alcohol Clearinghouse.[15]

5. Designation of an employee responsible for receiving and handling results of drug and alcohol tests.[16]

6. Implementation of procedures for the query, preparation, maintenance, reporting, retention and disclosure of records, as required by law.[15][17]

7. Distribution to affected employees of information and materials relevant to Board policies and administrative regulations regarding drug and alcohol testing.[18]

8. Distribution to affected employees of information and materials relevant to individuals or organizations that can provide counseling and treatment for drug and/or alcohol problems.

The Superintendent or designee shall provide each driver, upon hire or transfer, with:

1. This policy and its accompanying administrative regulations; and[18]

2. Educational materials that explain the state and federal requirements related to misuse of alcohol and use of controlled substances.[18]

The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.[18]

The Board designates the Superintendent to be the contact person for questions about the drug use and alcohol misuse program.[18]

Guidelines

Employment Requirements

All covered drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[10][19][20][21][22][23]

Prior to employment by the district as a covered driver or transfer to a covered driver position, the district shall obtain the following information in accordance with federal and state laws and regulations:

1. Alcohol and drug testing information from previous U.S. Department of Transportation-regulated employers during the past three (3) years with the covered driver's written consent.[15][24][25][26]

2. Commercial motor vehicle employment information for the past ten (10) years.[27][28]

Additional Documentation -

Prior to employment by the district as a covered driver or transfer to a covered driver position, and at least once each school year, the Superintendent or designee shall:

1. Obtain a copy of a valid commercial driver's license indicating the appropriate endorsements from the covered driver, or authorize the applicable legal exemption in cases of emergency;[29]

2. Obtain a copy of a Commonwealth of Pennsylvania School Bus Driver's Physical Examination Form from the covered school bus driver;[30]

3. Obtain a copy of a current Pennsylvania School Bus Endorsement card from the covered school bus driver;[30]

4. Review each covered driver's driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a commercial motor vehicle.[31][32]

Prior to employment by the district as a covered driver or transfer to a covered driver position, and every two (2) years, the Superintendent or designee shall obtain a valid Medical Examiner's Certificate, if applicable.[33]

Reporting Requirements -

Covered drivers shall report misconduct in accordance with Board policy 317 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[10][20][21][34]

Covered drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school bus or commercial motor vehicle.[35]

Covered drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."[35]

A covered driver arrested, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing before the end of the next business day following the driver's arrest, charge or receipt of citation. Notice is required no matter what type of vehicle the driver was driving.[28]

An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the district or the contract carrier based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge.[10][28][34]

A covered driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing of the conviction within fifteen (15) days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.[27][28]

Any covered driver whose operating privilege is suspended, revoked or canceled by any state, who loses the privilege to drive a school bus or commercial motor vehicle in any state for any period, or who is disqualified from driving a school bus or commercial motor vehicle for any period, shall notify the Superintendent or designee and the contract carrier immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.[27][28]

Failure to comply with the reporting requirements may result in disciplinary action, up to and including termination, in accordance with applicable law, regulations and Board policy.[10][34]

Controlled Substances and Alcohol

Drug and Alcohol Testing -

The district shall require covered drivers to submit to the following drug and alcohol tests in accordance with state and federal laws and regulations: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.[6][7][8][14][36]

Prohibited Conduct -

Covered drivers shall not use medical marijuana products.

Covered drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A covered driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school bus or commercial motor vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.[30][37][38]

2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.[35][39][40]

3. After consuming alcohol or a controlled substance within the previous eight (8) hours for school bus drivers and within the previous four (4) hours for commercial motor vehicle drivers.[30][41]

An exception shall be made for therapeutic use of prescribed controlled substances used by a covered driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school bus or commercial motor vehicle.[35]

A covered driver required to take a post-accident test shall not use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident test, whichever occurs first.[42]

A covered driver shall not refuse to submit to a required test for drugs or alcohol.[1][36][43][44]

Consequences/Discipline -

The district shall remove a covered driver from performing safety-sensitive functions under the following circumstances:

1. A verified positive drug test result;[45][46]
2. A verified adulterated or substituted drug test result;[45][46]
3. An alcohol test result of 0.04 or higher; or[46][47]
4. A refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test.[43]

The district shall place a school bus driver who drives, operates or is in physical control of a school bus out of service for thirty (30) days if the school bus driver has any detectable amount of alcohol in their system.[36][38]

The district shall remove a commercial motor vehicle driver who is tested and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 until the start of the driver's next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.[48]

A covered driver employed by the district who violates Board policy or administrative regulations and tests positive for drugs or alcohol shall be subject to disciplinary action, up to and including termination, and shall be provided with a list of qualified substance abuse professionals.

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a covered driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.

If the district permits a covered driver who has been removed from performing safety-sensitive functions to return to a safety-sensitive function, the district shall ensure that the covered driver has been evaluated by a qualified substance abuse professional and has successfully completed the return-to-duty process before returning to a safety-sensitive function.[46][49]

<u>Maintenance of Records</u>

The district shall maintain records of its drug use and alcohol misuse prevention program in compliance with federal regulations, and in accordance with the district's records retention schedule.[15][17][50][51][52]

Drug and alcohol records shall be confidential and shall only be released in accordance with applicable law.[53][54][55]

Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.[53][56]

Acknowledgment of Receipt

Each covered driver shall sign a statement certifying that they have has received a copy of this policy and its accompanying administrative regulations.[18]

The district shall keep the original signed statement in the personnel file of the covered driver employed by the district and provide a copy to the driver.[18]

Training

Covered drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which covered drivers should also receive that training.[57]

The district shall ensure that employees who supervise covered drivers receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. Such training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.[58]

Note: This policy refers to school bus and commercial motor vehicle drivers only. Policy 810.3 applies to drivers of school vehicles used to transport students which do not qualify as a school bus or commercial motor vehicle.

Legal References

1. 49 CFR 382.107
2. 49 CFR 392.80
3. 75 Pa. C.S.A. 1621
4. 75 Pa. C.S.A. 1622
5. 75 Pa. C.S.A. 102
6. 49 CFR Part 382
7. 49 CFR Part 40
8. 49 U.S.C. 31306
9. 67 PA Code 229.14
10. Pol. 818
11. 49 CFR 392.82
12. 75 Pa. C.S.A. 3316
13. 49 CFR 40.15
14. 49 CFR 382.105
15. 49 CFR 382.701
16. 49 CFR 40.3
17. 49 CFR 382.401

	18. 49 CFR 382.601 19. 23 Pa. C.S.A. 6344 20. 23 Pa. C.S.A. 6344.3 21. 24 P.S. 111 22. 24 P.S. 111.1 23. Pol. 304 24. 49 CFR 382.413 25. 49 CFR 382.703 26. 49 CFR 40.25 27. 49 U.S.C. 31303 28. 75 Pa. C.S.A. 1604 29. 75 Pa. C.S.A. 1606 30. 67 PA Code 71.3 31. 49 CFR 391.25 32. 49 U.S.C. 31304 33. 49 CFR 391.41 34. Pol. 317 35. 49 CFR 382.213 36. 75 Pa. C.S.A. 1613 37. 49 CFR 382.205 38. 75 Pa. C.S.A. 1612 39. 75 Pa. C.S.A. 1603 40. 75 Pa. C.S.A. 3802 41. 49 CFR 382.207 42. 49 CFR 382.209 43. 49 CFR 382.211 44. 49 CFR 40.191 45. 49 CFR 382.215 46. 49 CFR 40.23 47. 49 CFR 382.201 48. 49 CFR 382.505 49. 49 CFR 40.289 50. 49 CFR 382.705 51. 49 CFR 40.333 52. Pol. 800 53. 49 CFR 382.405 54. 49 CFR 382.723 55. 49 CFR 40.321 56. 49 CFR 382.403 57. 24 P.S. 1517 58. 49 CFR 382.603 24 P.S. 510 75 Pa. C.S.A. 1601, et seq. Pol. 351

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: TRANSPORTATION - VIDEO/AUDIO RECORDING

ADOPTED: August 9, 2017

REVISED:

810.2 TRANSPORTATION - VIDEO/AUDIO RECORDING

1. Purpose

The use of video and audio recording equipment supports efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on district-owned, operated, or contracted school buses or school vehicles.

2. Definitions
75 Pa. C.S.A. Sec. 102

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

75 Pa. C.S.A. Sec. 102

School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.

3. Authority
18 Pa. C.S.A. Sec. 5704

The Board authorizes the use of video and audio recording on school buses and school vehicles for disciplinary and security purposes.

18 Pa. C.S.A. Sec. 5704

The Board prohibits the use of audio recording on any school bus or school vehicle that is not being used for a school-related purpose.

4. Delegation of Responsibility

The Board directs the Superintendent or designee to ensure that:

18 Pa. C.S.A. Sec. 5704

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.

SC 510.2 **18 Pa. C.S.A. Sec. 5704**	2. This policy is posted on the district's publicly accessible website.
18 Pa. C.S.A. Sec. 5704	3. Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct.
5. Guidelines **Pol. 113.4, 216**	The district shall comply with the provisions of federal and state law and regulations regarding student record requirements as applicable to the district's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records. **References**: School Code – 24 P.S. Sec. 510, 510.2 Wiretap and Electronic Surveillance Act – 18 Pa. C.S.A. Sec. 5704 Vehicle Code – 75 Pa. C.S.A. Sec. 102 Board Policy – 113.4, 216, 218, 805.1, 810

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: SCHOOL VEHICLE DRIVERS ADOPTED: September 12, 2018 REVISED: April 8, 2021

810.3. SCHOOL VEHICLE DRIVERS

Purpose

The Board recognizes that an employee must be fit to operate a school vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.

Definition

School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children. The term does not include a "school bus" or "commercial motor vehicle."[1]

Authority

The Board shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school vehicles.

All contracted transportation providers shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school vehicles.[2]

School vehicle drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school vehicle operation.

The Board prohibits school vehicle drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.[3]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which may include the following components:

1. Establishment of procedures for drug and alcohol testing of school vehicle drivers.

2. Establishment of procedures for obtaining and reviewing each school vehicle driver's driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a vehicle.[4]

The Superintendent or designee shall provide each driver, upon hire or transfer, with:

1. This policy and any accompanying administrative regulations; and

2. Educational materials related to misuse of alcohol and use of controlled substances.

The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.

Guidelines

School vehicle drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[2][5][6][7][8][9]

Prior to employment and at least once each school year, school vehicle drivers shall submit a copy of a valid driver's license to the Superintendent or designee.[4]

Reporting Requirements

School vehicle drivers shall report misconduct in accordance with Board policy 317 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[2][10]

School vehicle drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school vehicle.

School vehicle drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."

A school vehicle driver arrested, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing before the end of the next business day following the driver's arrest, charge or receipt of citation. Notice is required no matter what type of vehicle the driver was driving.

An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the district or contract carrier based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge.[2][10]

A school vehicle driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing of the conviction within fifteen (15) days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.

Any school vehicle driver whose operating privilege is suspended, revoked, canceled or recalled by any state, shall notify the Superintendent or designee and the contract carrier immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.[4]

Controlled Substances and Alcohol

Drug and Alcohol Testing -

The district shall require school vehicle drivers to submit to the following drug and alcohol tests:

1. post-accident
2. reasonable suspicion

Prohibited Conduct -

School vehicle drivers shall not use medical marijuana products.

School vehicle drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A school vehicle driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.[12]

2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.[13]

3. After consuming alcohol or a controlled substance within the previous eight (8) hours.

An exception shall be made for therapeutic use of prescribed controlled substances used by a school vehicle driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school vehicle.

Consequences/Discipline -

The district shall place a school vehicle driver who drives, operates or is in physical control of a school vehicle out of service for thirty (30) days if the school vehicle driver:[4][12]

1. Has any detectable amount of alcohol in their system; or

2. Refuses to take a test to determine their alcohol content.

A school vehicle driver who refuses to take a drug or alcohol test required pursuant to Board policy and administrative regulations has not refused to take a Department of Transportation (DOT)-test.[14][15]

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action, up to and including termination, for a school vehicle driver who violates applicable law and regulations, Board policy or administrative regulations.[2][10]

Maintenance of Records

Drug and alcohol test information for school vehicle drivers shall be maintained separate from test information for covered drivers, such information shall be treated as confidential and shall only be released in accordance with law.[11]

Drug and alcohol test information for school vehicle drivers shall not be included on the U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form.

Acknowledgment of Receipt

Each school vehicle driver shall sign a statement certifying that they have received a copy of this policy and its accompanying administrative regulations.

The district shall keep the original signed statement in the school vehicle driver's personnel file and provide a copy to the driver.

Training

School vehicle drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which school vehicle drivers should also receive that training.

Note: This policy refers only to drivers of school vehicles which do not qualify as a school bus or commercial motor vehicle. Policy 810.1 applies to school bus and commercial motor vehicle drivers.

Legal References

1. 75 Pa. C.S.A. 102
2. Pol. 818
3. 75 Pa. C.S.A. 3316
4. 75 Pa. C.S.A. 1606
5. 23 Pa. C.S.A. 6344
6. 23 Pa. C.S.A. 6344.3
7. 24 P.S. 111
8. 24 P.S. 111.1
9. Pol. 304
10. Pol. 317
11. 49 CFR 40.13
12. 75 Pa. C.S.A. 1612
13. 75 Pa. C.S.A. 3802
14. 49 CFR 40.191
15. 49 CFR 40.261

24 P.S. 510
23 Pa. C.S.A. 6301, et seq.
67 PA Code 71.3
75 Pa. C.S.A. 1601, et seq.
49 CFR Part 40
Pol. 351

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: BONDING

ADOPTED: August 9, 2017

REVISED:

	811. BONDING
1. Purpose	Prudent trusteeship of district resources dictates that employees responsible for the safekeeping of district funds be bonded.
2. Authority **SC 409, 431, 436, 511, 684**	The Board directs that the district be indemnified against loss of money by bonding each employee required to be bonded by policy or by law. The Board shall bear the cost of bonds for designated employees. Enumeration and valuation on such bonds shall be determined annually.
3. Guidelines	The amount of each bond shall be commensurate with the financial responsibility of the position. **References**: School Code – 24 P.S. Sec. 409, 431, 436, 511, 684

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: PROPERTY INSURANCE

ADOPTED: August 9, 2017

REVISED:

812. PROPERTY INSURANCE

1. Purpose

The Board recognizes its responsibility under law to insure the real and personal property of this school district.

2. Authority
SC 774

The Board has the authority and responsibility to provide adequate insurance coverage to protect the district's interests in its buildings and properties. Such coverage shall insure for actual cost value and/or replacement cost.

In placing insurance, the Board shall be guided by the service of an insurance agent, scope of coverage provided, price of desired coverage, and assurance of coverage.

References:

School Code – 24 P.S. Sec. 774

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: OTHER INSURANCE

ADOPTED: August 9, 2017

REVISED:

813. OTHER INSURANCE

1. Purpose

Proper school district operation requires that adequate, basic insurance programs be provided for the protection of the district and its employees.

2. Authority
SC 513, 774

The Board has the authority and responsibility to provide adequate insurance coverage to protect the district's interests.

SC 513, 774
29 U.S.C.
Sec. 1161-1169

The Board shall offer insurance coverage to administrators and regularly employed staff members in accordance with state and federal law, and provisions of any applicable administrative compensation plan, individual contract, collective bargaining agreement, employee handbook, or Board resolution.

In placing insurance, the Board shall be guided by the service of an insurance agent, scope of coverage provided, price of desired coverage, and assurance of coverage.

References:

School Code – 24 P.S. Sec. 513, 774

COBRA – 29 U.S.C. Sec. 1161-1169

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: COPYRIGHT MATERIAL

ADOPTED: August 9, 2017

REVISED:

814. COPYRIGHT MATERIAL

1. Authority
17 U.S.C. Sec. 101 et seq

The Board emphasizes that federal law makes it illegal for anyone to duplicate copyrighted materials without permission. The Board acknowledges that severe penalties are provided for unauthorized copying of audio, visual, software, online or printed materials unless the copying falls within the bounds of the fair use doctrine.

2. Definition

Under the fair use doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. In order for the duplication or alteration of a product to fall within the bounds of fair use, four (4) standards must be met:

1. *Purpose And Character Of The Use* – The use must be for such purposes as teaching or scholarship and must be nonprofit.

2. *Nature Of The Copyrighted Work* – Staff may make single copies of: book chapters for use in research, instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals or newspapers.

3. *Amount And Substantiality Of The Portion Used* – Copying the whole of a work cannot be considered fair use; copying a small portion may be considered fair use if appropriate guidelines are followed.

4. *Effect Of The Use Upon The Potential Market For Or Value Of The Copyrighted Work* – If resulting economic loss to the copyright holder can be shown, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties.

3. Delegation of Responsibility	Staff may make copies of copyrighted school district materials that fall within the established administrative regulations. Where there is reason to believe the material to be copied does not fall within the administrative regulations, prior permission shall be obtained from the principal. Staff members who fail to adhere to this policy may be held personally liable for copyright infringement. Staff members shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately. **References**: U.S. Copyright Law – 17 U.S.C. Sec. 101 et seq. Board Policy – 000

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: ACCEPTABLE USE OF INTERNET, COMPUTERS, AND NETWORK RESOURCES

ADOPTED: August 9, 2017

REVISED: September 3, 2020
November 8, 2023

815. ACCEPTABLE USE OF INTERNET, COMPUTERS, AND NETWORK RESOURCES

Purpose

The Board supports use of the computers, Internet and other network resources in the district's instructional and operational programs in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration.

The district provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

For instructional purposes, the use of network facilities shall be consistent with the curriculum adopted by the district as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

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]

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 (18) years engaging in a prohibited sexual act or in the simulation of such act.[2]

Computer - for purposes of this policy, district computers include any electronic device owned or leased by the district that has the capability to create, play or edit text, audio and video data; transmit or receive messages, text, data or images; operate software or online applications; or provide a wired or wireless connection to the Internet.

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:[3][4]

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]

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.

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

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. **Technology protection measure** - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.[4]
Authority	The availability of access to electronic information does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received. The district shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet. The district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources. The Board declares that district Internet, computer and network use is a privilege, not a right. The district's computer and network resources are the property of the district. Users shall have no expectation of privacy in anything they create, store, send, delete, access, receive or display on or over the district's Internet, computers or network resources, including personal files. The district reserves the right to monitor, track and log network access and use on district computers and network resources; monitor fileserver space and file storage utilization by district users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The district shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the district's Internet, computers and network resources.[6][7][8] The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the building principal or designee. The Board establishes the following list of subject areas as inappropriate matter, in addition to those stated in law and defined in this policy, which shall not be accessed by minors:[4] 1. Hate speech.[9][10] 2. Lewd, vulgar or profane. 3. Threatening.[11][12]

	4. Harassing or discriminatory.[9][10][13] 5. Cyberbullying.[14] 6. (Consisting of/Relating to) Weapons.[15] 7. Terroristic.[16] The district reserves the right to restrict access to any Internet sites or network functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking/filtering. Specifically, the district operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers and network resources used and accessible to adults and students. The technology protection measure shall be enforced during use of computers and network resources with Internet access.[3][4][17] Upon request by students or staff, the Superintendent or designee shall expedite a review and may authorize the adjustment of technology protection measures to enable access to material that is blocked or filtered but is not prohibited by this policy.[17] Upon request by students or staff, building administrators may authorize the temporary adjustment of technology protection measures to enable access for bona fide research or for other lawful purposes. Written permission from the parent/guardian is required prior to adjusting Internet blocking/filtering for a student's use. If a request for temporary adjustment of technology protection measures is denied, the requesting student or staff member may appeal the denial to the Superintendent or designee for expedited review.[3][18]
Delegation of Responsibility	The district shall make every effort to ensure that this resource is used responsibly by students and staff. The district shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the district website and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request.[17] Users of district networks or district-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 district uses monitoring systems to monitor and detect inappropriate use.

	Student user agreements shall also be signed by a parent/guardian. Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels and to evaluate and use the information to meet their educational goals. Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the district and on the Internet. Building principals shall make initial determinations of whether inappropriate use has occurred, and may consult with the Superintendent or designee and the school solicitor when necessary. The Superintendent or designee shall be responsible for recommending technology and developing procedures used to determine whether the district's computers and network resources are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:[3][4][19] 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 on district computers and network resources. The Superintendent or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior. [4]
Guidelines	District computers and network accounts shall be used only by the authorized user of the computer or account for its approved purpose. Network users shall respect the privacy of other users on the system.

Safety

It is the district's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher, building administrator or other appropriate school staff. Network users shall not reveal personal information to other users on the network or Internet, including chat rooms, email, social networking websites, etc.

Internet safety measures shall effectively address the following:[4][19]

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, social networking websites 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.[21][22][23]
5. Restriction of minors' access to materials harmful to them or which have been designated as inappropriate matter in Board policy.

Prohibitions

Users are expected to act in a responsible, ethical and legal manner in accordance with Board policy, accepted rules of network etiquette and federal and state law and regulations. Specifically, the following are prohibited uses of district computers and/or network resources:

1. Facilitating illegal activity.
2. Commercial or for-profit purposes.
3. Nonwork or nonschool related work.
4. Product advertisement.
5. Bullying/Cyberbullying.[14][20]

6. Hate mail, discriminatory remarks, harassment and offensive or inflammatory communication.[9][10][14][24]

7. Unauthorized or illegal installation, distribution, reproduction or use of copyrighted materials.[25]

8. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd or otherwise illegal materials, images or photographs.[26]

9. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy.

10. Vulgar language or profanity.

11. Transmission of material that a reasonable person would know to be offensive or objectionable to recipients.

12. Intentional obtaining or modifying of files, passwords and data belonging to other users.

13. Impersonation of another user, anonymity and pseudonyms.

14. Fraudulent copying, communications or modification of materials in violation of copyright laws.[25]

15. Loading or accessing unauthorized games, programs, files or other electronic media.

16. Disruption of the work of other users.

17. Destruction, modification, abuse or unauthorized access to network hardware, software, systems and files.

18. Accessing the Internet, district computers or other network resources without authorization.

19. Disabling, adjusting or bypassing the Internet blocking/filtering technology protection measure(s) without authorization.

20. Accessing, sending, receiving, transferring, viewing, sharing, deleting or downloading confidential information without authorization.

Security

System security is protected through the use of passwords and/or encryption and district security procedures. Failure to adequately protect or update passwords could result in unauthorized access to personal or district files. To protect the integrity of the system, these guidelines shall be followed:[23][27][28]

1. Employees, students and other authorized users shall not reveal their passwords to another individual.

2. Users are not to use a computer that has been logged in under another user.

3. Any user identified as a security risk or having a history of problems with other computers or network systems may be denied access to the district's computers and network resources.

Copyright

The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network or Internet shall be subject to fair use guidelines and applicable laws and regulations.[25][29]

District Website

The district shall establish and maintain a website and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All authorized users publishing content on the district website shall receive appropriate training and comply with this and other applicable district policies.

Users shall not copy or download information from the district website and disseminate such information on unauthorized web pages without authorization from the building principal.

Accessibility –

District staff who maintain district websites and web pages shall post content which is accessible to individuals with disabilities, to the same extent that it is available to other users, based on the needs of the individuals and limitations of the platform. This shall include, but is not limited to:[9][10][13][30][31][32]

1. Including alternate text descriptions or captions for images.

2. Avoiding text that is posted as an image or conveyed using only color cues.

3. Creating links and attachments in formats that are accessible to screen readers and other assistive technology, and may be accessed through keyboard or speech navigation.

4. Formatting text so that it is accessible to screen readers and other assistive technology, and may be accessed through keyboard or speech navigation.

All district websites shall contain clear contact information that may be used by members of the public to request accommodations or assistance.

Consequences for Inappropriate Use

Users of district computers and network resources shall be responsible for damages to the equipment, systems, platforms and software resulting from deliberate or willful acts.[17]

Illegal use of the district computers and network resources; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

General rules and Board policies for behavior and communications apply when using the district computers, network resources and Internet, in addition to the stipulations of this policy.

Vandalism shall result in loss of access privileges, disciplinary action and/or referral to legal authorities. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the district, the Internet or other networks; this includes but is not limited to uploading or creating computer viruses.

Failure to comply with this policy or inappropriate use of the Internet, district network or computers shall result in usage restrictions, loss of access privileges, disciplinary action and/or referral to legal authorities.[6][7][8]

	Legal References 1. 18 U.S.C. 2256 2. 18 Pa. C.S.A. 6312 3. 20 U.S.C. 7131 4. 47 U.S.C. 254 5. 18 Pa. C.S.A. 5903 6. Pol. 218 7. Pol. 233 8. Pol. 317 9. Pol. 103 10. Pol. 104 11. 24 P.S. 1302-E 12. Pol. 236.1 13. Pol. 103.1 14. Pol. 249 15. Pol. 218.1 16. Pol. 218.2 17. 24 P.S. 4604 18. 24 P.S. 4610 19. 47 CFR 54.520 20. 24 P.S. 1303.1-A 21. Pol. 113.4 22. Pol. 216 23. Pol. 830 24. Pol. 247 25. Pol. 814 26. Pol. 237 27. Pol. 800 28. Pol. 830.1 29. 17 U.S.C. 101 et seq 30. 42 U.S.C. 12101 et seq 31. 29 U.S.C. 794 32. 28 CFR 35.160 24 P.S. 4601 et seq 18 Pa. C.S.A. 2709 Pol. 113.1 Pol. 220 Pol. 816 Pol. 824

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: CONTRACTED SERVICES PERSONNEL

ADOPTED: August 9, 2017

REVISED: August 8, 2018

818. CONTRACTED SERVICES PERSONNEL

Purpose

In its effort to provide cost-effective programs, the Board uses outside independent contractors for a variety of purposes. The district is required to ensure that such contractors comply with certain legal requirements regarding contractor employees involved in the delivery of services to the district. This policy is adopted to outline those requirements and the manner in which the district shall direct and monitor contractor compliance.

Definition

For purposes of this policy, **contractor employee** shall include an individual who:

1. Is employed or offered employment by an independent contractor or a subcontractor of an independent contractor, or is an individual independent contractor; and
2. Has or will have direct contact with children.

Direct Contact with Children - the possibility of care, supervision, guidance or control of children or routine interaction with children.[1]

For purposes of this policy, independent contractor shall mean an individual or entity that contracts with the district to provide services.

Authority

The district is required by law to ensure that independent contractors and contractor employees comply with the mandatory background check requirements for criminal history and child abuse certifications, the employment history review requirement, and the arrest and conviction reporting requirements.[2][3][4]

Guidelines	Prior to using contracted services, a written contractual agreement shall be entered into between the district and the independent contractor and maintained centrally by the district in a manner similar to that for other contracts. Requests for proposals, bid specifications for proposals and resulting contracts shall specify the following: 1. Mandatory requirements for criminal history background checks, child abuse certifications, employment history reviews, and arrest and conviction reporting for contracted services involving direct contact with children, as mandated by law and set forth in this policy.[5] 2. A requirement that all contracted transportation providers provide a program of drug and alcohol testing for covered drivers. A covered driver shall include any contractor employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial vehicle owned, leased or operated by the independent contractor in connection with school district services.[6][7][8][9][10] 3. That failure to comply with this policy and the requirements for criminal history background checks and child abuse certifications, employment history reviews, and required reporting of employee arrests, convictions or other misconduct by an independent contractor or contractor employee shall be grounds for termination of the contract. The Superintendent or designee shall review all information provided pursuant to this policy and determine if information is disclosed that precludes employment or continued service of an independent contractor or contractor employee.[2][3][4][5][11] Information submitted by an independent contractor or contractor employee in accordance with this policy shall be maintained centrally in a manner similar to that for school employees. <u>Pre-Employment Requirements</u> *Employment History Review* - Independent contractors shall conduct an employment history review, in compliance with state law, prior to assignment of a contractor employee to perform work for the district in a position or assignment involving direct contact with children. The independent contractor may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment of a current contractor employee and may report the information as permitted by law.[4]

Independent contractors shall inform the district, in writing, upon receipt of an affirmative response to any of the abuse and sexual misconduct background questions for a contractor employee. If the district objects to the assignment, the independent contractor may not assign the contractor employee to the district.[4]

Independent contractors shall, upon request, provide the district to which a contractor employee is assigned access to the employee's employment history review records.

Criminal History -

Prior to assignment of contractor employees to perform work for the district in a position or assignment involving direct contact with children, contractor employees shall submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[2][3]

Contractor employees shall report, on the designated form, all arrests and convictions as specified on the form. Contractor employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment/contract, termination if already hired/contracted, and/or criminal prosecution.[3]

Tuberculosis Test -

Contractor employees providing services for students shall undergo a test for tuberculosis in accordance with the regulations and guidance of the Pennsylvania Department of Health.[12][13]

<u>Arrest and Conviction Reporting Requirements</u>

All independent contractors shall adopt policies and procedures that require their employees, who are providing services to the district and who have direct contact with children, to notify the independent contractor, in writing, within seventy-two (72) hours of the occurrence, of an arrest or conviction required to be reported by law. Contractor employees shall also be required to report to the independent contractor, 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 policies and procedures shall also include the provision that the failure on the part of contractor employees to make such a timely notification shall subject them to disciplinary action, including termination.[3][11]

If the independent contractor receives notice of such arrest or conviction or that the contractor employee has been named as a perpetrator in a founded or indicated report, from either the contractor employee or a third party, the independent contractor shall immediately report, in writing, that information to the Superintendent or designee.

The independent contractor shall immediately require a contractor employee to submit new certifications when there is a reasonable belief that the employee was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.[3][11]

Contractor employees who provide transportation services shall immediately notify the independent contractor and the district's transportation supervisor of any traffic citations or the suspension, revocation or cancellation of operating privileges.[14]

Educator Misconduct

If the Superintendent reasonably suspects that conduct being reported involves an incident required to be reported under the Educator Discipline Act, the Superintendent or designee shall notify the Pennsylvania Department of Education, in accordance with applicable law, regulations and Board policy 317.1.[15][16]

Training

Independent contractors shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[1]

Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.

Provisions of the Educator Discipline Act, including mandatory reporting requirements.[17]

District policy related to reporting of suspected abuse and sexual misconduct.[18]

Maintenance of professional and appropriate relationships with students.[19]

Employees of independent contractors who have direct contact with children are required to complete a minimum of three (3) hours of training every five (5) years.[1]

Contractor employees shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which contractor employees should also receive that training.

Child Abuse Reporting

All contractor employees who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.[18][20]

Confidentiality

No contractor employee shall be permitted access to confidential student information unless the district has determined that such access is necessary for the contractor employee to fulfill his/her responsibilities. Contractor employees with access to confidential student information shall maintain the confidentiality of that information in accordance with Board policies and procedures and applicable law. If a contractor employee has questions about the confidentiality of student information, the contractor employee should consult with the building principal.[21][22]

Legal References:

1. 24 P.S. 1205.6
2. 23 Pa. C.S.A. 6344
3. 24 P.S. 111
4. 24 P.S. 111.1
5. 55 PA Code 3490.132
6. 49 CFR Part 382
7. 67 PA Code 71.3
8. 75 Pa. C.S.A. 1612
9. 75 Pa. C.S.A. 3802
10. Pol. 810.1
11. 23 Pa. C.S.A. 6344.3
12. 24 P.S. 1418
13. 28 PA Code 23.44
14. 75 Pa. C.S.A. 1606
15. 24 P.S. 2070.9a
16. Pol. 317.1
17. 24 P.S. 2070.1a et seq.
18. Pol. 806
19. Pol. 824
20. 23 Pa. C.S.A. 6311

	21. Pol. 113.4 22. Pol. 216 24 P.S. 1362 22 PA Code 8.1 et seq. 23 Pa. C.S.A. 6301 et seq. 75 Pa. C.S.A. 1601 et seq. Pol. 610 Pol. 810

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SUICIDE AWARENESS, PREVENTION AND RESPONSE

ADOPTED: August 9, 2017

REVISED: November 8, 2017
November 8, 2023
January 14, 2026

819. SUICIDE AWARENESS, PREVENTION AND RESPONSE

Purpose

The Board is committed to protecting the health, safety and welfare of its students and the school community; promoting healthy development; and safeguarding against the threat or attempt of suicide. This policy supports the provision of a comprehensive district program of education, training and resources designed to promote school connectedness and behavioral health, and prevent suicide.[1][2][3][4][5][6]

Authority

The Board directs the district to provide education on youth suicide awareness and prevention; methods of prevention, intervention and response to suicide attempt or suicide; and reporting procedures.[1][2][3][4][5][6]

The district is committed to providing access to age and developmentally-appropriate youth suicide awareness and prevention supports and resources to all district students, without bias or discrimination.[2][3]

The district shall notify employees, students and parents/guardians of this policy and shall post the policy on the district's website.[1]

Definitions

Behavioral health - the emotion, behaviors and biology related to a person's mental well-being, their ability to function in everyday life and their concept of self.

Behavioral service providers – include, but are not limited to, state, county or local behavioral health service providers, crisis intervention center or psychiatric hospital. The term includes a private service provider which contracts with a state, county or local government to act as a behavioral health agency.[4][7]

Bias – the attitudes or beliefs we have about a person or group that affect our understanding, actions and decisions in a conscious or subconscious manner.[4]

	Individualized Management Plan – a plan developed for a student who is referred to the threat assessment team that documents the concerns that brought a student to the team's attention, as well as the resources and supports a student might need based on the information gathered during the assessment. The Individualized Management Plan is developed primarily for documentation and communication purposes.[4] **Postvention** – a multi-component crisis response to provide support, promote healing after a tragic loss and to minimize risk of contagion after a suicide. **Prevention** - refers to efforts that seek to reduce the factors that increase the risk for suicidal thoughts and behaviors and increase the factors that help strengthen, support and protect the behavioral health and wellness of individuals. **Protective factors** - refer to characteristics associated with a lower likelihood of negative outcomes or that reduce a risk factor's impact. Protective factors may be seen as positive countering events. **Resilience** - the process of adapting well in the face of adversity, trauma, tragedy, threats or significant sources of stress, or "bouncing back" from difficult experiences. **Risk factors** - refer to characteristics at the biological, psychological, family, community or cultural level that precede and are associated with a higher likelihood of negative outcomes, including suicide. **Safety Plan** – an agreement developed between the student, parent/guardian, appropriate team members and behavioral health professionals, following a suicide screening or assessment, that documents communications, conveys an understanding of the seriousness of the student's distress and provides a set of skills and resources the student can use in a crisis. **School connectedness** - the belief by students that adults and peers in the school care about their learning as well as about them as individuals. **School personnel** - include, but may not be limited to, administrators, teachers, school-based behavioral health professionals (e.g., school counselor, school psychologist, school social worker), paraprofessionals, support staff, coaches, bus drivers, custodians and cafeteria workers. **Self-harm** – behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Self-harm behaviors can be either suicidal or nonsuicidal.

	Suicide - death caused by self-directed injurious behavior with intent to die as a result of the behavior. **Suicide attempt** - a potentially self-injurious behavior for which there is evidence that the person had at least some intent to kill themselves. **Suicide threat** - a verbal or nonverbal communication that an individual intends to harm themselves with the intention to die but has not acted on the behavior. **Threat assessment** – a fact-based process for the assessment of and intervention with students whose behaviors may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.[4] **Warning signs** - evidence-based indicators, often observable, that someone may be in danger of suicide, either immediately or in the very near future.
Delegation of Responsibility	The Superintendent or designee, in collaboration with designated school personnel, shall develop administrative regulations regarding the district's protocols for response to suicide threats, suicide attempts and suicide.
Guidelines	SUICIDE AWARENESS AND PREVENTION EDUCATION[1] <u>Suicide Awareness and Prevention Education for Students</u> Students shall receive age and developmentally-appropriate, student-centered lessons on the importance of safe and healthy choices, coping strategies focused on resiliency, how to recognize risk factors and warning signs, as well as help-seeking strategies for self or others, including how to engage school resources. These lessons shall be integrated into the curriculum of health classes and other classes as appropriate. The lessons may be taught by health and physical education teachers, classroom teachers, student services staff or community service providers. District staff shall provide resources and access to counseling staff for students participating in programming, who may struggle with the topic of suicide prevention. Lessons shall contain information on comprehensive health and wellness, including emotional, behavioral and social skills development by: 1. Informing students about broader behavioral health issues such as depression and substance use, as well as specific risk factors, protective factors and warning signs for suicide. 2. Encouraging students to seek help for themselves or their peers, including when concerns arise via social media or other online forum, and to avoid making promises of confidence when they are concerned about the safety of a peer or other individual.

3. Promoting a healthy school climate where students feel connected to and can identify trusted adults in the building.

4. Providing local, state and/or national resources for seeking help.

Suicide Awareness and Prevention Education for School Personnel

All school personnel shall receive written information about the district's protocols for suicide awareness and prevention, including risk factors, warning signs, response and communication procedures, referrals and resources.

School personnel shall also receive information regarding strategies to enhance protective factors, resilience and school connectedness.

As part of the district's professional development plan, professional educators in school buildings serving students in grades six (6) through twelve (12) shall participate in a minimum of four (4) hours of youth suicide awareness and prevention training every five (5) years.[1][8][9]

The district may also require training of professional staff in grades K-5, as well as ancillary school-wide staff, and may increase the training requirement.

School safety and security training for employees may include suicide awareness.[9]

Additional professional development in suicide risk screening and/or assessment and crisis intervention shall be provided to specialized staff and school behavioral health professionals such as school crisis response/intervention team members, threat assessment team members, designated administrators, school counselors, school psychologists, school social workers and school nurses.

Resources for Parents/Guardians

The district shall provide parents/guardians with resources including, but not limited to, health promotion and suicide risk, including characteristics and warning signs, and information about local, state and national behavioral health resources.

METHODS OF PREVENTION[1]

The district shall utilize a multifaceted approach to suicide prevention which integrates school and community-based supports.

The methods of prevention utilized by the district include, but are not limited to, education, training and awareness; early identification and support for students at risk; and delegation of responsibility for planning and coordination of suicide prevention efforts.

Information received in confidence from a student may be revealed to the student's parents/guardians, the building principal, the threat assessment team and/or crisis response/intervention team or other appropriate authority when the health, welfare or safety of the student or any other person is clearly in jeopardy, in accordance with applicable law, regulations and Board policy.[4][10][11][12][13][14][15]

Early Identification Procedures

Early identification of individuals with warning signs or suicide risk factors that appear to adversely impact the student is crucial to the district's suicide prevention efforts. To promote awareness, school personnel, students and parents/guardians should be educated about suicide risk factors and warning signs.

Referral Procedures

Any school personnel who observes a student exhibiting a warning sign for suicide, or who has another indication that a student may be contemplating suicide, shall immediately refer the student for suicide risk screening and/or assessment and intervention in accordance with Board policy and district procedures.[4][15][16]

In the absence of a warning sign for suicide, students demonstrating suicide risk factors that appear to be adversely impacting the student, or other indications of self-harm, should be referred to an appropriate team or staff member (e.g., principal, school counselor, Student Assistance Program team) for support and follow-up.

When a student's behavior indicates a threat to the safety of the student, school personnel shall report the student to the threat assessment team, an appropriate member of the team. The threat assessment team, crisis response/intervention team and designated staff responsible for conducting or arranging suicide risk screening and assessment shall conduct or provide assessment and intervention in accordance with Board policy and district procedures.[4][15][16][17]

School personnel shall arrange for or provide continuous adult supervision to ensure the student's safety.

Safe2Say Something

When the district receives a report through the Safe2Say Something program, members of the Safe2Say Something team shall coordinate with the appropriate emergency dispatch center(s), local law enforcement and/or district team, in accordance with district procedures.[9]

Documentation

The district shall document the referral, including specific reasons identified as indications that the student may be at risk.[4]

METHODS OF ASSESSMENT AND INTERVENTION[1]

The methods of assessment and intervention utilized by the district include, but are not limited to, responding to threats of suicide or self-harm, suicide attempts in school, suicide attempts outside of school and suicide.

The district shall maintain a trained school crisis response/intervention team. Team members may include, but not be limited to, designated administrators, school counselors, school nurse, school psychologist, social worker, school security personnel, members of the Student Assistance Program team and others as designated by the district such as community behavioral health agency resources.

The district's threat assessment team shall serve as a crisis response/intervention team, and may coordinate with district behavioral health staff and community behavioral health agency resources as needed.[4]

The Superintendent or designee shall establish administrative regulations for coordination of appropriate teams and staff in suicide assessment and intervention.

Suicide intervention procedures shall involve collaboration and coordination with the student, the parent/guardian, the threat assessment team and/or the crisis response/intervention team and additional support services as needed.

Student Assessment and Intervention

When a student has been referred for assessment, designated members of the threat assessment team and/or crisis response/intervention team shall coordinate with appropriate behavioral health staff to assess and respond to the student's behavior, which may include development or update of an Individualized Management Plan and/or Safety Plan, where appropriate, in accordance with Board policy and administrative regulations.[4]

A district-approved suicide risk screening or assessment tool may be used by trained behavioral health staff such as school counselors, licensed professional counselors, psychologists or social workers.

Parents/Guardians of a student identified as being at risk of suicide shall be notified by the building principal or designee and informed of crisis and community resources. If the school suspects that the student's risk status is the result of abuse or neglect, school staff shall immediately notify Children and Youth Services, in accordance with applicable law and Board policy.[4][6]

The district shall identify and develop agreements with behavioral service providers to whom students may be referred for further suicide risk screening and/or assessment and intervention.

If the student has been identified as being at increased risk of suicide, the district shall develop a new, or update a previous, Safety Plan to support the student and the student's family. The Plan should be developed collaboratively with input from the student, the student's parents/guardians, appropriate team members and behavioral health professionals.

Students With Disabilities

For students with disabilities who are identified as being at risk for suicide or who attempt suicide, the team receiving the referral or other district staff shall notify the appropriate Individualized Education Program (IEP) team or Section 504 team to address the student's needs in accordance with applicable law, regulations and Board policy.[3][4][18][19][20][21]

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 notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[3][18][19][20][21]

Documentation

The district shall document observations, recommendations and actions conducted throughout the course of intervention, suicide risk screening and/or assessment and follow-up, including verbal and written communications with students, parents/guardians, appropriate team members and behavioral service providers.[4]

METHODS OF RESPONSE TO SUICIDE ATTEMPT OR SUICIDE[1]

The district's crisis response/intervention team shall coordinate with first responders, district behavioral health staff and/or community behavioral health resources in response to a suicide attempt or suicide.

Response to Suicide Attempt

Methods of response to a suicide attempt utilized by the district include, but are not limited to:

1. Acting in accordance with professional development and crisis response training including, but not limited to:
    a. The rendering of first aid until professional medical services and/or transportation can be received.
    b. Supervision of the student and movement of all other students out of the immediate area.

2. Coordinating with the threat assessment team to document or follow up on the threat assessment process, in accordance with Board policy, where applicable.[4]

3. Notifying students, employees and parents/guardians.

4. Working with families.

5. Responding appropriately to the media.

6. Collaborating with community providers.

Re-entry Procedures

A student's excusal from school attendance after a behavioral health crisis and the student's return to school shall be consistent with state and federal laws and regulations, and in accordance with Board policy.[3][18][19][20][22][23]

Prior to a student returning to school after a behavioral health crisis, a district-employed behavioral health professional, member(s) of the threat assessment team, the building principal or designee shall meet with the parents/guardians of the student and, if appropriate, meet with the student to discuss the student's return to school and to create an individual re-entry management plan.[4]

When authorized by the student's parent/guardian, the designated district employee shall coordinate with the appropriate outside behavioral service providers, request releases of information and written documentation from the treating facility and encourage their involvement in the re-entry management process.

A school behavioral health professional or designee shall periodically check in with the student and monitor the student's re-entry plan, which may include strategies and supports to facilitate the student's progress and transition back into the school community, including referrals to other school-based teams or programs (e.g., Student Assistance Program).

Re-entry of a student with a disability requires coordination with the appropriate team to address the student's needs in accordance with applicable law, regulations and Board policy.[3][18][19][20][21]

Response to Suicide (Postvention)

Upon confirmation of a suicide, the district shall immediately implement established postvention procedures which shall include methods for informing the school community; identifying and monitoring at-risk youth; and providing resources and supports for students, staff and families.

DOCUMENTATION PROCEDURES[1]

	Effective documentation assists in preserving the safety of the student and ensuring communication among school staff, parents/guardians and behavioral service providers. When school personnel take notes on any conversations or situations involving or relating to an at-risk student, the notes should contain only factual or directly observed information, not opinions or hearsay. As stated in this policy, school personnel shall be responsible for effective documentation of incidents involving suicide prevention, intervention and response, in accordance with applicable laws, regulations and Board policy.[4] Reports and information shall be maintained confidentially and made available to appropriate district staff in accordance with applicable laws, regulations and Board policy.[4][11][12][13][14][24][25]

SUICIDE AWARENESS, PREVENTION AND CRISIS RESOURCES[1]

Crisis Resources:

- National Suicide & Crisis Lifeline: 988 or visit http://988lifeline.org
- National Suicide Prevention Lifeline: 1-800-273-TALK (8255) or visit http://www.suicidepreventionlifeline.org/
- Crisis Text Line: TEXT 741741 or visit http://www.crisistextline.org/

National:

- Centers for Disease Control and Prevention – Risk and Protective Factors
- Suicide Prevention Resource Center – Risk and Protective Factors
- Substance Abuse and Mental Health Services Administration (SAMHSA) Preventing Suicide: A Toolkit for High Schools
- Suicide Prevention Resource Center - Safe and Effective Messaging for Suicide Prevention
- Suicide Prevention Resource Center - After a Suicide Toolkit
- Recommendations for Reporting on Suicide

Pennsylvania:

- Suicide Prevention Task Forces - groups of dedicated individuals that are committed to reducing the number of suicides and offering support to those who have been touched by suicide within their communities/counties in Pennsylvania.
- Suicide Prevention Guide
- List of Crisis Intervention contact information by county
- List of County CASSP and Children's Behavioral Health Contact Persons
- Prevent Suicide PA's Act 71 Information
- STAR Center's Postvention Manual

National and State Organizations

National:

- American Association of Suicidology (AAS)
- American Foundation for Suicide Prevention (AFSP)
- Suicide Prevention Resource Center (SPRC)

Pennsylvania:

- Prevent Suicide PA
- Jana Marie Foundation
- Aevidum
- Services for Teens at Risk (STAR-Center)
- Pennsylvania Department of Education
- Pennsylvania Network for Student Assistance Services (PNSAS)

	Legal References 1. 24 P.S. 1526 2. Pol. 103 3. Pol. 103.1 4. Pol. 236.1 5. Pol. 249 6. Pol. 806 7. 24 P.S. 1301-E 8. Pol. 333 9. Pol. 805 10. 22 PA Code 12.12 11. 20 U.S.C. 1232g 12. 34 CFR Part 99 13. Pol. 207 14. Pol. 216 15. Pol. 236 16. Pol. 146 17. 24 P.S. 1302-E 18. Pol. 113 19. Pol. 113.2 20. Pol. 113.3 21. Pol. 114 22. Pol. 117 23. Pol. 204 24. Pol. 113.4 25. Pol. 209 Pol. 146.1 Pol. 816 Pol. 911

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: AUTOMATED EXTERNAL DEFIBRILLATOR (AED)/ CARDIOPULMONARY RESUSCITATION (CPR)

ADOPTED: August 9, 2017

REVISED:

822. AUTOMATED EXTERNAL DEFIBRILLATOR (AED)/ CARDIOPULMONARY RESUSCITATION (CPR)

1. Purpose

The Board is committed to providing a safe and healthy environment for the school community.

Maintaining automated external defibrillator (AED) units and staff trained in cardiopulmonary resuscitation (CPR) in the schools enables responders to deliver early defibrillation and resuscitation to victims.

2. Authority

Except in extenuating circumstances, each school shall have one (1) person certified in the use of cardiopulmonary resuscitation (CPR) during regular school hours when school is in session and students are present.[1]

The automated external defibrillator (AED) units are owned by the district and shall be properly maintained and located in secure and accessible locations.

The automated external defibrillator (AED) units shall be used in accordance with approved district procedures.

3. Guidelines

A Core Team shall be trained in CPR and AED procedures by completing a training program offered by approved providers. Members of the team shall be provided opportunities for annual training and retraining.

Written guidelines for medical emergencies related to the use of automated external defibrillator (AED) units shall be provided to all members of the core team.

Responders' use of automated external defibrillator (AED) units shall not replace the care provided by emergency medical services (EMS) providers. Patient care shall be transferred to the EMS providers upon their arrival.

4. Delegation of Responsibility	The Superintendent or designee shall develop and disseminate administrative regulations that detail the use of automated external defibrillator (AED) units. Automated external defibrillator (AED) units may be used by all members of the district's core team who have successfully completed training and any trained volunteer who has a current course completion card. **References**: 1. 24 P.S. 1424 24 P.S. 1423 42 Pa. C.S.A. 8332 42 Pa. C.S.A. 8331.2 42 Pa. C.S.A. 8337.1 Pol. 123.2

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: OPIOID ANTAGONIST ADOPTED: June 9, 2016 REVISED: August 9, 2017 December 11, 2024

823. OPIOID ANTAGONIST

Authority

As a means of enhancing the health and safety of its students, staff and visitors, the district may obtain, maintain and administer doses of an opioid antagonist and other facilities for emergency use to assist a student, staff member or other individual believed or suspected to be experiencing an opioid overdose.[1][2]

Definitions

Drug overdose - shall mean an acute medical condition, including, but not limited to, severe physical illness, coma, mania, hysteria or death, which is the result of consumption or use of one or more controlled substances causing an adverse reaction. An individual's condition may be deemed to be a drug overdose if a prudent person, possessing an average knowledge of medicine and health, would reasonably believe that the condition is in fact a drug overdose and requires immediate medical attention.[1]

Opioid - shall mean illegal drugs such as heroin, as well as prescription medications used to treat pain such as morphine, codeine, methadone, oxycodone, hydrocodone, fentanyl, hydromorphone and buprenorphine.

Opioid antagonist - a drug or device approved by federal law for emergency reversal of known or suspected opioid overdose, including naloxone hydrochloride or other similarly acting drugs approved by the U.S. Food and Drug Administration for the treatment of an opioid overdose.[2][3]

Delegation of Responsibility

The Superintendent or designee, in consultation with the school nurse(s) and the school physician, shall establish appropriate internal procedures for the acquisition, stocking and administration of opioid antagonists and related emergency response procedures pursuant to this policy.

The school physician shall be the prescribing and supervising medical professional for the district’s stocking and use of opioid antagonists. The Superintendent or designee shall obtain a standing order from the school physician for administration of opioid antagonists.

The school nurse shall be responsible for managing the building-level administration, maintenance and stocking of opioid antagonists.

Guidelines	The school nurse shall develop a plan for annually informing all parents/guardians, students and staff about this policy and specifically: 1. The availability of an opioid antagonist to treat opioid drug overdoses and what it does; 2. The symptoms of opioid drug overdoses; 3. How students and staff should report suspected overdoses; 4. The protection from criminal prosecution provided by law for persons who report a suspected overdose using their real name and remain with the overdosing person until emergency medical services (EMS) or law enforcement arrive, as well as for the person whose overdose they report; and[1][2] 5. The protection from civil liability provided by law for persons who report overdoses or administer an opioid antagonist in overdose emergencies.[1][2] <u>Standing Order From the School Physician</u> The school physician shall provide and annually renew a standing order for administration of an opioid antagonist to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. The standing order shall include at least the following information: 1. Type of opioid antagonist (intranasal and auto-injector). 2. Date of issue. 3. Dosage. 4. Signature of the school physician. The standing order shall be maintained in the Superintendent's office, and copies of the standing order shall be kept in each location where an opioid antagonist is stored. <u>Training</u> Before any school district employee may have custody of an opioid antagonist or administer an opioid antagonist under this policy, the employee must successfully complete an online Pennsylvania Department of Health training program about recognizing opioid-related overdoses, administering an opioid antagonist and promptly seeking medical attention for drug overdoses. Evidence that such training has been completed shall be placed in the employee's personnel file.[2][4]

A list of school district employees who successfully complete such training shall be maintained, updated and kept in the school nurse's office and the school district administration office.

Acquisition, Storage and Disposal

Opioid antagonists shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Opioid antagonists shall be made readily accessible to those employees who have completed the required training to administer it in the event of a suspected drug overdose. All properly trained employees shall be informed of the exact location where an opioid antagonist is being stored within the school nurse's office or other location.

The school nurse shall obtain sufficient supplies of opioid antagonists pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh opioid antagonist stocks, and maintain records thereof, in accordance with the established internal procedures, manufacturer recommendations and Department of Health Guidelines.

Administration of an Opioid Antagonist

When responding to a suspected drug overdose, district employees shall follow the steps outlined below:

1. Call for medical help immediately (Dial 9-1-1).
2. Check for signs of opioid overdose.
3. Perform initial rescue breathing (or CPR if needed), as instructed in training.
4. Administer the opioid antagonist, as instructed in training.
5. Continue rescue breathing (or CPR if needed), as instructed in training.
6. Administer second dose of the opioid antagonist if needed, as instructed in training.
7. Place in recovery position, as instructed in training.
8. Stay with the individual until emergency medical help arrives.
9. Cooperate with EMS personnel responding to the incident.
10. Notify the building administrator or designee of the incident.

Referral to Law Enforcement and Parental Notification

The Superintendent or designee shall immediately report incidents involving the use of controlled substances 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 law enforcement agency 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 law enforcement and Board policies.[5][6][7][8][9][10][11]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving use of controlled substances immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[5][10][11][12]

Referral to Student Assistance Program

Any student who experiences a drug overdose shall be referred to the district's Student Assistance Program.[13]

Indemnification

The school district shall indemnify and hold harmless any employee who administers an opioid antagonist in good faith to another individual experiencing a suspected drug overdose, if all of these conditions apply:[2][14][15]

1. The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering an opioid antagonist to that individual.

2. The employee successfully completed the training contemplated by this policy.

3. The employee promptly sought additional medical assistance before or immediately after administering an opioid antagonist.

4. The employee is administering an opioid antagonist pursuant to this policy.

	Legal References: 1. 35 P.S. 780-113.7 2. 35 P.S. 780-113.8 3. 21 U.S.C. 301 et seq 4. Pol. 324 5. 22 PA Code 10.2 6. 22 PA Code 10.21 7. 22 PA Code 10.22 8. 24 P.S. 1306.2-B 9. 24 P.S. 1319-B 10. Pol. 227 11. Pol. 805.1 12. 22 PA Code 10.25 13. Pol. 236 14. 42 Pa. C.S.A. 8547 15. 42 Pa. C.S.A. 8548 16. Pol. 916

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: MAINTAINING PROFESSIONAL ADULT/STUDENT BOUNDARIES ADOPTED: June 9, 2016 REVISED: August 9, 2017; September 10, 2020; October 9, 2024; December 11, 2024

824. MAINTAINING PROFESSIONAL ADULT/STUDENT BOUNDARIES

Authority

This policy applies to district employees, volunteers, student teachers and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as adults. The term adults as used in this policy, does not include district students who perform services on a volunteer or compensated basis.

All adults shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that can lead to more egregious misconduct.

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

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families that exist independently of the district or to interfere with participation in civic, religious or other outside organizations that include district students.

Definition

For purposes of this policy, **legitimate educational reasons** include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the adult's assigned job duties.

Delegation of Responsibility

The Superintendent or designee shall annually inform students, parents/guardians and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website and by other appropriate methods.

The building principal or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

	Independent contractors doing business with the district shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.[2]
Guidelines	Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior. <u>Prohibited Conduct</u> *Romantic or Sexual Relationships -* Adults shall be prohibited from dating, courting or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[3][4] Prohibited romantic or sexual interaction involving students includes, but is not limited to: 1. Sexual physical contact. 2. Romantic flirtation, propositions or sexual remarks. 3. Sexual slurs, leering, epithets, sexual or derogatory comments. 4. Personal comments about a student's body. 5. Sexual jokes, notes, stories, drawings, gestures or pictures. 6. Spreading sexual or romantic rumors. 7. Touching a student's body or clothes in a sexual or intimate way. 8. Accepting massages, or offering or giving massages other than in the course of injury care legitimately administered by an athletic trainer, coach or health care provider. 9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner. 10. Displaying or transmitting sexual objects, pictures or depictions. *Social Interactions -* In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate.

Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building principal.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names or otherwise in an overly familiar manner.
15. Telling a student personal secrets, sharing personal secrets with a student or asking students to keep any conversation, gift or activity a secret.

16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.

17. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.

18. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.[5][6]

Electronic Communications -

For purposes of this policy, electronic communication shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only.

When available, district-provided email or other district-provided communication devices or platforms shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices or platforms shall be in accordance with district policies and procedures.[7]

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Adults shall not follow or send or accept requests for current students to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the district for this purpose, without the prior written approval of the building principal.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from the rules regarding communication or methods for maintaining professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that they have maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Relationships" section of this policy.

There will be circumstances where personal relationships develop between an adult and a student's family, e.g., when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are consistent with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through non district-related civic, religious, athletic, scouting or other organizations and programs whose participants may include district students. Such community involvement is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall promptly notify the building principal or Title IX Coordinator. Reports may be made using the Discrimination/Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report orally or in writing. Upon receipt of a report, school staff shall promptly notify the Title IX Coordinator.[5][8]

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[9][10]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act and/or Child Protective Services Law shall report such misconduct immediately through the Child Welfare Portal or by calling ChildLine at 1-800-932-0313 and, within fifteen (15) days of discovery of such misconduct, to the Pennsylvania Department of Education on the required form and to the Superintendent, Title IX Coordinator and his/her immediate supervisor.

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the school safety and security provisions of School Code, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[9][10][11][12][13][14][15][16][17][18]

It is a violation of Board policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[5][8]

Investigation

The Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports of discrimination/harassment.[5][8]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the person making the report or any witnesses. If as the result of an investigation any individual, including the reported adult, the person making the report or a witness is found to have knowingly provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and Board policies. Obstruction includes, but is not limited to, violation of “no contact” orders given to the reported adult, attempting to alter or influence witness testimony and destruction of or hiding evidence.[5][8][12][19][20][21][22]

Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures.[8][12][19]

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in district schools for an appropriate period of time or permanently, as determined by the Superintendent or designee.

Training

The district shall provide training with respect to the provisions of this policy to current and new district employees, volunteers and student teachers subject to this policy.

	The district, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this policy and related procedures. **Legal References** 1. 24 P.S. 510 2. Pol. 818 3. 18 Pa. C.S.A. 3124.2 4. 24 P.S. 2070.9f 5. Pol. 103 6. Pol. 103.1 7. Pol. 815 8. Pol. 104 9. 23 Pa. C.S.A. 6311 10. Pol. 806 11. 24 P.S. 2070.9a 12. Pol. 317.1 13. 24 P.S. 1306.2-B 14. 24 P.S. 1319-B 15. 22 PA Code 10.2 16. 22 PA Code 10.21 17. 22 PA Code 10.22 18. Pol. 805.1 19. Pol. 317 20. Pol. 113.1 21. Pol. 218 22. Pol. 233 24 P.S. 2070.1a et seq 22 PA Code 235.1 et seq 23 Pa. C.S.A. 6301 et seq

SECTION: PROPERTY

TITLE: REASONABLE USE OF FORCE

ADOPTED: April 10, 2019

REVISED:

FREEPORT AREA SCHOOL DISTRICT

825. REASONABLE USE OF FORCE

Purpose

The purpose of this policy is to provide the School Police Officer with a clear and consistent understanding of his/her performance expectations when force is asserted, upon any person, especially with respect to students. In addition, this policy addresses authorized weapons, respective training, and the reporting requirements when the use of force is asserted, as a result of threatened and/or assaultive behavior of an individual that risks physical injury to himself or others.

This policy is not intended to create or affect an officer's alleged liability in any criminal or civil court proceeding. This policy is not intended to establish a higher standard of safety or care in regulating employee actions as they may pertain in cases of third party claims. It is understood that no set of policies or procedures can effectively address every possible scenario a School Police Officer may encounter and that the judgment and discretion of the individual School Police Officer necessarily govern the decision-making utilized in use of force incidents. When using reasonable force against a subject, the School Police Officer must have a sound and articulable reason for doing so as determined by the totality of the circumstances confronting the officer.

Policy

The primary purpose of a School Police Officer at the Freeport Area School District is to promote the safety of students, staff and visitors. This includes the safety of any student who needs to be controlled by the officer. Accordingly, a School Police Officer shall use only that force that is reasonably necessary to protect persons from immediate risk of injury.

Definitions

Use of Force: Use of force is the amount of effort required by the School Police Officer to compel compliance from a person in order to protect the individual or others from serious bodily injury. Force used must be "objectively reasonable" based on the facts and circumstances confronting the officer and judged from the perspective of a reasonable officer on the scene.

Deadly force: Any force, which, under the circumstances in which it is used, is readily capable of causing death or serious bodily injury. 18 Pa.C.S.A. § 501.

Non-Lethal force: Any force other than that which is considered deadly force.

Serious bodily injury: Bodily injury that creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Objectively Reasonable: In determining the necessity for force and the appropriate level of force, officers shall objectively evaluate each situation in light of the known facts and circumstances, including, but not limited to, the seriousness of the situation and risk of injury to others, the level of threat or resistance presented by the subject and the danger to the community.

Excessive Force: Physical force that exceeds the degree permitted by law or the policies and guidelines of the Freeport Area School District. A school police officer shall not apply physical force to a person who has been rendered incapable of inflicting harm on himself or others.

Use of Force Statutory Justification

The Pennsylvania Crimes Code, Title 18, Chapter 5, "General Principles of Justification", describes those circumstances in which the use of force is justified. Relevant sections within that chapter include, but are not necessarily limited to:

18 Pa.C.S.A. § 505 - Use of Force in Self-Protection
18 Pa.C.S.A. § 506 - Use of Force for the Protection of Other Person
18 Pa.C.S.A. § 508 - Use of Force in Law Enforcement

These provisions establish the legally binding restrictions regarding the use of force by Freeport Area School District's School Police Officers as it relates to criminal or enforceable civil matters. All officers are responsible for the review and knowledge of these Pennsylvania Statutes.

Use of Force Continuum

School Police Officers are permitted to use the degree of force objectively reasonable to accomplish the lawful objective of providing a safe and secure school environment. The general progression of force can be depicted with the following levels except as the specific circumstances encountered otherwise may require:

	Level 1 Officer Presence - Identification of authority through school police officer in uniform. Verbal commands - Dialogue of commands of direction or arrest. Verbal commands should be used in conjunction with all levels of force). Commands issued to a student shall appropriately reflect the student's age and intelligence level, and shall not consist of taunting, name-calling, threats, or cursing directed at the student. Warnings should be issued to the student each time a School Police Officer intends to escalate the level of force (e.g., "Stop this behavior or I will escort you to the principal's office"; "If you do not stop punching/kicking immediately, I will restrain your arms/legs"). **Level 2** Minimal Restraint and Control - Soft empty hand or balance displacement control techniques that have minimal probability of injury if the subject resists (i.e. holding/grasping/cuffing/escorting, etc.) **Level 3** Physical Commands (Take downs, Joint Manipulation/Pressure Point, Control Tactics, Striking Muscle Groups) - Control techniques that include pain compliance techniques to the subject that present minimal potential of injury to the subject. The strikes should be aimed at major muscle masses of the subject's body. **Level 4** Striking/Punching/Kicking - Control techniques with the officer's open hand, clenched fist, forearm or leg that have a greater potential of injury to the subject. Baton Restraints - Use of the baton as a controlling device (joint manipulation) not as an impact weapon. **Level 5** Baton strikes - Less lethal option for use against violent/aggressive subjects not armed with firearms. **Level 6** Deadly force - Force that, under the circumstances in which it is to be used is readily capable of causing death or serious bodily injury.

Use of Force Guidelines

The School Police Officer's degree of force used in subduing a student or other person shall be based on the totality of the circumstances, including: 1) the severity of any crime at issue, 2) the immediate threat to the safety of the officer or others that the student poses, 3) whether the student or other person is resisting or evading the officer, 4) how violent or dangerous the officer perceives the student or other person to be, based on the student's or person's age, size, mental and physical capacity, 5) the duration of the force, 6) whether the force was used in making an arrest, 7) whether the student or other person might be armed or carrying some other weapon, and 8) the number of people with whom the officer must contend. Once a School Police Officer has affected control of a situation he/she shall de-escalate to the lowest level of force necessary to maintain control of the situation/subject.

The Use of Force Continuum options are not absolute. The ability to escalate or de-escalate is imperative. The standard by which use of force decisions are made is the totality of the circumstance, which includes, but is not limited to the following factors:

a) Officer vs. Subject factors
   - Age
   - Size
   - Skill level

b) Special Circumstances
   - Close proximity to a firearm/other weapon
   - Special knowledge as to the subject
   - Injury to or exhaustion of officer
   - Officer forced to the ground or other vulnerable position
   - Disability of officer
   - Imminent danger to officer or another

In using any level of force, with respect to secondary students, a School Police Officer shall at all times be cognizant of the age, grade level, size and physical and mental capacity of the student. In general, the policy of the Freeport Area School District is to avoid the use of any device with respect to any student whose actions do not constitute an immediate threat of serious bodily injury to himself or another.

Restraint Devices and Procedures

Upon prior authorization by the Superintendent, a School Police Officer while on duty may carry handcuffs, as well as, "flex cuffs," leg shackles or similar restraining devices.

The use of handcuffs, leg shackles and other restraining device constitutes a level of force and should only be used as necessary to restrain an individual in order to affect control of a situation. Under no circumstances should those devices be used as a form of punishment. Handcuffs and other restraints should be used as a last resort to subdue or escort a student or subject and should never be utilized as a scare tactic, to embarrass the student or to "teach a student a lesson."

Typically, handcuffs are to be used behind the back. School Police Officers are permitted to handcuff an individual's hands in front, if used in conjunction with other restraining devices, (i.e.) restraining belt/chain and/or leg shackles. Exigencies may arise that prohibit a subject from being handcuffed in this manner, such as a person with injuries that could be aggravated by standard handcuffing procedures. At no time should a School Police Officer handcuff a person to themselves.

When it is necessary for the School Police Officer to use his/her body weight to subdue and/or restrain an individual, the School Police Officer, once the individual is controlled, should quickly remove his weight to allow the individual to breathe freely and to avoid the possibility of positional asphyxia, which is death from lack of oxygen. School Police Officers should attempt to get the individual into a sitting or standing position or, at the very minimum, roll the individual on to his side, as soon as possible.

<u>Non-Lethal Force Equipment</u>

The Freeport Area School District recognizes that combative, non-compliant, armed and/or violent subjects may cause control problems that necessitate the use of non-lethal equipment, such as tasers, pepper spray and batons. Such less than lethal force equipment may be used to assist with the control and de-escalation of these potentially violent confrontations to lessen the likelihood of serious bodily injury or death to the School Police Officer or combative subject or other persons. Where deadly force is not authorized, the School Police Officer should assess the incident in order to determine which non-lethal technique or equipment may best de-escalate the incident and bring it under control in a safe manner.

<u>Use of Batons</u>

Upon prior authorization by the Superintendent, a School Police Officer while on duty may carry a baton, which shall be carried in a black scabbard. The School Police Officer must receive annual training and certification by a certified baton instructor to be authorized to carry this device.

The deployment and delivery of the baton should be to the following areas:

a) Primary Target, major muscle masses: The primary target areas are the major muscle masses, those being the forearm, thigh and calf. Impact strikes to the District mass of these primary areas, have a low probability of injury to the subject and normally create severe muscle cramping which inhibits the subject's ability to continue their aggression.

b) Secondary target areas, joints and bones: If primary areas are unavailable or unreasonable officers shall target the District mass of joints or bones. For example, elbows, wrists and knees. These areas carry a high probability of creating damage to the soft or connecting tissues as well as bone fractures.

c) Deadly force targets: include the face, neck, head, chest, spine, and lower back, which are very likely to cause death/serious injury and shall be avoided unless deadly force is authorized, necessary and reasonable in accordance with Freeport Area School District policy and applicable law.

The use of alternative impact devices (i.e. flashlight, broom handle, stick, etc.) shall be permitted in the event that the School Police Officer's use of their primary impact device is not feasible, malfunctions, or is unavailable. When an alternative impact device is used it shall be used in the same manner as prescribed in this section.

As with any other use of force options, application of impact devices will cease when the offender stops resistance or aggression, or when the School Police Officer has gained sufficient control of the subject. The subject is to be immediately restrained when the situation is stabilized. The School Police Officer shall check the subject for obvious injuries and summon medical assistance and/or render first aid when appropriate.

Use of Tasers

Upon prior authorization by the Superintendent, a School Police Officer while on duty may carry a conductive electrical weapon (taser), which shall be carried in an appropriate holster. The School Police Officer must receive annual training and certification to be authorized to carry this device.

A taser may be used to control a subject when the School Police Officer reasonably perceives that he/she or another person is threatened with serious bodily injury or to control a threatening subject when deadly force is not justified and attempts to control the subject by other tactics are ineffective or if there is a reasonable expectation that it is unsafe for School Police Officers to approach within contact range of a subject.

When using a taser, the size, weight, and age of the subject should be considered. The School Police Officer should avoid targeting the eyes, face, groin and breasts and should attempt to target the taser in a less sensitive area of the person's body. The minimal number of tases should be used to subdue the subject. If possible under the circumstances, a warning should be given to the person if the School Police Officer anticipates use of the taser is imminent.

Once the subject is restrained or in custody, the taser probes should be promptly removed from the subject. The School Police Officer shall check the subject for obvious injuries and summon medical assistance and/or render first aid when appropriate.

Use of Deadly Force

A School Police Officer is justified to use deadly force and/or discharge weapons when he/she reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious bodily injury or death. Officers shall give due consideration to their weapon system being used and their potential limitations when deployed in specific environments or situations.

An officer must reasonably believe that subject has the ***OPPORTUNITY*** to cause death or serious bodily injury to the officer or another person; the officer must reasonably believe the subject has the ***ABILITY*** to cause death or serious bodily injury to the officer or another person; and the officer must reasonably believe that the officer's life or the life of another person is in ***JEOPARDY*** of death or serious bodily injury.

Lethal Weapons - Prohibited Use

The School Police Officer is prohibited from discharging firearms under the following circumstances:

a) When it is probable that an innocent bystander(s) is likely to be injured by the School Police Officer's firearm discharge, directly or indirectly.

b) *Firing Warning Shots*-Defined as discharging any firearm into the air or ground (i.e., "warning shots") in an attempt to cause a fleeing suspect to stop or surrender.

c) To protect or preserve property.

d) To obtain compliance of a subject that does not present an imminent threat to cause serious bodily injury to another person.

Except during general maintenance, storage, inspections or authorized training, an officer shall not draw or exhibit an authorized firearm unless under circumstances which create reasonable cause to believe it may be necessary to lawfully use such firearm in conformance with law and this policy.

In the event the School Police Officer is involved in a firearm discharge, he/she shall determine the physical condition of any injured party and immediately summon medical assistance and/or render first aid when appropriate. All discharged weapons and ammunition shall be immediately delivered to the custody of the Superintendent or his/her designee for investigation purposes.

Firearms Possession

While on duty, a School Police Officers shall carry his/her issued handgun fully loaded and all other related equipment.

The School Police Officer shall annually complete any training required to maintain or renew certification to carry firearms.

In the event that a School Police Officer loses or has stolen his/her firearm and/or any other firearm authorized for duty use, he/she shall immediately notify the Superintendent and the Superintendent of Record of such loss or theft and have the incident documented accordingly.

Reporting Procedures

The School Police Officer shall complete and submit to the Superintendent a written incident report whenever he/she:

a) Takes an action which results in, or is alleged to have resulted in injury to or the death of another person.

b) Applies force on another person through the means of lethal or non-lethal force no matter if injury occurs or not.

	c) Applies force of Level 2 or greater from the Use of Force Continuum: relating to takedowns, joint manipulations, pepper spray, Pain/Mechanical Compliance, or Deadly Force, in an effort to control subject(s). An incident report will also be completed, and will include a detailed description of the incident describing the actions of both the suspect(s) and the School Police Officer. Each discharge of a firearm while on duty shall be reported to the Superintendent and the Superintendent of Record whether or not someone is injured by such discharge. A written report shall be made as soon as the circumstances permit. A complete investigation will be conducted into any discharge of a firearm by the School Police Officer in the course of his/her duties. **References:** School Code - 24 P.S. § 13-1306-C Municipal Police Education and Training Act - 53 Pa.C.S. §§ 2161, *et seq.*

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: *RESERVED*

ADOPTED:

REVISED:

FREEPORT AREA SCHOOL DISTRICT	SECTION: OPERATIONS TITLE: CONFLICT OF INTEREST ADOPTED: March 8, 2017 REVISED: August 9, 2017 August 13, 2025

827. CONFLICT OF INTEREST

Purpose

This policy shall affirm standards of conduct established to ensure that Board members and employees avoid potential and actual conflicts of interest, as well as the perception of a conflict of interest.

Definitions

Confidential information shall mean information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.[1]

Conflict or **Conflict of interest** shall mean use by a Board member or district employee of the authority of his/her office or employment, or any confidential information received through his/her holding public office or employment, for the private pecuniary benefit of him/herself, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated. The term does not include an action having a de minimis economic impact, or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the Board member or district employee, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated.[1]

For federal purposes, a **conflict of interest** includes when the employee, officer, agent, or Board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of those individuals, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract.[2]

De minimis economic impact shall mean an economic consequence which has an insignificant effect.[1]

Financial interest shall mean any financial interest in a legal entity engaged in business for profit which comprises more than five percent (5%) of the equity of the business or more than five percent (5%) of the assets of the economic interest in indebtedness.[1]

	Honorarium shall mean payment made in recognition of published works, appearances, speeches and presentations, and which is not intended as consideration for the value of such services which are nonpublic occupational or professional in nature. The term does not include tokens presented or provided which are of de minimis economic impact.[1] **Immediate family** shall mean a parent, parent-in-law, spouse, child, spouse of a child, brother, brother-in-law, sister, sister-in-law, or the domestic partner of a parent, child, brother or sister.[1] **Business partner** shall mean a person who, along with another person, plays a significant role in owning, managing, or creating a company in which both individuals have a financial interest in the company.
Delegation of Responsibility	Each employee and Board member shall be responsible to maintain standards of conduct that avoid conflicts of interest. The Board prohibits members of the Board and district employees from engaging in conduct that constitutes a conflict of interest as outlined in this policy.
Guidelines	All Board members and employees shall be provided with a copy of this policy and acknowledge in writing that they have been made aware of it. Additional training shall be provided to designated individuals. <u>Disclosure of Financial Interests</u> No Board member shall be allowed to take the oath of office or enter or continue upon his/her duties, nor shall s/he receive compensation from public funds, unless s/he has filed a statement of financial interests as required by law.[3] The district solicitor and designated district employees shall file a statement of financial interests as required by law and regulations.[4][5] <u>Standards of Conduct</u> The district maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees and Board members engaged in the selection, award and administration of contracts.[2] No employee or Board member may participate in the selection, award or administration of a contract supported by a federal award if s/he has a real or apparent conflict of interest as defined above, as well as any other circumstance in which the employee, Board member, any member of his/her immediate family, his/her business partner, or an organization which employs or is about to employ any of them, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.[2]

The district shall not enter into any contract with a Board member or employee, or his/her spouse or child, or any business in which the person or his/her spouse or child is associated valued at $500 or more, nor in which the person or spouse or child or business with which associated is a subcontractor unless the Board has determined it is in the best interests of the district to do so, and the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the Board member or employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.[1]

When advertised formal bidding is not required or used, an open and public process shall include at a minimum:

1. Public notice of the intent to contract for goods or services;
2. A reasonable amount of time for potential contractors to consider whether to offer quotes; and
3. Post-award public disclosure of who made bids or quotes and who was chosen.

Any Board member or employee who in the discharge of his/her official duties would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his/her interest as a public record in a written statement to be attached to the Board minutes.[1]

No Board member or district employee shall accept an honorarium.[1]

Board members and employees 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. Gifts of a nominal value may be accepted in accordance with Board policy.[2][6]

Improper Influence

No person shall offer or give to a Board member, employee or nominee or candidate for the Board, or a member of his/her immediate family or a business with which s/he is associated, anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment based on the offeror's or donor's understanding that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.[1]

No Board member, employee or nominee or candidate for the Board shall solicit or accept anything of monetary value, including a gift, loan, political contribution, reward or promise of future employment, based on any understanding of that Board member, employee or nominee or candidate that the vote, official action or judgment of the Board member, employee or nominee or candidate for the Board would be influenced thereby.[1]

Organizational Conflicts

Organizational conflicts of interest may exist when due to the district's relationship with a subsidiary, affiliated or parent organization that is a candidate for award of a contract in connection with federally funded activities, the district may be unable or appear to be unable to be impartial in conducting a procurement action involving a related organization.[2]

In the event of a potential organizational conflict, the potential conflict shall be reviewed by the Superintendent or designee to determine whether it is likely that the district would be unable or appear to be unable to be impartial in making the award. If such a likelihood exists, this shall not disqualify the related organization; however, the following measures shall be applied:

1. The organizational relationship shall be disclosed as part of any notices to potential contractors;

2. Any district employees or officials directly involved in the activities of the related organization are excluded from the selection and award process;

3. A competitive bid, quote or other basis of valuation is considered; and

4. The Board has determined that contracting with the related organization is in the best interests of the program involved.

Reporting Conflicts of Interest

Any perceived conflict of interest that is detected or suspected by any employee or third party shall be reported to the Superintendent. If the Superintendent is the subject of the perceived conflict of interest, the employee or third party shall report the incident to the Board President.

Any perceived conflict of interest of a Board member that is detected or suspected by any employee or third party shall be reported to the Board President. If the Board President is the subject of the perceived conflict of interest, the employee or third party shall report the incident to the Superintendent, who shall report the incident to the solicitor.

No reprisals or retaliation shall occur as a result of good faith reports of conflicts of interest. The district shall provide written notification of such protections to district employees.[7]

The Superintendent or designee shall report in writing to the federal awarding agency or pass-through entity any potential conflict of interest related to a federal award, in accordance with federal awarding agency policy.[8]

Investigation

Investigations based on reports of perceived violations of this policy shall comply with state and federal laws and regulations. No person sharing in the potential conflict of interest being investigated shall be involved in conducting the investigation or reviewing its results.

In the event an investigation determines that a violation of this policy has occurred, the violation shall be reported to the federal awarding agency in accordance with that agency's policies.[8]

Disciplinary Actions

If an investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

Violations of this policy may result in disciplinary action for employees up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with Board policies, procedures, applicable collective bargaining agreements and state and federal laws.[9]

Legal References

1. 65 Pa. C.S.A. 1101 et seq
2. 2 CFR 200.318
3. Pol. 004
4. 51 PA Code 15.2
5. 65 Pa. C.S.A. 1104
6. Pol. 322
7. 2 CFR 200.217
8. 2 CFR 200.112
9. Pol. 317
Pol. 011
Pol. 319
Pol. 609
Pol. 702

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: FRAUD

ADOPTED: August 9, 2017

REVISED:

828. FRAUD

1. Authority

The Board expects all Board members, district employees, volunteers, consultants, vendors, contractors and other parties that maintain a relationship with the school district to act with integrity, due diligence, and in accordance with law in their duties involving the district's resources. The Board is entrusted with public funds, and no one connected with the district shall do anything to erode that trust.

2. Definitions

Fraud, financial improprieties, or irregularities include but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the district.
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, securities, supplies, or other assets.
4. Impropriety in handling money or reporting financial transactions.
5. Profiteering because of insider information of district information or activities.
6. Disclosure of confidential and/or proprietary information to outside parties.
7. Acceptance or seeking of anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
8. Destruction, removal, or inappropriate use of district records, furniture, fixtures, or equipment.
9. Failure to provide financial records to authorized state or local entities.

	10. Failure to cooperate fully with any financial auditors, investigators or law enforcement. 11. Other dishonest or fraudulent acts involving district monies or resources.
3. Delegation of Responsibility	The Superintendent or designee shall be responsible to implement and maintain a system of internal controls designed to prevent and detect potential risks, fraud, financial impropriety, or fiscal irregularities within the district, subject to review and approval by the Board. District administrators are responsible to be alert to an indication of fraud, financial impropriety, or irregularity within their areas of responsibility. The Superintendent shall recommend to the Board for its approval completion of a forensic audit when it is deemed necessary and beneficial to the district. <u>Reporting</u> All employees shall be alert for any indication of fraud, financial impropriety or irregularity within their area of responsibility. An employee who suspects fraud, impropriety, or irregularity shall immediately report his/her suspicions to the Superintendent. If the report involves the Superintendent, the employee shall report his/her suspicions to the Board President who shall be responsible to conduct an investigation in place of the Superintendent.
43 P.S. Sec. 1423 **18 U.S.C. Sec. 1513** **Pol. 317**	Employees who bring forth a legitimate concern or suspicion about a potential impropriety shall not be retaliated against. Those who do retaliate against such an employee shall be subject to disciplinary action. <u>Investigation</u> The Superintendent shall investigate reports of fraudulent activities in a manner that protects the confidentiality of all parties and the facts, in cooperation with appropriate individuals and agencies. If an investigation substantiates the occurrence of a fraudulent activity, the Superintendent shall issue a report to the Board and designated individuals.

	The final disposition of the matter regarding employee discipline and decision to file a criminal complaint or refer the matter to law enforcement and/or a regulatory agency for independent investigation shall be determined by the Board and Superintendent in consultation with legal counsel. Results of an investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know, until the results are made public. **References**: Whistleblower Law – 43 P.S. Sec. 1421 et seq. Sarbanes Oxley Act of 2002 – 15 U.S.C. Sec. 7201 et seq. Whistleblower Protection – 18 U.S.C. Sec. 1513 Board Policy – 317

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: ELECTRONIC RECORDS/ SIGNATURES

ADOPTED: November 12, 2020

REVISED:

829. ELECTRONIC RECORDS/SIGNATURES

Purpose

Under certain conditions electronic records and signatures satisfy the requirements of a written signature when transacting business. The District wishes to promote effective and efficient use of electronic communications to conduct business. Although all electronic signatures are represented digitally, they can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic records and signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed and stored. District adopts the following policy with respect to the use of electronic records and signatures in connection with the transaction of District business.

Definitions

Attribution - an electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

Electronic Signature - an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic Record - any record created, generated, sent, communicated, received or stored by electronic means.

Guidelines

Electronic Records

Electronic records created or received by the District shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The District shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the District shall be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the District agrees to accept or send such communication electronically; and

2. If a signature is required on the record or communication by any law, rule or other applicable District policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signature

An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be signed in non-electronic form. The issuance and/or acceptance of an electronic signature by the District shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title.

2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail.

3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed unless authorized by the original signatory.

4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The District shall develop and maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to transactions in their original form. Such system shall include security procedures whereby the District can:

1. Verify the attribution of a signature to a specific individual.

2. Detect changes or errors in the information contained in a record submitted electronically.

3. Protect and prevent access, alteration, manipulation or use by an unauthorized person.

4. Provide for non-reproduction through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The District shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The Superintendent shall designate individuals who are authorized to utilize an electronic signature in connection with District business and shall require each designated individual to sign a statement of exclusive use. All persons authorized to utilize an electronic signature are responsible for activities conducted under their user ID and are expected to take all precautions to safeguard their password and files to prevent unauthorized use. Sharing of passwords or other access credentials is prohibited.

The District shall maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with District business.

The District will receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

The District will retain in its records this policy and all statements of exclusive use, until such time as all legally mandated retention requirements are satisfied.

Nothing in this policy is intended to authorize any individual to sign on behalf of the District if he or she has not been granted such authority, and such signature authority continues to be governed by all other applicable District policies.

Legal References:
73 P.S. 2260.101 et seq.
15 U.S.C. 7001 et seq.

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: SECURITY OF COMPUTERIZED PERSONAL INFORMATION/ BREACH NOTIFICATION

ADOPTED: August 9, 2017

REVISED: August 9, 2023

830. SECURITY OF COMPUTERIZED PERSONAL INFORMATION/ BREACH NOTIFICATION

Purpose

The Board is committed to the security of the district's computerized data and to addressing the risk of a breach of the district's systems involving the possible disclosure of personal information. This policy addresses the manner in which the district will respond to unauthorized access and acquisition of computerized data that compromises the security and confidentiality of personal information.

Authority

The Board requires that records containing personal information be securely maintained, stored and managed in compliance with state and federal laws, regulations, Board policy, administrative regulations and the district's Records Management Plan.[1][2][3][4][5][6][7][8]

The Board directs the district to provide notice as required by law to any resident of the Commonwealth whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons.[1]

Definitions

Breach of the security of the system - unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of a database of personal information regarding multiple individuals and that causes, or the district reasonably believes has caused, or will cause, loss or injury to any resident of the Commonwealth. Acquisition of personal information by an employee or agent acting in good faith on behalf of the school district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.[9]

Determination - a verification or reasonable certainty that a breach of the security of the system has occurred.[9]

Discovery - the knowledge of or reasonable suspicion that a breach of the security of the system has occurred.[9]

Encryption - the use of an algorithmic process to transform data into a form in which there is a low probability of assigning meaning without use of a confidential process or key.[9]

Personal information - includes an individual's first name or first initial and last name in combination with and linked to any one or more of the following, when not encrypted or redacted:[9]

1. Social Security number.
2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.
4. Medical information, meaning any individually identifiable information contained in the individual's current or historical record of medical history or medical treatment or diagnosis created by a health care professional.[9]
5. Health insurance information, meaning an individual's health insurance policy number or subscriber identification number in combination with access code or other medical information that permits misuse of an individual's health insurance benefits.[9]
6. A user name or email address, in combination with a password or security question and answer that would permit access to an online account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.[9][10]

Records - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.[9]

	Redact - includes, but is not limited to, alteration or truncation such that no more than the last four (4) digits of a Social Security number, driver's license number, state identification card number or account number is accessible as part of the data.[9]
Delegation of Responsibility	The Superintendent or designee shall ensure that the district provides notice, as required by law, of any breach of the security of the district's systems.[1] The Superintendent, in collaboration with appropriate administrators, shall develop administrative regulations to implement this policy, which shall include, but not be limited to:[1] 1. Procedures following discovery of a breach. 2. Procedures for the determination of a breach and whether breach notification is required under the law. 3. Breach notification procedures including timeline requirements, who must be notified and methods for such notice.
Guidelines	Upon determination of a breach of the security of the system, the Superintendent or designee shall provide notice to the district attorney in the county where the breach occurred and to any resident of the Commonwealth whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made in accordance with the provisions of law regarding timelines and methods of notification.[1] The notice shall be made without an unreasonable delay, except when a law enforcement agency determines and advises the district in writing, citing the applicable section of law, that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system.[11][12] The district shall also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.[1]

	Legal References 1. 73 P.S. 2301 et seq. 2. Pol. 113.4 3. Pol. 216 4. Pol. 324 5. Pol. 800 6. Pol. 800.1 7. Pol. 815 8. Pol. 830.1 9. 73 P.S. 2302 10. Pol. 801 11. 73 P.S. 2303 12. 73 P.S. 2304 15 U.S.C. 1681a

FREEPORT AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: DATA GOVERNANCE - STORAGE/SECURITY

ADOPTED: August 9, 2023

830.1 DATA GOVERNANCE – STORAGE/SECURITY

Purpose

The district is required to collect, create, store and manage data and information. Accurately maintaining and protecting such data is essential for efficient district operations, legal compliance, confidentiality and upholding trust with the school community.

This policy addresses the Board's commitment to sound data governance related to the integrity and security of the data collected, maintained, stored and managed by the district.

Authority

The Board recognizes the importance of establishing and maintaining a system of data governance that addresses district staff responsibilities and complies with federal and state laws and regulations regarding data storage, security and records management. The district's data governance system shall meet or exceed industry and/or government standards for data protection and privacy of personal information.[1][2]

The Board directs that the creation, collection, retention, retrieval and disposition of district records shall be governed by Board policy and the district's Records Management Plan and Records Retention Schedule.[3]

The Board directs notifications of a breach of the security of the district's computerized data system involving an individual's personal information to be conducted in accordance with law and Board policy.[4][5]

Definitions

Confidential Data/Information - information regarding which law, Board policy or contract prohibit disclosure or that may be disclosed only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information and other personal information regarding students, employees and district residents.[6][7][8]

Critical Data/Information - information that is essential to district operations and that must be accurately and securely maintained to avoid disruption to district operations.

	Data Governance - the district's comprehensive system to ensure the integrity of data created, collected, stored, secured and managed by the district. **Encryption** - the use of an algorithmic process to transform data into a form in which there is a low probability of assigning meaning without use of a confidential process or key.[9] **Personal Information** - includes an individual's first name or first initial and last name in combination with and linked to any one or more of the following when not encrypted or redacted:[5][9] 1. Social Security number. 2. Driver's license number or state identification card number issued instead of a driver's license. 3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account. 4. Medical information, meaning any individually identifiable information contained in the individual's current or historical record of medical history or medical treatment or diagnosis created by a health care professional.[9] 5. Health insurance information, meaning an individual's health insurance policy number or subscriber identification number in combination with access code or other medical information that permits misuse of an individual's health insurance benefits.[9] 6. A user name or email address, in combination with a password or security question and answer that would permit access to an online account. Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.[9][10] **Records Management Plan** - the system implemented by the district for the storage, retention, retrieval and disposition of all records generated by district operations.[3] **Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.[3]
Delegation of Responsibility	The Superintendent, in coordination with the Director of Information Technology and the Director of Finance and Operations, shall develop procedures necessary to implement this policy.

	All individuals who are granted access to confidential and/or critical data/information are required to keep the information secure and are prohibited from disclosing or assisting in the unauthorized disclosure of such data/information.[5][11] The Director of Information Technology shall conduct regular vulnerability and risk assessments to monitor the integrity of the district's system of data governance. The Superintendent shall ensure that this policy is reviewed at least annually and updated as necessary.[1][2]
Guidelines	The district's system of data governance shall include, but not be limited to, the following: 1. Data security controls that meet or exceed industry and/or government standards for data protection and privacy, to ensure that only authorized individuals have access to computerized data. 2. A plan for backup and recovery of data to protect against information loss. Redundant backup systems of data storage shall be securely maintained in separate physical locations or in separate data storage systems. 3. Training requirements for individuals who have access to confidential and/or critical data and information. 4. Provisions to minimize the risk of unauthorized access, alteration or erasure of computerized data.[5] 5. An inventory of all software applications, digital tools and platforms, and related instruments comprising the data governance system. 6. Procedures for addressing a breach of data and cybersecurity incidents.[5] 7. Procedures and acceptable use provisions for access to data and protection of privacy and personal information for students, staff and district residents.[5][12] 8. A requirement that all service providers retained or contracted by the district for data governance and records management purposes meet or exceed industry and/or government standards for data protection and privacy of personal information.

Use of Personal Electronic Devices and Resources

The district prohibits storage of confidential and/or critical data/information of the district on a personal electronic device, personal email account or other personal platform. District staff and service providers shall use district-controlled accounts and platforms to securely store or transmit confidential and/or critical data/information of the district.

Service Providers

Service providers retained or contracted by the district shall comply with law, Board policy, administrative regulations and district procedures regarding data security and integrity of data containing confidential and/or critical data/information of the district.[3][5]

The district shall ensure that the agreement or contract for service with a service provider who may have access to confidential and/or critical data/information reflects appropriate data security provisions.

Consequences

Failure to comply with law, Board policy, administrative regulations or procedures regarding data governance and security may result in the following disciplinary measures and possible pursuit of civil and criminal sanctions:[13][14][15]

1. Employees may be disciplined up to and including termination.
2. Volunteers may be excluded from providing services to the district.
3. The termination of a business relationship with a service provider.

Legal References

1. 73 P.S. 2305.1
2. 73 P.S. 2305.2
3. Pol. 800
4. 73 P.S. 2301 et seq
5. Pol. 830
6. Pol. 113.4
7. Pol. 216
8. Pol. 324
9. 73 P.S. 2302
10. Pol. 801
11. Pol. 828
12. Pol. 815
13. Pol. 317
14. Pol. 818
15. Pol. 916

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLIC RELATIONS OBJECTIVES

ADOPTED: August 9, 2017

REVISED:

901. PUBLIC RELATIONS OBJECTIVES

1. Purpose

The purpose of the school-community relations program is to establish and maintain communication that informs the parents/guardians and public and involves them in the educational goals and programs of the district's schools.

2. Authority

To achieve this purpose, the Board shall provide parents/guardians and other district residents opportunities to receive information and orientation regarding the schools. The Board will utilize all appropriate means and media to achieve its public relations objectives.

3. Guidelines

The objectives of the district's public relations program shall be to:

1. Explain the programs, achievements and needs of the schools.
2. Determine what residents expect from their schools and what they want to know about the school's programs and operations.
3. Keep students, parents/guardians and staff members fully informed about relevant Board policies and procedures and their own responsibilities and rights.
4. Communicate factual information to avoid rumors and communication crises.
5. Involve students, parents/guardians and the community in discussions regarding education programs, student activities and Board policy.
6. Operate in public session, as speedily and efficiently as circumstances permit and with appropriate public participation.
7. Recognize students and their achievements.

65 Pa. C.S.A. Sec. 701 et seq
Pol. 006, 903

4. Delegation of Responsibility	It shall be the responsibility of all district staff to: 1. Acquaint parents/guardians and residents with the educational achievements of the schools, students and staff. 2. Give courteous and thoughtful consideration to all inquiries and suggestions and carefully investigate all complaints. 3. Make parents/guardians, volunteers and visitors feel welcome in the school and in the classroom. 4. Cooperate with parent-teacher and other community groups. 5. Maintain student relations that encourage cooperation of the parents/guardians. 6. Observe interstaff relations conducive to high morale that merit the respect of students and citizens. **References**: Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq. Board Policy – 006, 903

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLICATIONS PROGRAM

ADOPTED: August 9, 2017

REVISED:

902. PUBLICATIONS PROGRAM

1. Purpose

The Board believes that all reasonable means should be employed to keep the public informed on matters of importance regarding Board policies and district finances, programs, personnel and operations.

2. Authority

The Board shall determine which of its official actions have such community impact and interest to warrant special release, and it will release information to the media on matters of importance.

3. Delegation of Responsibility

Matters of a routine nature may be released by the Superintendent or designee as they have been recorded in the minutes of Board meetings and upon request of media representatives.

All publications, releases, photographs and the like depicting the accomplishments of district students and staff may be approved at the discretion of the Superintendent or designee.

References:

School Code – 24 P.S. Sec. 510, 511

Board Policy – 007, 105, 106, 127, 801, 803

FREEPORT AREA SCHOOL DISTRICT	SECTION: COMMUNITY TITLE: PUBLIC COMMENT IN BOARD MEETINGS ADOPTED: August 9, 2017 REVISED: September 9, 2021 October 14, 2021 March 13, 2024

903. PUBLIC COMMENT IN BOARD MEETINGS

Purpose

The Board recognizes the value of public input and the importance of designating time for public comment during open Board meetings. The Board also recognizes the importance of diverse viewpoints and commentary.

This policy addresses the right for the public to comment at open Board meetings and the responsibility of the Board to conduct its business in an orderly and efficient manner. An authorized individual's public comment will be free from interruption, except when the individual's conduct is in violation of law or Board policy.[1]

Authority

An opportunity for district residents and taxpayers to provide comment on matters of concern, official action or deliberation which are or may be before the Board, shall be provided as designated on the Board meeting agenda and in compliance with law, Board policy and district procedures.[1][2][3][4][5]

Copies of the agenda, which includes a listing of each matter of business that will be or may be the subject of deliberation or official action at the meeting, shall be made available to individuals in attendance at the meeting.[3]

The Board requires that public comment on agenda items be made at the beginning of each meeting.[4]

If the Board determines there is not sufficient time at a meeting for public comments, the comment period may be deferred to the next regular meeting or to a special meeting occurring before the next regular meeting.[4]

When items are added to the agenda after the public comment period has ended, the Board shall offer a further public comment opportunity limited to the added items.[4][6]

	An individual's public comment may be interrupted or terminated only under limited circumstances, such as when the individual's commentary is in clear violation of law or Board policy, including but not limited to the following: 1. Sexual harassment, racial, ethnic, religious or nationality intimidation towards an individual or individuals in the school community.[7][8][9] 2. Disclosure of confidential personal information regarding students or staff. 3. Speech that traditionally has not been protected under the First Amendment, such as obscenity, defamation and speech integral to criminal conduct. 4. Speech that is profane. 5. Speech that constitutes true threats such as inciting imminent lawless action or subjecting individuals to fear of violence. 6. Speech that does not concern matters that may come before the Board for deliberation or official action, for example, sales of commercial products or services.
Guidelines	<u>Sign-in and Request to Comment</u> All individuals wishing to comment during the Board meeting shall complete a document designated for requests to comment and submit the document to the Board Secretary prior to the start of the meeting. <u>Public Comment</u> Individuals shall wait to be recognized by the presiding officer before commenting, must direct all comments to the Board, and must preface their comments by an announcement of their name, and group affiliation, if applicable. The public comment session at the beginning of the meeting shall be limited to not more than thirty (30) minutes. Each statement made by a participant shall be limited to five (5) minutes' duration. No individual may speak more than once on the same topic, unless all others who wish to speak on that topic have been heard and there is time remaining in the public comment period. All statements shall be directed to the presiding officer; no participant may address or question school directors individually. The presiding officer and the district solicitor have the authority to:

1. Interrupt an individual to warn the commenter that the statement is too lengthy or conduct is otherwise in violation of this policy.

2. After warning, terminate the individual's opportunity to comment when the conduct continues and is in violation of this policy.

3. Call a recess or adjourn to another time when an individual's conduct is otherwise in violation of this policy.

4. Request an individual to leave the meeting when that person's conduct is disrupting the operation of the meeting.[10][11]

5. If the individual refuses to leave the meeting, request the assistance of school security personnel or law enforcement to remove the disorderly person to enable the Board to proceed with the orderly operation of the meeting.[12][13]

6. Waive the Board's rules regarding public comment with the approval of a majority of those present and voting.

Response to Public Comment

The purpose of public comment at Board meetings is to allow the Board to learn the thoughts of the public prior to Board deliberation and official action.

Although the public comment period of the meeting is not a question and answer session between the public and the Board, the Board may direct staff to follow up and address public inquiries in a reasonably prompt manner.

Whenever public comments are subject to the Board policy regarding public complaints, the individual shall be directed to follow the process outlined in the policy for resolution of the issue.[14]

Public Comment Recorded in Board Minutes

The following information regarding public comment is required to appear in the official minutes of each open Board meeting:[5][19]

The names of all citizens who appeared before the Board.

The subject of their testimony.

In general, meetings of committees of the Board shall not include a public comment period.[4][5][20]

	Recording Devices and Cameras Electronic recording devices and cameras, in addition to those used as official recording devices, shall be permitted at open meetings. The Board is authorized to establish reasonable rules for the use of recording devices and cameras during Board meetings.[1][21] **Legal References** 1. 65 Pa. C.S.A. 710 2. 24 P.S. 407 3. 65 Pa. C.S.A. 709 4. 65 Pa. C.S.A. 710.1 5. Pol. 006 6. 65 Pa. C.S.A. 712.1 7. Pol. 103 8. Pol. 103.1 9. Pol. 104 10. 18 Pa. C.S.A. 5101 11. 18 Pa. C.S.A. 5508 12. 18 Pa. C.S.A. 3503 13. Pol. 805.2 14. Pol. 906 15. Pol. 113.4 16. Pol. 216 17. Pol. 800 18. Pol. 801 19. 65 Pa. C.S.A. 706 20. Alekseev v. City Council of Philadelphia, 8 A.3d 311 (Pa. 2010) 21. 65 Pa. C.S.A. 711 U.S. Const. Amend. I PA Const. Art. I 65 Pa. C.S.A. 701 et seq 18 Pa. C.S.A. 1 et seq 18 Pa. C.S.A. 5903 Counterman v. Colorado, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023) Hatchard v. Westinghouse Broadcasting, 516 Pa. 184, 532 A.2d 346 (1987)

FREEPORT AREA SCHOOL DISTRICT	SECTION: COMMUNITY TITLE: PUBLIC ATTENDANCE AT SCHOOL EVENTS ADOPTED: August 9, 2017 REVISED: February 13, 2019 March 12, 2020 November 12, 2020 August 14, 2024

904. PUBLIC ATTENDANCE AT SCHOOL EVENTS

Purpose

The Board welcomes the public at activities and events sponsored by the school district, but the Board also acknowledges its duty to maintain order and preserve school facilities and health and safety during such events. This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at school and school-sponsored activities.

Definition

For purposes of this policy, **tobacco product** encompasses not only tobacco but also vaping products including electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with law, shall be defined to include the following:[1][2]

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

3. Any product containing, made or derived from either:

    a. Tobacco, whether in its natural or synthetic form; or

    b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

	4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately. The term **tobacco product** does not include the following:[1][2] 1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. 2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. Federal law requires the district to maintain a drug-free environment, at which marijuana of any kind is prohibited.[3][4]
Authority	The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. The Superintendent or designee and building principal may limit attendance to designated areas or may limit the number of attendees to school events when necessary to protect the health and safety of students, staff and the public, in accordance with Board-approved health and safety plans and guidance from state and local officials. The Board prohibits gambling and the possession and use of controlled substances prohibited by state or federal law, alcoholic beverages and weapons on school premises.[5][6] Attendees shall be informed of the district's health and safety rules through announcements and posting of appropriate signage. Health and safety rules must be followed prior to entry and while attendees are in school buildings and on school property, in accordance with Board policy, district procedures, the Board-approved health and safety plans and guidance from state and local officials.[7] <u>Tobacco and Vaping Products</u> The Board prohibits use of tobacco and vaping products, including e-cigarettes, by any persons at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; or on property owned, leased or controlled by the school district.[2][8] This policy does not prohibit possession of tobacco products by members of the public of legal age at school or school-sponsored activities.

	The Board deems it to be a violation of this policy for an individual in attendance at school or a school-sponsored activity to furnish a tobacco product to a minor.[1]
Delegation of Responsibility	A schedule of fees for attendance at school events shall be prepared by the Superintendent or designee and adopted by the Board. The Superintendent shall ensure that this policy is posted on the district's publicly accessible website.[9] <u>Reports</u> *Annual School Safety and Security Incidents Report –* The Superintendent shall annually, by July 31, report all incidents of prohibited possession, use or sale of tobacco products by any person on school property to the PA Department of Education on the required form.[10][11][12] *Law Enforcement Incident Report –* In accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies, the Superintendent or designee may report to the law enforcement agency that has jurisdiction over the school's property, the use or sale of tobacco products by any person in a school building; on a school bus or other vehicles that are owned, leased or controlled by the school district; or on any property owned leased or controlled by the school district.[1][2][10][11][12][13][14]
Guidelines	<u>Free Admittance</u> Senior citizens who are district residents and are sixty-two (62) years of age or older are eligible for membership in the Blue and Gold Club. With the Club card, the resident shall be admitted without charge to District-sponsored athletic events, except tournaments and playoff games sponsored by athletic conferences, and at a fifty percent (50%) discount for the following events: 1. Extracurricular events such as plays, musicals, etc. 2. Adult evening school registration fees. This does not apply to events that are not completely under the full jurisdiction of Freeport Area School District or when facilities have been rented by another agency. District personnel who are members of the professional staff will be admitted to all school events at no charge upon request.

	Free passes to school events will be available to each Board member, administrator, and supervisor, and a guest. The Board will honor athletic passes from all districts that are members of conferences in which teams of this district compete and honor the passes of this district. <u>Service Animals</u> Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.[15][16][17] **Legal References** 1. 18 Pa. C.S.A. 6305 2. 18 Pa. C.S.A. 6306.1 3. 20 U.S.C. 7118 4. Pol. 351 5. 24 P.S. 511 6. 24 P.S. 775 7. Pol. 705 8. 20 U.S.C. 7973 9. 24 P.S. 510.2 10. 24 P.S. 1306.2-B 11. 24 P.S. 1319-B 12. Pol. 805.1 13. 22 PA Code 10.2 14. 22 PA Code 10.22 15. 28 CFR 35.136 16. 43 P.S. 953 17. Pol. 718 35 P.S. 637.1 et seq 20 U.S.C. 7971 et seq 28 CFR Part 35

PUBLIC BEHAVIOR AT SCHOOL EVENTS

The district expects mutual respect, civility and orderly conduct by all individuals attending school events on district property.

Expected Behavior

Individuals attending school events on district property will not:

1. Injure, threaten, harass or intimidate a district employee, sports official or coach or any other person.

2. Act in an unsafe manner that could threaten the health or safety of others.

3. Use vulgar or obscene language or gestures.

4. Fight, strike or injure another person.

5. Damage, deface or threaten to damage district property.

6. Damage, deface or threaten to damage another individual's property.

7. Engage in any activity that violates any federal or state law or regulation or any local policy, regulation or ordinance.

8. Violate any Board policy, district administrative regulation or health and safety rules.

9. Use any tobacco product or vaping product, including electronic cigarettes, as defined in Board policy, except in an area designated and posted by the district.

10. Consume, possess, distribute or be under the influence of alcoholic beverages or controlled substances prohibited by state or federal law.

11. Possess or use weapons or dangerous devices prohibited by the district.

12. Impede, delay, disrupt or interfere with any school activity or event, including using cellular telephones in a disruptive manner.

13. Enter upon any portion of district or school premises at any time for purposes other than those that are lawful and authorized by the Board.

14. Operate a motor vehicle in a risky manner, in excess of posted traffic signage, or in violation of an authorized district employee's directive.

15. Engage in any risky behavior, such as roller skating, roller blading or skateboarding.

16. Fail to obey the directive of an authorized district employee, security officer, school police officer, School Resource Officer (SRO) or local law enforcement official.

As circumstances warrant, the administrator in charge will take appropriate action, including warning the person in violation, requesting the person to immediately leave district property, contacting law enforcement officials and seeking to deny future admission to school events.

Refusal to leave school grounds when requested to do so by district employees or event officials constitutes the criminal offense of defiant trespass and may result in arrest and prosecution.

Continuation or escalation of prohibited behavior after a warning will result in ejection from the event premises.

Behavior that is unlawful or in violation of Board policy or administrative regulations may result in immediate ejection of the person in violation from the event premises.

Disruptive behavior by a group when individual persons cannot be identified may result in the ejection of offending areas of spectator seating.

A district employee may request identification from any individual on district grounds and in district buildings. Refusal to provide such information may result in a request to leave district property.

An employee involved in an incident with an attendee at a school event will complete an incident report and submit it to the building principal or immediate supervisor, who will report the incident to the Superintendent.

Crowd Control

A designated administrator will be assigned responsibility for monitoring and supervising the orderly conduct of students and spectators attending school events on district property. Crowd control procedures may include the following:

1. The administrator will ensure that enough authorized district personnel are assigned to provide adequate supervision.

2. The administrator may request law enforcement officials to be present if the administrator anticipates the crowd may pose a behavior or safety problem and may direct the placement of the officers.

3. The admissions gate and/or entrances will be regulated, and admission will be limited to eligible students, spectators and other authorized attendees. No one under the influence of alcohol or controlled substances prohibited by state or federal law will be admitted.

4. If a disturbance occurs, the administrator will determine if the event needs to be concluded, and the administrator may close the event and direct those in attendance to immediately leave school grounds.

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: CITIZEN ADVISORY COMMITTEES

ADOPTED: August 9, 2017

REVISED:

905. CITIZEN ADVISORY COMMITTEES

1. Purpose

Citizen advisory committees can be useful in keeping the Board and administration informed with regard to community opinion and in representing the community in the study of specific school issues.

An advisory committee shall consist of at least one (1) Board member, interested community residents, and district administrators when appropriate.

2. Authority

When creating an advisory committee, the Board shall:

1. Define the committee's assignment.
2. Appoint a Chairperson and a recording secretary.
3. Appoint residents who are interested and can make some special contribution to the committee's function.
4. Approve appointment of residents, staff members and/or students recommended by the Superintendent.
5. Seek the widest range of community interest and backgrounds.
6. Appoint the President and the Superintendent as ex-officio members of all advisory committees.

In charging a new advisory committee, the Board may:

1. Set a date for a preliminary and final report.
2. Specify number of members and determine date for Committee termination.

	3. Establish a budget with the understanding that all expenditures of district funds by advisory committees shall be made only upon approval by the Board in advance. 4. Designate a consultant as may be appropriate. Recommendations of advisory committees shall not reduce the responsibility of the Board, which shall be free to accept or reject the recommendations. Meetings of an advisory committee are not regular meetings of the Board and shall be open to the public only upon invitation of the committee. **References**: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLIC COMPLAINT PROCEDURES

ADOPTED: August 9, 2017

REVISED: March 22, 2018

906. PUBLIC COMPLAINT PROCEDURES

Purpose

The Board welcomes inquiries, suggestions, and constructive criticism from parents/guardians, district residents or community groups regarding the district's programs, personnel, operations and facilities. The Board adopts this policy to establish procedures for seeking appropriate resolution to complaints.

Authority

The Board encourages parents/guardians, district residents or community groups who have general complaints about Board policy and district procedures, district programs, personnel, operations and facilities to follow the general complaint procedure established in this policy.

The Board directs parents/guardians, other individuals and organizations alleging violations of law in the district's administration of federally-funded programs to submit complaints in accordance with the separate federal program complaint procedure established in this policy.[1]

The Board shall ensure that this policy is posted on the district's publicly accessible website in accordance with law.[2]

Delegation of Responsibility

The district shall annually notify parents/guardians, employees and the public of this policy and established complaint procedures via the district website, newsletters, posted notices and/or other efficient communication methods.

Guidelines

<u>General Complaint Procedure</u>

It is the intent of the Board that complaints, concerns and suggestions be addressed and/or resolved at the lowest appropriate level.

At all levels of this procedure, district employees shall make a determination as to whether the complaint should proceed as outlined in this policy or if the complaint should be submitted through a specialized complaint process addressed in a separate Board policy, district procedure or administrative regulation that is directly related to the nature of the complaint.

	General complaints about Board policy and district procedures, programs, personnel, operations and facilities shall begin with an informal, direct discussion between the complainant and district employee who is most directly involved. The employee shall attempt to provide a reasonable explanation or take appropriate action within the employee's authority. The employee shall report the matter and the resolution to the building principal or immediate supervisor. When an informal discussion fails to resolve the complaint, the following procedure shall be used. First Level - If a satisfactory resolution is not achieved by discussion with the employee, the complainant shall submit a written complaint to the building principal or designee and a conference shall be scheduled with the complainant. The written complaint shall include the contact information of the person or group filing the complaint, the specific nature of the complaint, a brief statement of relevant facts, how the complainant has been affected adversely, and the action requested. The building principal or designee shall provide a written response to the complainant. Second Level - If a satisfactory resolution is not achieved through a conference with the building principal or designee, the complaint shall be referred to the Superintendent or designee. The Superintendent or designee shall review the complaint and may schedule a conference with the complainant. The Superintendent or designee shall provide a written response to the complainant. Third Level - If a satisfactory resolution is not achieved through referral to the Superintendent or designee or if resolution of the complaint is beyond his/her authority and requires Board action, the Superintendent or designee shall refer the complaint to the Board. The Board, after reviewing all information relative to the complaint, shall provide the complainant with its written response. The Board may, at its discretion, grant a meeting with or hearing before the Board or a committee of the Board before providing its written response. Any requests, suggestions or complaints first directed to individual Board members and/or the Board shall be referred to the Superintendent for consideration, investigation and action. If further action is warranted, based on the initial investigation, such action shall be in accordance with the procedures outlined above.

Complaint Procedure for Federal Programs

Complaints alleging violations of law in the district's administration of federally-funded programs shall be processed in accordance with the following procedure.[1]

The complainant shall submit a written, signed statement to the district's administration office that includes:

1. Contact information of the individual or organization filing the complaint.
2. Alleged federal program violation.
3. Facts supporting the alleged violation.
4. Supporting documentation, such as information on discussions, correspondence or meetings with district staff regarding the complaint.

District staff shall forward complaints to the district administrator responsible for federal programs, who will notify the Superintendent and acknowledge receipt of the complaint in writing.

The district administrator responsible for federal programs shall conduct an independent investigation, which may include, but not be limited to:

1. On-site visit to the building that is the subject of the complaint.
2. Opportunity by all individuals and/or organizations involved to present relevant documents and other information.
3. Interviews of witnesses.

When the investigation is completed, the district administrator responsible for federal programs shall prepare a written report with a recommendation for resolving the complaint. The report shall include:

1. Name of the individual or organization filing the complaint.
2. Nature of the complaint.
3. Summary of the investigation.

4. Recommended resolution.

5. Reasons for the recommended resolution.

The district administrator responsible for federal programs shall submit the written report to the Superintendent, who will determine whether further investigation is required and/or the district's final response.

All individuals and/or organizations making the complaint or that are the subject of the complaint shall be notified of the resolution of the complaint by the Superintendent or designee.

The district administrator responsible for federal programs shall ensure that the resolution of the complaint is implemented.

The time period between receipt and resolution of a complaint shall not exceed sixty (60) calendar days, unless circumstances require additional time.

The complainant may appeal the final resolution to the Pennsylvania Department of Education.

Division Chief
Division of Federal Programs
PA Department of Education
333 Market Street
Harrisburg, PA 17126-0333

	Legal References: 1. 20 U.S.C. 7844 2. 24 P.S. 510.2 24 P.S. 510 Pol. 103 Pol. 103.1 Pol. 104 Pol. 105.1 Pol. 108 Pol. 109 Pol. 116 Pol. 127 Pol. 137 Pol. 150 Pol. 202 Pol. 206 Pol. 247 Pol. 249 Pol. 251 Pol. 252 Pol. 255 Pol. 610 Pol. 621 Pol. 626 Pol. 718 Pol. 801 Pol. 808 Pol. 815 Pol. 824 Pol. 827 Pol. 828

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: SCHOOL VISITORS

ADOPTED: October 12, 2009

REVISED: August 11, 2016
REVISED: August 9, 2017
REVISED: November 12, 2020

907. SCHOOL VISITORS

Authority

The Board welcomes and encourages interest in district educational programs and other school-related activities. The Board recognizes that such interest may result in visits to school by parents/guardians, adult residents, educators and other officials. To ensure order in the schools and to protect students and employees, it is necessary for the Board to establish policy governing school visits.[1]

Delegation of Responsibility

The Superintendent or designee and building principal have the authority to prohibit the entry of any individual to a district school, in accordance with Board guidelines and state and federal law and regulations.

The Superintendent or designee and building principal may limit visitors to designated areas or may limit the number of visitors to a district school when necessary to protect the health and safety of students, staff and the public.

The Superintendent or designee shall develop administrative regulations to implement this policy and control access to school buildings and school classrooms.

Guidelines

Persons wishing to visit a school should make arrangements in advance with the school office in that building.

Upon arrival at the school, visitors must register at the office where they must provide any required information or identification to protect the health and safety of students, staff and the school community, as well as:

1. sign in and sign out;
2. receive a badge; and
3. be informed of the school's health and safety rules, which must be followed prior to entry and while the visitor is in the school building and on school property.[2]

Only one (1) designated entrance that is monitored and capable of controlling visitor entry shall be used by visitors to the school. All other entrances shall be locked.[3]

All staff members shall be responsible for requiring a visitor demonstrate that the visitor:

1. has a visitor's badge; and
2. has registered at the school office and received authorization to be present for the purpose of conducting business.

No visitor may confer with a student in school without the approval of the building principal.

Failure to comply with this policy shall result in more limited access to the school as determined by the building principal, consistent with Board policies, administrative regulations, school rules and federal and state law and regulations.

Military Personnel

Members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to:[4][5]

1. Visit and meet with district employees and students when such visit is in compliance with Board policy and district procedures.
2. Wear official military uniforms while on district property.

Legal References
1. 24 P.S. 510
2. Pol. 705
3. Pol. 709
4. 24 P.S. 2402 (Military Uniform)
5. Pol. 250

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: RELATIONS WITH PARENTS/ GUARDIANS

ADOPTED: August 9, 2017

REVISED:

908. RELATIONS WITH PARENTS/GUARDIANS

1. Purpose
Pol. 917, 918

The Board believes that the education of students is a joint responsibility that is shared by the parents/guardians. To ensure that the best interests of each student are served in the educational process, a strong program of communication and cooperation between home and school must be maintained, and parental involvement encouraged.

2. Authority
Pol. 235

The Board feels that it is the parents/guardians who have the ultimate responsibility for their children's behavior in school, including the behavior of students who have reached the legal age of majority but are, for all practical purposes, under parental authority.

3. Delegation of Responsibility
SC 1317

During school hours, the Board acts in loco parentis or in place of the parents/guardians, through its designated administrators.

4. Guidelines

Parents/Guardians are requested to keep the school staff apprised of changes in the home situation that may affect a student's conduct or performance.

The Board directs that the following activities be implemented to encourage parent-school cooperation:

Pol. 212

1. Parent-teacher conferences to permit two-way communication between home and school.
2. Open houses in district schools to provide parents/guardians the opportunity to see the school facilities, meet the faculty, and witness school programs.
3. Meetings of parents/guardians and staff members to explain and discuss matters of general interest.
4. Meetings of staff members and groups of parents/guardians of students having special abilities, disabilities, needs, or problems.

	5. Special events of a cultural, ethnic or topical nature that are initiated by parent groups; involve the cooperative effort of students, staff and parents/guardians; and are of general interest to the schools or community. The Board believes that parents/guardians have a responsibility to support and encourage their child's career in school through the following actions: 1. Require that students comply with district policies and school rules and regulations and accept responsibility for their behavior. 2. Send students to school with proper attention to their health, personal cleanliness and dress. 3. Maintain an active interest in the student's daily work and provide appropriate supervision for completion of assigned homework. 4. Read, sign and return promptly all communications from school, when requested.
Pol. 212	5. Attend conferences for the exchange of information on the student's progress in school. 6. Participate in school activities and special functions. **References**: School Code – 24 P.S. Sec. 1317 Board Policy – 212, 235, 917, 918

FREEPORT AREA SCHOOL DISTRICT	SECTION: COMMUNITY TITLE: MUNICIPAL GOVERNMENT RELATIONS ADOPTED: August 9, 2017 REVISED: August 14, 2024

909. MUNICIPAL GOVERNMENT RELATIONS

Purpose

It is the policy of the Board that school district officials and municipal officials maintain a close and harmonious association. Such liaison is requisite for dealing with school/community concerns and issues in an efficient manner while assuring prudent expenditure of tax dollars.

Authority

The Board recognizes that its authority derives directly from the General Assembly, but it also is aware that the municipality and the school district must work together for the welfare of the residents.[1]

The Board, as an independent body, has no statutory relationship to other local governmental bodies. However, the Board may cooperate with local government units and other appropriate organizations in matters that affect district responsibilities. Such organizations may include, but not be limited to, health agencies, public libraries, museums, law enforcement agencies and fire departments, township supervisors, borough council, planning commissions and the courts.

In matters affecting the budgets of such agencies, the Board shall neither seek special consideration nor assume costs that properly fall outside its jurisdiction, except as prescribed by law.

The Board advocates joint expenditures of district and municipal or county funds to provide facilities from which the entire community may derive benefits. In accordance with this policy, the Board may, as either opportunity or need arises, and as it is entitled to do by law, enter into joint action agreements with the local municipal governing body in acquiring or leasing, improving, equipping, operating or maintaining such jointly used facilities.[2][3][4][5][6]

Delegation of Responsibility

The Superintendent and each law enforcement agency that has jurisdiction over school property shall enter into, and update on a biennial basis, a memorandum of understanding, which shall be developed and executed in accordance with state law and regulations.[7][8][9][10]

	To maintain cooperation with the municipality for fiscal and facilities planning, the Superintendent or the Superintendent's designee will meet periodically with municipal officials to discuss issues of common interest. **Legal References**: 1. PA Const. Art. III Sec. 14 2. 24 P.S. 502 3. 24 P.S. 521 4. 24 P.S. 706 5. 24 P.S. 775 6. 24 P.S. 790 7. 24 P.S. 1306.2-B 8. 24 P.S. 1319-B 9. 22 PA Code 10.11 10. Pol. 805.1 22 PA Code 10.24 35 Pa. C.S.A. 7701 Pol. 613 Pol. 805

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: COMMUNITY ENGAGEMENT

ADOPTED: August 9, 2017

REVISED:

910. COMMUNITY ENGAGEMENT

1. Purpose

The purpose of community engagement is to create a collaborative environment in which students, parents/guardians, families, residents, businesses, and community organizations are encouraged and invited to be involved stakeholders in the school community. Such engagement strengthens broad-based community support for the school district's mission, goals, operations and educational programs.

2. Definition

Community engagement is defined as an ongoing collaborative process in which the school district works with the public to build understanding, guidance, and active support for the education of students in the community.

3. Authority

The Board endorses the concept that community engagement is essential for the school district and the community to maintain mutual understanding, respect and trust, and to work together to improve the quality of education for district students. The Board intends, through this two-way communication, to identify the community's concerns, needs and suggestions, and to be responsive to the community through the Board's actions.

The Board also recognizes that the public offers resources of training and experience useful to the schools. The quality of the district's operations and programs can be strengthened when these resources are used in an advisory capacity.

The Board, with assistance from the administration, shall determine the appropriate strategy when utilizing the community engagement process.

The Board, in consultation with the Superintendent, shall identify a team of individuals who will be responsible for developing, implementing and delivering a community engagement program.

After the community engagement process is concluded, the Board shall make the final decision regarding an issue.

	The Board shall annually assess the effectiveness of the community engagement program.
4. Delegation of Responsibility	The Board directs the administration to develop and implement a planned program of community engagement that regularly provides opportunities for students, parents/guardians, families, residents, businesses and community organizations to participate in dialogue and decision-making related to district-wide and school-based issues. The administration shall develop and use varied, effective communication methods to ensure that all community members receive information about district and school programs and the available opportunities to become actively involved.
5. Guidelines	Students, parents/guardians and community members must submit to the Superintendent's office any communications and questions addressed to the Board. The Board and administration shall give substantial weight to the input received from the community. When evaluating the community's suggestions, the Board and administration will consider the impact on the district's goals, operations, educational programs, and financial resources. Recommendations made by the community shall not reduce the authority or responsibility of the Board, which may accept or reject such recommendations. The district shall communicate to the community the Board's decision and its rationale regarding an issue involving community engagement. **References**: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: NEWS MEDIA RELATIONS

ADOPTED: August 9, 2017

REVISED:

911. NEWS MEDIA RELATIONS

1. Purpose

Representatives of the local press, radio and TV are an important link in communications between school and community. Maintenance of good working relationships with media representatives is essential to meeting the objectives of the school-community relations program.

2. Authority

The Board shall have final approval for all procedures regarding relations between the news media and the district.

The Board reserves the right to negotiate for radio broadcasting, televising, filming, or sound recording of any school event by an outside agency. These rights, if sold, shall be contracted under conditions that bring the most favorable terms to the school district.

3. Delegation of Responsibility

The chief communications representative for the Board shall be the Superintendent.

The communications representative shall be responsible to:

1. Be readily available to media representatives.
2. Keep media representatives informed of all aspects of the school district so that reporting will be done on the basis of a complete and valid overview.
3. Submit and suggest feature stories or articles of interest or relevance.
4. Meet periodically with news media representatives to discuss coverage of the school district.
5. Assist district staff with media relations.
6. Assist various school-related groups in their relations with the news media.

	7. Assist the Board in preparing regular and special publications for the public.
4. Guidelines	Staff members shall not give school information or interviews requested by news media representatives without prior approval of the district's communications representative. Students shall not be permitted to give school information or interviews requested by news media representatives without prior approval of the district's communications representative. Submission of photographs to news media and permission for news media representatives to photograph district subjects, personnel, or students shall be authorized by the communications representative and the individuals involved or their parents/guardians. Photographs of a controversial nature, or that are questionable with regard to individual rights of privacy, shall not be sanctioned. **References**: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: RELATIONS WITH EDUCATIONAL INSTITUTIONS

ADOPTED: August 9, 2017

REVISED:

912. RELATIONS WITH EDUCATIONAL INSTITUTIONS

1. Authority

It is the policy of the Board that lines of communication be maintained by the school district with other districts and institutions that provide programs, training or services not otherwise available to district students and with districts whose resident students are enrolled in programs of this district.

2. Delegation of Responsibility

Maintaining cooperative and constructive relationships with other educational institutions shall be the responsibility of the Superintendent or designee who will establish administrative regulations that enable the district to do so.

References:

School Code – 24 P.S. Sec. 1332, 1354

Board Policy – 216, 307

FREEPORT AREA SCHOOL DISTRICT	SECTION: COMMUNITY TITLE: NONSCHOOL ORGANIZATIONS/ GROUPS/INDIVIDUALS ADOPTED: August 9, 2017 REVISED: August 14, 2019 November 10, 2022

913. NONSCHOOL ORGANIZATIONS/GROUPS/INDIVIDUALS

Purpose

The Board recognizes that nonschool organizations, groups and individuals may wish to utilize the district and its resources as a means to engage the school community in activities and/or to disseminate nonschool materials. The Board directs that requests for such utilization from nonschool organizations, groups or individuals shall be governed by this policy.

Authority

The Board recognizes that the school community may benefit from receiving information from nonschool organizations, groups and individuals, provided the dissemination of such information does not interfere with the educational program of the schools. The district's primary responsibility shall be to maintain a safe and orderly school environment and to protect the rights of all members of the school community.

The Board prohibits dissemination of nonschool materials for the purposes of advertisement or promotion by nonschool organizations, groups or individuals during instructional time or at school-sponsored locations or activities not otherwise open to nonschool organizations, groups or individuals.[5][6]

Limitations on Dissemination of Nonschool Materials

Dissemination of nonschool materials shall be prohibited to the extent that they:

1. Violate federal, state or local laws, Board policy or district rules or regulations;

2. Are defamatory, obscene, lewd, vulgar or profane;

3. Advocate for the use or advertise the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/vaping products, alcohol or illegal drugs;

	4. Incite violence, advocate use of force or threaten serious harm to the school or community; 5. Materially and substantially disrupt or interfere with the educational process, such as school activities, school work, discipline, or safety and order on school property or at school functions; 6. Interfere with, or advocate interference with, the rights of any individual or the safe and orderly operation of the schools and their programs; or 7. Violate written district administrative regulations or procedures on time, place and manner for dissemination of otherwise protected expression.
Definitions	For purposes of this policy, **dissemination** shall mean nonschool organizations, groups or individuals distributing or publicly displaying nonschool materials to others: 1. On school property or during school-sponsored activities by placing such materials upon desks, tables, on or in lockers, walls, doors, bulletin boards, or easels; by handing out such materials to other persons; or by any other manner of delivery to others; or 2. At any time or location when creating, posting or sending information using technical or digital resources owned, provided or sponsored by the school district. **Nonschool organizations, groups or individuals** shall mean those entities that are not part of the school program, school-sponsored activities, or organized pursuant to the Pennsylvania School Code or Board policy. When an employee or school director acts on their own behalf or on behalf of a nonschool organization or group, the employee or school director shall be considered a nonschool organization, group or individual for purposes of this policy. Students shall be governed by a separate and distinct Board policy regarding student expression and dissemination of materials.[1] **Nonschool materials** shall mean any printed, technical, digital or written materials, regardless of form, source or authorship, that are not prepared as a part of the curricular or approved extracurricular programs of the district.
Delegation of Responsibility	The Superintendent or designee shall develop administrative regulations to implement this policy.

Guidelines	Nonschool Materials The Board requires that nonschool organizations, groups or individuals who wish to disseminate nonschool materials on school property or through district resources shall submit them to the District school and student events coordinator. The school and student events coordinator shall inform the Superintendent or designee of requests received from nonschool organizations, groups and individuals. Requests for dissemination of nonschool materials through district social media channels shall be addressed through Board policy on district social media.[7] The Board directs that the review and consideration of any activities or nonschool materials requested under this policy shall not discriminate on the basis of content or viewpoint. If approval is granted by the District school and student events coordinator, the nonschool organization, group or individual shall comply with Board policy and administrative regulations, and the district's time, place and manner restrictions for dissemination of materials. Materials issued by nonschool organizations, groups or individuals shall not be disseminated during instructional time or school-sponsored activities. Nonschool Activities Activities sponsored by nonschool organizations, groups or individuals shall not occur during instructional time or school-sponsored activities. Requests by nonschool organizations, groups or individuals to invite or promote student participation in nonschool activities shall comply with Board policy and administrative regulations on dissemination of nonschool materials. Fundraising Fundraising by nonschool organizations, groups or individuals is prohibited on school property or in the name of the school.[8] Directory information for students or staff members shall not be released to nonschool organizations, groups or individuals that seek this information for the purpose of fundraising.[9]

	Scholarships/Awards The Board is appreciative of the generosity of organizations that offer scholarships or awards to deserving students; but, in accepting such offers, the Board directs that established criteria be observed. No information, either academic or personal, shall be released from a student's record for the purpose of selecting a scholarship or award winner without the permission of the student who is eighteen (18), or the parents/guardians of a student who is younger, in accordance with the Board's policy on student records.[9] The scholarship or award, and any pertinent restrictions, shall be approved by the Board. All pertinent information regarding the scholarship or award shall be submitted for review by the building principal or designee prior to the date on which it is to be presented. Legal References 1. Pol. 220 2. Pol. 105 3. Pol. 122 4. Pol. 230 5. 24 P.S. 510 6. 24 P.S. 511 7. Pol. 816 8. 24 P.S. 775 9. Pol. 216 24 P.S. 779 Pol. 113.4 Pol. 907

DISTRIBUTION AND POSTING OF MATERIALS

Nonschool organizations/groups/individuals have the responsibility to act in accordance with Board Policy 913 (Nonschool Organizations/Groups/Individuals), to obey laws governing libel and obscenity, and to be aware of the full meaning of their expression.

Nonschool organizations/groups/individuals have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

These procedures address the distribution and posting of nonschool materials that are not part of the curricular or extracurricular program of the district. Materials sought to be distributed or posted as part of the curricular or extracurricular program of the district will be regulated as part of the district's educational program and are not subject to the time, place and manner provisions set forth herein.

Nonschool organizations/groups/individuals may distribute and/or post nonschool materials, provided that the form of expression and/or the use of public school facilities and equipment is/are in accordance with Policy 913, these procedures and the school dress code, if applicable.

The District has no responsibility to assist nonschool organizations/groups/individuals in or to provide facilities for the distribution or posting of nonschool materials.

Definitions

Distribution means nonschool organizations/groups/individuals issuing nonschool materials to others on school property or during school-sponsored events; placing upon desks, tables, on or in lockers; or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by Policy 913 and these procedures. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by Policy 913 and these procedures.

Nonschool materials means any printed, technological or written materials meant for posting or general distribution that are not prepared as part of the curricular or approved extracurricular program of the district. This includes, but is not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.

Posting means publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; on District-sponsored or student websites; through other district-owned technology and the like. When email, text messaging or other technological delivery is used as a means of posting nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by Policy 913 and these procedures. Off-campus or after hours posting, including technological posting, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by Policy 913 and these procedures.

Unprotected Expression means expressions that are not protected by the right of free expression because such expressions violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, discipline, safety and order on school property or at school functions. While the following list is not intended to be exhaustive, such expression shall not be protected if it:

1. Violates federal, state or local laws, Board policy or district rules or procedures.

2. Is libelous, defamatory, obscene, lewd, vulgar or profane.

3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/nicotine, alcohol or illegal drugs.

4. Incites violence, advocates use of force or threatens serious harm to the school or community.

5. Is likely to or does materially or substantially interfere with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions.

6. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs.

7. Violates written district procedures on time, place and manner for posting and distribution of otherwise protected expression.

Distribution of Nonschool Materials

The distribution by nonschool organizations/groups/individuals of all nonschool materials will be governed by the following procedures:

1. All nonschool materials, together with a copy of the plan of distribution, must be submitted to the building principal and the District school and student events coordinator, who will forward such information to the Superintendent or designee for approval, no later than one (1) week prior to the planned distribution. The plan of distribution will set forth in detail the desired time, place and manner of distribution, as well as those who will be distributing the materials.

2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to distribute such material on school property must provide in writing his/her name, address, telephone number and organization, if any. This information will be filed in the building principal's office.

3. The Superintendent or designee will review the material, determine if it constitutes unprotected expression, and inform the building principal and District school and student events coordinator of his/her decision. The building principal or District school and student events coordinator will notify the student(s) planning to distribute nonschool material of the decision to grant or deny permission to distribute the material as planned. If the decision is to not permit the distribution, the building principal or designee will specify the reasons for the decision and will specify the changes in the content of the material or in the plan of distribution which must be made, if any, in order to secure such permission. If the student(s) desiring to distribute such material make(s) such changes in a

manner satisfactory to the Superintendent or designee prior to the planned distribution, the building principal or District school and student events coordinator may then grant permission to distribute.

4. Any materials that have not been approved for distribution will not be distributed on school property, at school-sponsored functions or on school-provided vehicles.

Time -

If permission is granted, nonschool organizations/groups/individuals may only distribute approved nonschool materials at a time identified by Administration.

Place -

Nonschool materials may not be distributed during any regularly scheduled class unless specifically authorized by the Superintendent or designee.

Manner -

All nonschool materials must bear the district disclaimer.

> DISCLAIMER: THE FREEPORT AREA SCHOOL DISTRICT IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT, SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE DISTRICT'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

Any nonschool organizations/groups/individuals who distributes materials will be responsible for cleaning any litter that results from such distribution, including any discarded pamphlets, fliers or other documents.

No nonschool organizations/groups/individuals will harass or otherwise interfere with the distribution of approved nonschool material by students or other nonschool organizations/groups/individuals, nor may a nonschool organizations/groups/individuals in any way compel or coerce a student or nonschool individuals to accept any materials.

<u>Posting of Nonschool Materials</u>

The posting of all nonschool materials will be governed by the following procedures:

1. All requests to post nonschool materials must be submitted no later than one (1) week prior to the planned posting to the building principal, who will forward such information to the Superintendent or designee for approval.

2. Identification of at least one (1) responsible person representing a nonschool organization/group will be required upon submission for approval. The person wishing to post such material must provide in writing his/her name, address, telephone number and organization, if any. This information will be filed in the building principal's office.

3. The Superintendent or designee will review the material, determine if it constitutes unprotected expression, and inform the building principal or designee of his/her decision. The building principal

or designee will notify the student(s) planning to post nonschool material of the decision to grant or deny permission to post the material as planned. If the decision is to not permit the posting, the building principal or designee will specify the reasons for the decision and will specify the changes in the content of the material, if any, in order to secure such permission. If the student(s) desiring to post such material make(s) such changes in a manner satisfactory to the Superintendent or designee prior to the planned posting, the building principal or District school and student events coordinator may then grant permission to post.

4. Any materials that have not been approved for posting will not be posted on school property.

5. All approved materials will be posted in an area designated by the building principal for nonschool organizations/groups/individuals to post nonschool materials.

6. All material approved to be posted will contain the date it was first posted.

7. All materials approved to be posted must be removed after five (5) school days to assure full access to the bulletin boards.

8. No nonschool organizations/groups/individuals will remove or otherwise interfere with the posting of approved nonschool material by students or other nonschool organizations/groups/individuals.

9. All nonschool materials must bear the district disclaimer.

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FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: RELATIONS WITH INTERMEDIATE UNIT

ADOPTED: August 9, 2017

REVISED:

914. RELATIONS WITH INTERMEDIATE UNIT

1. Authority
SC 901-A, 902-A

Each school district has an opportunity to participate in the services and programs offered by the assigned intermediate unit.

It is the policy of this Board that cooperation and communication be maintained with ARIN Intermediate Unit Number 28 to ensure maximum effectiveness of programs and services.

SC 920-A

The Board shall annually review district programs that involve intermediate unit services and make whatever determinations such a review suggests. This review will normally take place prior to the district's approval of the proposed intermediate unit budget.

SC 910-A

In order to maintain a constructive relationship with the intermediate unit, the Board member elected by the Board is designated as the official liaison between the district and ARIN Intermediate Unit No. 28

2. Delegation of Responsibility

The duties of the Board representative are to ensure that the Board receives necessary information and data that will lead to sound and valid judgments regarding decisions that involve participation by the district in the various programs and services offered by the intermediate unit.

References:

School Code – 24 P.S. Sec. 901-A, 902-A, 910-A, 920-A

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: EDUCATION FOUNDATION

ADOPTED: August 9, 2017

REVISED:

915. EDUCATION FOUNDATION

1. Purpose

It is the purpose of this policy to establish guidelines of operation between the Freeport Area School District Board of School Directors (School Board) and the Freeport Area School District Foundation Board of Trustees (Foundation Board) in order to establish private fundraising to support the educational development of the school-age children residing within the Freeport Area School District. The purpose of this policy shall be to establish guidelines to organize, develop, and administer the private fundraising activities for the Freeport Area School District Foundation.

2. Authority

The School Board authorizes the Superintendent or designee to organize and establish a Foundation and Foundation Board as described within this policy and develop by-laws.

3. Guidelines

The Freeport Area School District Foundation funds are not part of district funds and shall be supervised by the Foundation Board.

The Foundation Board will manage and govern the business and affairs of the Foundation.

Trustees of the Foundation Board will be no less than six (6) appointed members and four (4) ex-officio, nonvoting members: President of the Freeport Area School District School Board or Board Member designee, the Freeport Area School District Superintendent or administrative designee, Business Manager, and School and Student Events Coordinator.

The Foundation Treasurer shall, with the aid of the Foundation President, prepare and present to the Foundation Board a full and complete statement of the business and affairs of the Foundation for the preceding fiscal year. A copy of such report will be supplied to the School Board.

The School Board may accept gifts from the Foundation to the district or request funding for educational endeavors beyond the normal district budget process.

	References: School Code – 24 P.S. Sec. 510, 511

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: SCHOOL VOLUNTEERS

ADOPTED: February 11, 2015

REVISED: July 21, 2015
August 9, 2017
September 13, 2017
August 12, 2021

916. SCHOOL VOLUNTEERS

1. Purpose

The Board values the unique contributions made by parent and community volunteers to the educational programs of the School District. Accordingly, the Board encourages the use of parent and community volunteers, subject to certain requirements and procedures as set forth below.

2. Definitions

Direct contact with children -- The possibility of care, supervision, guidance or control of children by a volunteer and routine interaction with children.

Routine interaction -- Regular and repeated contact that is integral to a person's volunteer responsibilities.

A **volunteer** is any individual who performs a service for the School District without compensation, remuneration or other consideration and who otherwise meets the requirements of this policy. A volunteer must be at least 18 years of age. A volunteer need not be a parent of a student enrolled in the School District. A School District student who serves as equipment manager or assistant athletic trainer or who provides other volunteer assistance in support of a curricular, co-curricular or extra-curricular activity, other than an activity for children who are in the care of a child-care service, is not considered to be a volunteer for purposes of this policy.

A **guest volunteer** is an adult who voluntarily provides a service to the district, who: (1) works directly under the supervision and direction of a school administrator, a teacher or other member of the school staff; and (2) does not have direct contact with children. Examples include, but are not limited to, speakers at school assemblies, ushers at school concerts, collecting tickets at events, working concession stands, participating in "Career Day", etc.

A **program volunteer** is a volunteer who: 1) works under the general direction and supervision of a teacher or administrator employed by the District; and 2) provides direct services to students or may, from time to time, have or may be reasonably expected to have direct contact with children. Examples include: volunteer tutors; volunteers who assist on the coaching staff of an athletic team; volunteer athletic trainers or equipment managers (excluding School District students serving in those capacities); and choreographers,

	musicians and other individuals who provide instruction to students in the marching band or school musical. Final determination of a volunteer's status is the responsibility of the principal or principal's designee.
3. Guidelines	Under no circumstances shall a volunteer be considered an employee or independent contractor of the School District. A volunteer shall not receive wages, salary or other valuable consideration for the performance of his or her services. Holding the position of a volunteer is not a right, but a privilege conferred upon the volunteer by the Board, acting through the building principal of each school within the School District. The School District reserves the right to terminate the services or status of any volunteer at its exclusive discretion. <u>Clearance and Training Requirements</u> A program volunteer shall be required to complete, submit for approval, pay for and file in the office of the school building on whose behalf the volunteer renders such services an Act 34 criminal history report from the Pennsylvania State Police, an Act 114 federal criminal history report and an Act 151 child abuse clearance statement. Once the required clearances are on file with the School District, the program volunteer will be required, on an annual basis, to sign an affirmation that they have not perpetrated or been convicted of any offense that would preclude their employment by the School District under Act 34, Act 114 or Act 151 ("Volunteer Affirmation"). Program volunteers will be required to renew their state and federal criminal history reports and child abuse clearance statement every five years. With the exception of any program volunteer who will participate in student activities that extend beyond a single day and/or occur overnight (in which case the volunteer must in all cases provide a federal criminal history report), a program volunteer shall not be required to obtain and provide a federal criminal history report if: (a) the individual has been a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period or (b) if the individual was not a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period but has obtained a federal criminal history report at any time since establishing residency in the Commonwealth of Pennsylvania and provides a copy of that report to the School District, and submits a Program Volunteer Affidavit affirming that they have not perpetrated or been convicted of any offense that would preclude their employment by the School District under Act 34, Act 114, or Act 151 or Section 6344(C) of the Child Protective Services Law. Program volunteers shall report to the Superintendent or designee, in writing, within seventy-two (72) hours, an arrest or conviction required to be reported by law or notification that the volunteer has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.

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

Failure to accurately report such occurrences may subject the program volunteer to termination of their volunteer status and criminal prosecution.

A guest volunteer is not required to obtain clearances.

Program volunteers having direct contact with children for ten (10) or more hours per week shall undergo a tuberculosis examination in accordance with regulations of the Pennsylvania Department of Health and to furnish such report to the School District prior to performing services for the School District.

Program volunteers shall attend orientation and training sessions, if required or appropriate to the nature of their volunteer service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which volunteers should also receive that training.

Child Abuse Reporting

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

Role of Volunteers

The role of volunteers is to assist, but not replace or assume the professional or paraprofessional responsibilities or authority of, the School District staff. Volunteers shall not provide regular instruction or educational training to students enrolled in the School District.

Under no circumstances shall volunteers be permitted to administer or enforce discipline upon students enrolled in the School District.

Volunteers shall follow all applicable administrative procedures established pursuant to this policy and shall follow all other rules, regulations and administrative guidelines concerning the conduct of the professional and paraprofessional staff of the School District including all of the requirements of the Family Education Rights and Privacy Act (FERPA); provided, however that such rules, regulations and administrative procedures and guidelines shall not be deemed to expand the responsibility, authority or scope of activity applicable to volunteers under this policy.

Except in the case of an emergency, volunteers shall not administer first aid or other medical assistance to students.

	Except as specifically authorized by the Board on a case by case basis, volunteers shall not be permitted to operate any motor vehicles owned by or under the control of School District, and volunteers shall not be permitted to transport students by motor vehicle in support of any school program. <u>Confidentiality</u> No volunteer shall be permitted to access, review, disclose, or use confidential student information, or participate in conversations in which confidential student information is discussed. Examples of such information include, but are not limited to, the following: grades or other measures of academic performance, class standing, standardized or other test scores, attendance records, disciplinary history, intelligence test scores, personality and interest test scores, individualized education plans, health data, family background information, teacher or counselor ratings and observations, and any other verified or unverified information contained in a student's file maintained by the teachers, administrators or schools within the School District. If volunteers have questions about the confidentiality of student information, they are encouraged to consult with the building principal and/or review Section 216 (Student Records) of the School District's Policy and Regulation Manual. Each volunteer shall keep strictly confidential all information he or she may learn, during the course of performing services, about the students enrolled in the School District.
4. Delegation of Responsibility	Each school within the School District shall adopt its own administrative procedures for the recruitment, selection and assignment of volunteers; provided, however, that the following minimal requirements shall apply to all such procedures: a. Each building principal or designee shall be responsible for training the volunteers to perform the specific duties associated with their assignments. b. Each building principal or designee shall assume general authority and responsibility over the volunteers performing services of any kind at or on behalf of the school, including, without limitation, the responsibility for overseeing the filing of criminal history reports and child abuse clearance statements. c. No such procedures adopted by the schools within the School District shall be inconsistent with the terms and conditions of this policy. d. All such procedures adopted by the schools within the School District shall be subject to the approval of the Superintendent. e. Program volunteers assisting with the coaching or supervision of athletic teams, the marching band or the school musical must be approved in advance by the Board of School Directors. f. Each volunteer shall affirm in writing that he or she has been provided with a copy of, has read, understands and agrees to comply with this policy.

Freeport Area School District

Program Volunteer Affidavit

(*This form may be completed in lieu of the requirement that a program volunteer submit an FBI/Act 114 clearance,* ***if the volunteer has resided in Pennsylvania for 10 or more years or, if less than ten-year residency, previously obtained a federal criminal history report since residing in Pennsylvania***)

Name: _____ Phone Number: _____

Address: _____

This Program Volunteer Affidavit is for persons seeking to serve as program volunteers (as defined in District Policy No. 916) within the Freeport Area School District and who have been residents of the Commonwealth of Pennsylvania during the entirety of the previous 10-year period or, if less than ten-year residency, previously obtained a federal criminal history report since residing in Pennsylvania which is submitted herewith. In lieu of the provision of a federal criminal history report otherwise required by Policy No. 916, applicants may provide the District with the Required Documentation stated below and execute the Affidavit (before a notary public) prior to serving as a program volunteer.

REQUIRED DOCUMENTATION:

1. A report of criminal history record information from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no such information relating to you; and

2. A certification from the Department of Human Services of the Commonwealth as to whether you are named in the Statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded report or an indicated report.

AFFIDAVIT:

Before me, the undersigned Notary Public, personally appeared _____, who, known to me (or satisfactorily proven) and being duly sworn according to law, deposes, affirms and states the following:

1. I have been a resident of this Commonwealth during the entirety of the previous ten-year period; or

   I established residency within the Commonwealth on _____ and subsequently obtained a federal criminal history report that is submitted herewith.

2. I am not disqualified from service pursuant to 23 Pa.C.S. § 6344(c) or 24 P.S. § 111 (see offenses listed on reverse hereof) and have not been convicted of an offense similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

AND FURTHER AFFIANT SAYETH NOT.

_____

Sworn to and subscribed before me this _____ day of _____, 20_____.

_____
Notary Public

My Commission expires:

Grounds for denying volunteer participation in program, activity or service.

1. An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

   a. Chapter 25 (relating to criminal homicide).
   b. Section 2702 (relating to aggravated assault).
   c. Section 2709 (relating to stalking).
   d. Section 2901 (relating to kidnapping).
   e. Section 2902 (relating to unlawful restraint).
   f. Section 2910 (relating to luring a child into a motor vehicle or structure).
   g. Section 3121 (relating to rape).
   h. Section 3122.1 (relating to statutory sexual assault).
   i. Section 3123 (relating to involuntary deviate sexual intercourse).
   j. Section 3124.1 (relating to sexual assault).
   k. Section 3124.2 (relating to institutional sexual assault).
   l. Section 3125 (relating to aggravated indecent assault).
   m. Section 3126 (relating to indecent assault).
   n. Section 3127 (relating to indecent exposure).
   o. Section 3129 (relating to sexual intercourse with animal).
   p. Section 4302 (relating to incest).
   q. Section 4303 (relating to concealing death of child).
   r. Section 4304 (relating to endangering welfare of children).
   s. Section 4305 (relating to dealing in infant children).
   t. A felony offense under Section 5902(b) (relating to prostitution and related offenses).
   u. Section 5903(c) or (d) (relating to obscene and other sexual materials).
   v. Section 6301 (relating to corruption of minors).
   w. Section 6312 (relating to sexual abuse of children).
   x. Section 6318 (relating to unlawful contact with minor).
   y. Section 6319 (relating to solicitation of minors to traffic drugs).
   z. Section 6320 (relating to sexual exploitation of children).

2. An offense designated as a felony under the act known as The Controlled Substance, Drug, Device and Cosmetic Act (the Act of April 14, 1972 (P.L. 233 No. 64)).

3. An offense similar in nature to those crimes listed in paragraphs 1 and 2 under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation or under a former law of the Commonwealth of Pennsylvania.

Freeport Area School District

Volunteer Acknowledgement

(to be completed and signed by all Freeport Area School District volunteers prior to commencing service)

I hereby affirm that I have been provided with a copy of, have read, understand and agree to comply with the Freeport Area School District Policy No. 916 (School Volunteers).

_____

Signature

_____

Printed Name

_____

Date

Freeport Area School District

Program Volunteer Affirmation

(to be completed and signed by all Program Volunteers annually)

I hereby affirm that I have not perpetrated or been convicted of any offense that would preclude my employment as a volunteer by the Freeport Area School District under Act 34, Act 114 or Act 151.

_____

Signature

_____

Printed Name

_____

Date

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PARENTAL/FAMILY INVOLVEMENT

ADOPTED: August 9, 2017

REVISED:

917. PARENTAL/FAMILY INVOLVEMENT

1. Purpose

The Board recognizes the vital role parents/guardians and family play in the education, welfare and values of their children. The district is committed to the belief that all students can learn and acknowledges that schools and families share a commitment to the educational success of students.

2. Definition

Parental and family involvement shall be defined as an ongoing process that assists parents/guardians and families to meet their basic obligation as a child's first educator, promotes clear two-way dialogue between home and school, and supports parents/guardians as leaders and decision-makers concerning the education of their children at all levels.

3. Authority

The Board recognizes that the responsibility for each student's education is shared by the school and the family and acknowledges that schools and families must work as knowledgeable, cooperative partners to effectively educate all students. To this end, the Board shall support the development, implementation, and continuing evaluation of a parental and family involvement program that will involve parents/guardians at all grade levels in a variety of roles.

4. Delegation of Responsibility

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parental involvement efforts, including, but not limited to, input from parents/guardians and district staff on the adequacy of parental involvement opportunities and barriers that may inhibit parent/guardian participation.

5. Guidelines

Because parents/guardians are familiar with the needs, problems and abilities of their children, staff should communicate with and seek their input throughout the school year.

The parental and family involvement program may include the following:

1. Support for parents/guardians as school leaders and decision-makers, in addition to serving in advisory roles.

	2. Promotion of clear two-way communication between the school and the family about school programs and student progress. 3. Assistance to parents/guardians and families in developing parenting skills to foster positive relationships at home, to support children's educational efforts, and to assist their children with learning at home. 4. Involvement of parents/guardians, with appropriate training, in instructional and support roles at the school. **References**: School Code – 24 P.S. Sec. 510

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: TITLE I PARENT AND FAMILY ENGAGEMENT

ADOPTED: August 9, 2017

REVISED: March 22, 2018
August 8, 2018
October 8, 2025

918. TITLE I PARENT AND FAMILY ENGAGEMENT

Purpose

The Board recognizes that meaningful parent and family engagement contributes to the achievement of state academic standards by students participating in Title I programs. The Board views the education of students as a cooperative effort among the school, parents and family members, and community.[1][2]

Definition

Parent and Family (Family Member) - these terms are used interchangeably and shall include caregivers, a legal guardian or other person standing in loco parentis such as a grandparent or stepparent with whom the child lives, a person who is legally responsible for the child's welfare, or a legally appointed Education Decision Maker of a child participating in a Title I program.

Authority

The Board directs the district and each of its schools with a Title I program to:[1]

1. Conduct outreach to all parents and family members.
2. Include parents and family members in development of the district's overall Title I Plan and process for school review and improvement.[3]
3. Include parents and family members in the development of the Title I Parent and Family Engagement Policy. Following adoption of the policy by the Board, the policy shall be:
    a. Distributed in writing to all parents and family members.
    b. Incorporated into the district's Title I Plan.[3]
    c. Posted to the district's publicly accessible website.[4]
    d. Evaluated annually with parent and family involvement.

	4. Provide opportunities and conduct meaningful collaborations with parents and family members in the planning and implementation of Title I programs, activities and procedures. Accessibility The district and each of its schools with a Title I program shall provide communications, information and school reports to parents and family members who are migrants or who have limited English proficiency, a disability, limited literacy, or racial and ethnic minority backgrounds, in a language they can understand.[1][5]
Delegation of Responsibility	The Superintendent or designee shall ensure that the district's Title I Parent and Family Engagement Policy, plan and programs comply with the requirements of federal law.[1][3] The Superintendent or designee shall ensure that the district and its schools with Title I programs provide opportunities for the informed participation of parents and family members by providing resources, information and school reports in an understandable and uniform format or, upon request, in another format. Such efforts shall include: 1. Providing communications in clear and simple language. 2. Posting information for parents and family members on the district's website. 3. Including a telephone number for parents and family members to call with questions. 4. Partnering with community agencies which may include libraries, recreation centers, community-based organizations and faith-based organizations to assist in sharing information. 5. Provide language access services to families with limited English proficiency through on-site or telephonic translation and interpretation services, as appropriate.[5] The building principal and/or Title I staff shall notify parents and family members of the existence of the Title I programs and provide: 1. An explanation of the reasons supporting their child's selection for the program. 2. A set of goals and expectations to be addressed. 3. A description of the services to be provided.

	4. A copy of this policy and the School-Parent and Family Compact.[1] Parents and family members shall actively carry out their responsibilities in accordance with this policy and the School-Parent and Family Compact. At a minimum, parents and family members shall be expected to:[1] 1. Volunteer in their child's classroom.[6] 2. Support their child's learning. 3. Participate, as appropriate, in decisions relating to the education of their child and positive use of extracurricular time.
Guidelines	Each district school operating a Title I program shall hold an annual meeting of parents and family members at a convenient time, to explain the goals and purposes of Title I programs and to inform them of their right to be involved. Parents and family members shall be given the opportunity to participate in the design, development, operation and evaluation of the program. Parents and family members shall be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs.[1] The schools with Title I programs shall offer a flexible number of meetings which shall be held at various times of the morning and evening. Title I funds may be used to enable parent and family member attendance at meetings through payment of transportation, child care costs or home visits.[1] The schools shall involve parents and family members in an organized, ongoing and timely way, in the planning, review and improvement of Title I programs, the Title I Parent and Family Engagement Policy and the joint development of the Title I Plan.[1][3] At these meetings, parents and family members shall be provided:[1] 1. Timely information about programs provided under Title I. 2. Description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the achievement levels of the academic standards. 3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.

	To ensure the continuous engagement of parents and family members in the joint development of the Title I Plan and with the school support and improvement process, the district shall: Establish meaningful, ongoing two-way communication between the district, staff and parents and family members. Communicate with parents and family members about the plan and seek their input and participation through the use of newsletters, the district website, email, telephone, parent and teacher conferences, and home visits if needed. Train personnel on how to collaborate effectively with parents and family members with diverse backgrounds that may impede their participation, such as limited literacy or language difficulty. Analyze and share the results of the Title I Parent/Family Survey. Post school performance data on the district's website. Distribute and discuss the School-Parent and Family Compact. Host various parent and family nights at each school building with a Title I program. Establish and support active and engaged Title I parent and family advisory councils. The council will include a majority of parents and family members of students participating in Title I programs, as well as the building principal, teachers or other appropriate staff, students and community members. The purpose of the council shall be to focus on improved student achievement, effective classroom teaching, parent/family/community engagement in the educational process, and to facilitate communications and support. Actively recruit parents and family members to participate in school review and improvement planning. Assign district representatives to be available to work collaboratively with parents and family members, and to conduct school-level trainings to promote understanding of school data, comprehensive plans and the budgeting process. Invite participation of parents and family members at the regular comprehensive planning committee meetings, Title I budget meetings and school improvement plan meetings to obtain input and propose school improvement initiatives. If the Title I Plan is not satisfactory to parents and family members, the district shall submit any parent or family member comments with the plan when the school makes the plan available to the Board.[1][3]

Building Capacity for Parent and Family Engagement

The district shall provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family involvement activities to improve academic achievement and school performance through:[1]

1. Providing assistance to parents and family members in understanding such topics as the academic standards, state and local academic assessments, the requirements of parent and family involvement, how to monitor a child's progress and work with teachers to improve the achievement of their children.[2][7]

2. Providing material and training to help parents and family members work with their children to improve academic achievement and to foster parent and family engagement, such as:

    a. Scheduling trainings in different locations on a variety of topics including how to support their child in school, literacy, school safety, cultural diversity and conflict resolution.

    b. Using technology, including education about the harms of copyright piracy, as appropriate.[8]

    c. Providing information, resources and materials in a user friendly format.

    d. Providing, as requested by a parent or family member, other reasonable support for parent and family engagement activities.

3. Educating teachers, specialized instructional support personnel, principals and other school leaders and staff, with the assistance of parents and family members, on the value and usefulness of contributions of parents and family members and in how to reach out to, communicate with, and work with them as equal partners, implement and coordinate parent and family programs, and build ties between parents and family members and the school.[9]

4. To the extent feasible and appropriate, coordinating and integrating Title I parent and family involvement efforts and activities with other federal, state and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents and family members in more fully participating in the education of their children.[1][5][10][11][12][13][14][15]

5. Engage the PTA/PTO to actively seek out and involve parents and family members through regular updates, information sessions and assistance with the identification of effective communication strategies.

6. Train parents and family members to enhance the involvement of other parents and family members.

7. Adopt and implement model approaches to improving parent and family engagement.

8. Establish a district-wide parent and family advisory council to provide advice on all matters related to parent and family engagement in Title I programs.

9. Engage community-based organizations and businesses in parent and family engagement activities.

Coordinating Parent and Family Engagement Strategies

The district shall coordinate and integrate Title I parent and family engagement strategies with other parent and family engagement strategies required by federal, state, and local laws by:[1][5][10][11][12][13][14][15]

1. Involving district and program representatives to assist in identifying specific parent and family member needs.

2. Sharing data from other programs to assist in developing initiatives to advance academic achievement and school improvement.

Annual Parent and Family Engagement Policy Evaluation

The district shall conduct, with meaningful participation of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of all district schools with a Title I program.[1]

The evaluation shall identify:[1]

1. Barriers to parent and family member participation, with particular attention to those who are migrants, are economically disadvantaged, have a disability, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority.

2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers.

3. Strategies to support successful school and parent and family interactions.

The evaluation shall be conducted through:

Establishment of a schedule and process for the policy review and revision by parents and family members.

An evaluation of the effectiveness of the content and communication methods through a variety of methods.

A parent and family member and teacher survey designed to collect data on school level and district-wide parent and family engagement outcomes.

Focus groups. Parents and family members, and community members, unable to attend the focus groups in person shall have an opportunity to participate in an alternate format.

Documentation of parent and family member input regarding Title I programs and activities from throughout the year.

A parent and family advisory council comprised of a sufficient number and representative group of parents and family members to adequately represent the needs of the district's Title I population.

The district shall use the findings of the annual evaluation to design evidence-based strategies for more effective parent and family engagement, and to revise, if necessary, the district's Title I Parent and Family Engagement Policy.[1]

School-Parent and Family Compact

Each school in the district receiving Title I funds shall jointly develop with parents and family members a School-Parent and Family Compact outlining the manner in which parents and family members, the entire school staff and students will share responsibility for improved student academic achievement and the means by which the school and parents and family members will build and develop partnerships to help children achieve the state's academic standards. The compact shall:[1]

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment, enabling students in Title I programs to meet the academic standards.

2. Describe the ways in which parents and family members will be responsible for supporting their child's learning; volunteering in the classroom; and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time.[6]

3. Address the importance of ongoing two-way, meaningful communication between parents/family members and teachers through, at a minimum, annual parent-teacher conferences at the elementary level, frequent reports to parents and family members on their child's progress, reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.[6]

	Title I Funds Unless exempt by law, the district shall reserve at least one percent (1%) of its Title I funds to assist schools in conducting parent and family engagement activities. Parents and family members shall be involved in the decisions regarding how the Title I reserved funds are used for parent and family engagement activities.[1] Not less than ninety percent (90%) of the reserved funds shall be distributed to district schools with a Title I program, with priority given to high need schools. The district shall use the Title I reserved funds to conduct activities and strategies consistent with this policy, including:[1] Supporting schools and nonprofit organizations in providing professional development for the district and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.[9] Supporting programs that reach parents and family members at home, in the community, and at school. Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members. Collaborating or providing subgrants to schools to enable such schools to collaborate with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement. Engaging in any other activities and strategies that the district determines are appropriate and consistent with this policy. Documentation of Parent and Family Engagement Practices Documentation to track the implementation of this policy is an essential part of compliance and may include, but not be limited to, sign–in sheets at workshops, meetings and conferences; schedules, training and informational materials; communications and brochures; and meeting notes.

	Legal References: 1. 20 U.S.C. 6318 2. Pol. 102 3. 20 U.S.C. 6312 4. 24 P.S. 510.2 5. Pol. 138 6. Pol. 916 7. Pol. 127 8. Pol. 814 9. Pol. 333 10. 20 U.S.C. 7845 11. 29 U.S.C. 3271 et seq. 12. 29 U.S.C. 701 et seq. 13. 42 U.S.C. 11301 et seq. 14. 42 U.S.C. 9831 et seq. 15. Pol. 212

Freeport Area School District

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Title I Local Educational Agency Parent and Family Engagement Policy

All Local Educational Agencies (LEA) receiving Title I funds are required under Section 1116 of Every Student Succeeds Act (ESSA) to develop a written Parent and Family Engagement Policy for the LEA.

ESSA states that the LEA Parent and Family Engagement Policy must be jointly developed with parents and family members, incorporated into the LEA Plan (Consolidated Application), and distributed to parents of participating children in a format and language that all parents can understand. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents and family members of participating children.

The policy must be:

- developed jointly with and agreed upon by parents and family members of Title I children;
- written in an understandable format and provided in a language parents can understand;
- distributed to all parents and family members if TItle I children;
- made available to the local community; and
- updated annually to meet the challenging needs of parents, family members, and the school.

The Freeport Area School District (FASD) **involves parents and family members in the joint development of the TItle I Plan** (Title I Application/ Schoolwide Plan - South Buffalo Elementary) (ESSA, Section 1116(a)(2)(A)).

- FASD has an established **Parent Advisory Committee** of parent volunteers who meet six (6) times per year to reflect on academic achievement, school climate, attendance, extracurricular activities, District and School level goals, programming offered to students, staff, and families, etc.
    - Strengths, challenges, and possible solutions are discussed as a team
- In late May, the FASD Parent Advisory Committee meets jointly with the FASD Title I Planning Committee to conduct an **annual meeting to review**:
    - Title IA programming; allocations

- Title II and Title IV funding; allocations
  - Option of transferability to Title IA
- Collaborative practices with parent and family engagement
  - Potential reservation of funds for parent and family engagement
  - Review and revise the LEA Level Parent and Family Engagement Policy
  - Review and revise the School Level Parent and Family Engagement Policy
  - Review and revise school-parent-student compact
  - Discuss parent and Family Engagement events and opportunities

- **Title I Schoolwide Plan** and the goals of the previous year. During this meeting achievement data, behavioral data, and perceptual data is reviewed with the committee and focus area recommendations are determined.

- Parental input is requested **through surveys** and during the **annual Fall Title I Parent and Family Information Meeting** held in September. At this evening meeting, parents will learn about the Title I program, and are able to discuss/ record any feedback they would like to share regarding the following topics:
  - Parent and Family Engagement Policy (LEA Level and School Level)
  - Parent and Family Engagement opportunities
  - School-Parent-Student Compact revisions
  - Grade level curriculum and assessments
  - Special education items
  - English Language Arts, Mathematics, ans Science interventions and resources
  - Educational websites and technology integration
  - Community and School initiatives and resources
  - STREAMM programming
  - Title II and IV funding
  - SEL programing and student support services
  - Multi-Tiered System of Supports (MTSS)
  - Ways to assist your child at home
  - Positive Behavior Interventions and Supports (PBIS) programming
- In **June**, the FASD Title I Planning Committee conducts a meeting to review any feedback and **finalize the Title I Schoolwide Plan** to be submitted no later than the deadline of September 1st. The FASD Title I Planning Committee aims to have the Title I Schoolwide plan submitted by the end of June to coincide with the

submission of the Consolidated Application, so that a July 1st start date is achieved.

The Freeport Area School District **involves parents and family members in the process of school review and improvement** (ESSA, Section 1116(a)(2)(A)).

- The **Parent Advisory Committee** meets six (6) times per year to reflect on academic achievement, school climate, attendance, extracurricular activities, District and School Level Goals, etc.
- In **December, February, late March/ early May, and late May/ early June**, FASD's Title I Planning Committee meets to review student achievement data, behavioral data, and perceptual data from surveys, anecdotal notes, and observational notes to **reflect on and and monitor the quarterly Title I Schoolwide Plan measurable goals and action plan**. This information is completed in the Future Ready Comprehensive Planning Portal.
- Parental input is requested through **annual surveys and during the annual Fall Title I Family Information Meeting.**

The Freeport Area School District **provides technical assistance and support to schools in planning and implementing effective parent and family engagement activities** to improve student academic achievement and school performance (ESSA, Section 1116(a)(2)(B)).

- **Parent and Family Engagement Policies** (LEA and School Level) are developed collaboratively with school staff and parents. These policies are sent home or emailed to families during the first weeks of school, posted on the district website, and highlighted/ distributed to parents at the annual Fall Title I Family Information Meeting.
- During **planning meetings and at the annual Fall Title I Family Information Meeting**, parents are informed of their rights to be involved and their right to participate on the planning committees or Parent Advisory Committee.
- The **district website** has a Title I menu with numerous academic resources and links to educational websites, meeting agendas, and training materials.
- **Blackboard Connect** is used at the district and school level ro highlight and promote school events and activities.
- **PTO** actively encourages parents to volunteer by collaborating with building leadership to schedule activities which require active family participation.

The Freeport Area School District **will coordinate and integrate parent and family engagement strategies** with other federal, state, and local laws and programs (ESSA, Section 1116(a)(2)(C)).

- Collaborate with our partners at the **ARIN Intermediate Unit 28, Early Learning Connections, PaTTAN, and other local community resource groups** to bring parent and family programming to the schools.
- Collaborate with the building level **Parent Teacher Organization** to coordinate parent and family engagement events.
- Discuss **Title IIA and Title IVA funding** with the Title I Planning Committee and the Parent Advisory Committee to obtain feedback and input on planning.
- Conduct a **kindergarten registration program and associated transition activities** and parent/ student readiness trainings for both district families and local preschool programs and families.

The Freeport Area School District **conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and the effectiveness of the parent and family engagement policy** in improving the academic quality of all schools including identifying

- ☐ Barriers to greater participation by parents and family members, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
- ☐ The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers and strategies to support successful school and family interactions (ESSA, Section 1116(a)(2)(D)(i-iii).

- At the **annual Fall Title I Information Meeting**, the Parent and Family Engagement Policies (LEA and School Level) will be presented and reviewed with parents for feedback and input.
- The **annual parents and family engagement survey** will be reviewed for feedback regarding academics, barriers, and needs.
- Any pertinent and relevant topics gleaned from the **Parent Advisory Committee Meetings or Schoolwide Title I Planning Committee Meetings** will also be considered as they pertain to improving the academic quality of the schools in FASD.

The Freeport Area School District **will use the findings of the annual evaluation to design evidence-based strategies for more effective parent and family involvement,** and revise, if necessary, the Parent and Family Engagement Policy (ESSA, SEction 1116(a)(2)(E)).

- Review the recommendations from past meetings and surveys, and make revisions to the Parent and Family Engagement Policies (LEA and School Level),

as determined by theTitle I Schoolwide Planning Committee and Parent Advisory Committee.

- Support schools in providing professional development regarding parent and family engagement strategies.
- Support programs that reach parents and family members at home, in the community, and at school.
- Distribute information on best practice focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

The Freeport Area School District **involves parents and family members in the activities of the school, which may include establishing a parent advisory board composed of a sufficient number and representative group of parents or family members** to adequately represent the needs to the population; revising; and reviewing the Parent and Family Engagement Policy (ESSA, SEction 1116(a)(2)(F)).

- FASD has an established **Parent Advisory Committee and Title I Schoolwide Planning Committee** who meet six (6) times per year to reflect on academic achievement, school climate, attendance, extra curricular activities, school programming, and parent and staff engagement/ training opportunities, etc.
- **Parents and family members are surveyed** each year and have the opportunity to indicate their interest in participating on various committees and other involvement activities.
- **Parent Teacher Organization (PTO)** membership and attendance at monthly meetings is encouraged and promoted.
- Parents are encouraged to obtain their **volunteer clearances** and assist at different school events, programs, classroom celebrations, and co-curricular and extra curricular activities. The district will provide assistance to parents in obtaining clearances by posting information on the process and what is required on the district website, explaining the process at PTO meetings, and providing technology assistance to those families who need it.

South Buffalo Elementary

562 Freeport Road, Freeport, PA 16229

Title I School Level Parent and Family Engagement

The Title I Parent and Family Engagement section of the Every Student Succeeds Act (ESSA), Section 1116(b) requires each Title I school to develop a written parent and family engagement policy that describes the means for carrying out the requirements of Section 1116. The school must ensure that information related to school and parent programs, meetings, and other activities are sent to the parents of Title I children in a format and in a language the parents can understand.

The policy must be:

- developed jointly with and agreed upon by parents and family members of Title I children;
- written in an understandable format and provided in a language parents can understand;
- distributed to all parents and family members if TItle I children;
- made available to the local community; and
- updated annually to meet the challenging needs of parents, family members, and the school.

South Buffalo Elementary involves parents and family members in the planning, review, and improvement of the school's Parent and Family Engagement Policy (ESSA, Section 1116(b)(1)).

- As a component of the Schoolwide Title I planning process, parents are involved in the development/revision/update to the Parent and Family Engagement Policy. A committee is formed (South Buffalo Title I Schoolwide Planning Committee/ Parent Advisory Committee) consisting of the Building Principal, special Services Coordinator, regular education teachers, special education teachers, instructional specialists, parent volunteers, and community member volunteers. The Committee meets six (6) times per year. One of the established meetings (June) is reserved for the review of the existing plan, making revisions, and updating the engagement policy to meet the needs of the parents and school.

South Buffalo Elementary convenes an annual meeting, at a convenient time:
- which all parents and family members of participating children are invited, and encouraged to attend;

- to inform parents and family members of their school's participation as a Title I school; and
- to explain the requirements and the rights of parents and family members to be involved (ESSA, Section 1116(c)(1)).

- Each school year will begin with an opening informational meeting in September (Annual Fall Title I Informational Meeting) where the teachers and administrators are present to discuss the Schoolwide Title I program and explain the processes. Parents will be provided with a description and explanation of the curriculum in use at the school, the forms of academic assessments used to measure student progress, the MTSS process used to provide students with the support they need to succeed, and the achievement levels of the challenging state academic standards. The Title I Schoolwide Plan is reviewed and parents are encouraged to provide feedback, suggestions, and are invited to join the Title I Schoolwide Planning Committee/ Parent Advisory Committee. All parents are invited and encouraged to attend the meeting. In addition, an annual survey/ needs assessment is sent to all parents.

South Buffalo Elementary offers a flexible number of meetings, in the morning and/ or the evening (ESSA, Section 1116(c)(2)).

- Based upon the results of the parents' needs assessment, meetings are scheduled in the evening, during the school day, or in the morning prior to the start of the school day in order to maximize parent participation. Title I funds may be reserved in the budget for facilitation of parent engagement activities, as detailed in the Consolidated Application. The meetings will take place at South Buffalo Elementary in the auditorium, cafeteria, library, POD areas, or individual classrooms based on the number of attendees and the particular topic addressed.

South Buffalo Elementary involves parents, in an organized, and timely way, in the planning, review, and improvement of the Title I program, including the planning, review, and improvement of the school's parent and family engagement program (ESSA, Section 1116(c)(3)).

- Parents are involved in the development/revision/update to the overall schoolwide Title I plan, which includes the revision and improvement of the Parent and Family Engagement Policy. A committee is formed (Title I Schoolwide Planning Committee/ Parent Advisory Committee) consisting of the Building Principal, special Services Coordinator, regular education teachers, special education teachers, instructional specialists, parent volunteers, and community

member volunteers. Meetings are held during the school year to review the existing plan, make revisions, and update the plan (including goals, action plans, professional development, and parent engagement activities) based upon the comprehensive need assessment. Parents are also involved through the committee, for the purpose of revising the Parent and Family Engagement Policy, School-Parent-Compact, and other related Title I forms. The committee meets six (6) times during the school year with a designated meeting allotted for the review and revision of forms, including the School's Parent and Engagement Policy.

South Buffalo Elementary provides parents of participating children with timely information about the Title I program (ESSA, Section 1116(c)(4)(A)).

- Aside from the annual Fall Title I parent information meeting at the onset of the school year (September), South Buffalo Elementary School will notify parents of available parent involvement activities, workshops, and trainings via letters, flyers, notes, emails/ text messages via Blackboard Connect, Title I and School website postings, and social media (Facebook and X). Teachers will routinely send home materials as guided practice with directions for the parents to participate, as well as online resources that can foster involvement. The school will offer assistance to parents and family members on how to monitor a child's progress and work with teachers to improve the achievement of their children. Materials and trainings will be provided to parents in the areas of structured literacy, math, and the use of technology to encourage involvement.

South Buffalo Elementary provides parents of participating children with a description and explanation of the curriculum in use at the school, the forms of academic assessments used to measure student progress, and the achievement levels of the challenging State academic standards (ESSA, Section 1116(c)(4)(B)).

- During the annual Fall Title I informational meeting at the onset of the school year (September), the building principal provides parents and family members with a description of the curriculum used at the school, as well as the forms of academic assessments used to measure student progress, such as PSSA, NWEA MAP, DIBELS, and other formative/ diagnostic assessments. At this meeting, the building principal also reviews the school's prior year scores on the PSSA for ELA, Math, and Science.

South Buffalo Elementary will provides, 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 suggestions as soon as practically possible (ESSA, Section 1116(c)(4)(C)).

- In addition to the annual fall Title I parent information meeting at the onset of the school year (September), opportunities for regular meetings to formulate suggestions and participate in decisions relating to the education of their children occur during the six (6) scheduled Title I Schoolwide Planning Committee/ Parent Advisory Committee sessions, parent trainings and workshops, open house, needs assessments surveys, and parent-teacher conferences during the school year. The building principal and the teaching staff are also available by appointment as needed to discuss with parents any topic related to the education of their children.

South Buffalo Elementary School involves parents and family members in the joint development of the Schoolwide Program Plan under Section 1114 per ESSA (ESSA 1116(5)), as South Buffalo Elementary operates a Schoolwide Program.

- Parents and family members are involved in the joint development of the Schoolwide Program Plan through an invitation to join both the South Buffalo Elementary Title I Schoolwide Planning Committee, as well as the South Buffalo Elementary Parent Advisory Committee. Six (6) meetings are held to develop the plan for the upcoming school year consisting of goal development based upon a teacher and parent needs assessment, plan professional development for the staff with parent input, create parent involvement opportunities through trainings and workshops, and review, revise, and create required Title I forms, such as the School-Parent-Student Compact and School Level Parent and Family Engagement Policy.

South Buffalo Elementary creates a School-Parent-Student Compact jointly with with parents and family members, and the compact outlines how parents, the entire school staff, and students will share in the responsibility for improved student academic achievement, and the means by which the school and the parents will build and develop partnerships to help children achieve the State's high standards. The South Buffalo Elementary School-Parent-Student Compact:

- describes the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables children served in Title I programs to meet the challenging state academic standards, and the ways in which each parent and family member will be

responsible for supporting their children's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time (ESSA, Section (d)(1)); and

- address the importance of communication between teachers and parents and family members on an ongoing basis through, at a minimum:
    - parent-teacher conferences with parents and family members in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;
    - frequent reports to parents and family members on their children's progress;
    - reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and ensuring regular two-way, meaningful communication between parents and family members and school staff, and, to the extent practicable, in a language that parents and family members can understand (ESSA, Section 1116(d)(2)(A-D)).

- The South Buffalo School-Parent-Student Family Compact is developed jointly with parents and family members during the Schoolwide Title I Planning process through the work of the Schoolwide Title I Planning Committee/ Parent Advisory Committee. All parents will receive a copy of the collaboratively developed School-Parent-Student Compact on the first day of school as part of the Title I informational resources sent via Blackboard email. The compact will outline how parents, the entire school staff, and students will share in the responsibility for improved student academic achievement and the means by which the school and the parents will build and develop partnerships to help children meet the State's high academic standards. The compact, along with all other Title I documents, procedures, policies, and resources will be posted on the District's Title I website as well.
- Parent Conferences are held for all students at least once a year, and additional parent conferences are held for parents whose children require additional services, or who are struggling academically at the request of the school, or at the request of the parent at any point deemed necessary. The school schedules evening conference hours, as well as daytime hours. During this time, teachers review the academic standards, the child's present level of instruction, assessments scores (i.e. DIBELS, NWEA MAP), as well as teacher crafted assessments and instructional strategies. In addition to the scheduled conference dates, the school's reading specialist, RtII specialist, counselor, and

building principal are available upon request to meet with parents to further review progress.

- Numerous opportunities exist to volunteer in the classroom and at school functions, provided parents possess the required clearances. The school will provide direction and assistance to parents to obtain said clearances. The South Buffalo Elementary School will notify parents of available parent involvement activities and will work with them to provide accommodations.

South Buffalo Elementary provides assistance to parents and family members in understanding the challenging state academic standards, state and local academic assessments, and how to monitor a child's progress and work with teachers to improve the achievement of their children (ESSA, Section 1116(6)(e)(1)).

- Assistance to parents and family members will be provided by the staff of South Buffalo Elementary School through various meetings, conferences, and distribution of resources and materials including, and not limited to: the annual Fall Title I parent meeting (September), parent-teacher conferences, workshops and parent trainings, parent advisory committee meetings, Schoolwide Title I planning committee meetings, website postings, and through the use of the Schoology platform. Teachers will routinely send home materials as guided practice with directions for the parents to participate, as well as online resources that can foster involvement. The school will offer assistance to parents and family members on how to monitor a child's progress and work with teachers to improve the achievement of their children. Materials and trainings will be provided to parents in the areas of literacy and the use of technology to encourage involvement.

South Buffalo Elementary provides materials and training to help parents and family members to work with their children to improve their children's achievement, such as literacy training and using technology including education about the harms of copyright piracy, as appropriate, to foster parent and family involvement (ESSA, Section 1116(6)(e)(1)).

- Workshops are offered in the evening each school year by appropriate school personnel to provide materials and trainings to parents and family members to improve their children's academic performance. Literacy training and the use of technology to facilitate educational growth workshops are offered on a yearly basis. Appropriate use of technology and Internet safety are topics covered in the workshop. Teachers also discuss these items at parent-teacher conferences, and information is posted on the school's Title I website.

South Buffalo Elementary educates teachers, specialized instructional support personnel, and other staff, with the assistance of parents and family members, in the value and utility of contributions of parents and family members, and in how to reach out to, communicate with, and work with parents and family members as equal partners, implement and coordinate parent programs, and build ties between parents and family members and the school (ESSA, Section 1116(6)(e)(3)).

- South Buffalo Elementary School will provide teachers, instructional support personnel, and other staff, with the assistance of parents, professional development as to the value and utility of contributions of parents and family members, how to reach out to and communicate with parents as equal partners, and build ties between families and the school as part of the Schoolwide Title I planning process. Through this process, parents are involved in developing topics and programming to assist teachers and staff with parent and family outreach, as well as practical methods to develop programming that strengthens the ties between school and home. These topics and trainings are delivered to the staff at building level meetings by the building principal with assistance from parents. Staff follow-up meetings are conducted to reinforce these topics, and one dedicated after school staff meeting in October each year is utilized for additional professional development to staff utilizing training materials/ skits from the State Parent Advisory Council (SPAC).

South Buffalo Elementary, to the extent feasible and appropriate, coordinates, and integrates parent and family member involvement programs and activities with other federal, state, and local programs including public preschool programs, and conducts other activities that encourage and support parents and family members in more fully participating in the education of their children (ESSA, Section 1116(6)(e)(4)).

- Interested parents and family members are involved in the School's Early Childhood Outreach Program, as well as the development of kindergarten readiness programs with local preschools. The school, with parent assistance offers transition activities to preschool facilities and pre-school aged children and their families, including, but not limited to, early childhood literacy. These programs are coordinated with the Early Learning Connection Head Start and Pre-K Counts program and ARIN IU 28 Early Intervention Program.

South Buffalo Elementary ensures that information related to school and parent and family member programs, meetings, and other activities is sent to the parents and family members of participating children in a format and in a language the parents and family members can understand (ESSA, Section 1116(6)(e)(5)).

- The building principal will ensure that all communications with families of participating children are translated as appropriate to meet the needs of parents and families whose primary language is not English.

South Buffalo Elementary, to the extent practicable, provides opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children) (ESSA, Section 1116(7)(f)).

• The building principal will ensure that all communications with families of participating children are translated as appropriate to meet the needs of parents and families whose primary language is not English. Interpretive services will be contracted as needed.

South Buffalo Elementary ensures distribution of the policy to all parents and family members with a child participating in a Title I program by the following means:

- Distribution of the School-Level Parent and Family Engagement Policy will be distributed via Blackboard email to all families of the South Buffalo Elementary School on the first or second day of school as part of the students' first day's information distribution. It will be posted on the School's Title I website, distributed at the annual Fall Title I Parent Informational Meeting, as well as its availability in the school office.