

Chester Community Charter School

Policy Manual

TABLE OF CONTENTS

Policy Number	Policy Title	Page Number
Bloodborne		
100	Bloodborne Pathogen Policy	1
101	Bloodborne Diseases Definitions	11
102	Attendance and Training Record	13
103	Bloodborne Pathogen Training Outline	14
104	Acknowledgement of Training	15
105	Bloodborne Pathogens Exposure Control Plan	16
106	Bloodborne Pathogens Exposure Incident Report for School Records	21
107	Bloodborne Pathogens Exposure Incident Log	25
108	Bloodborne Pathogens Exposure Incident Report for Healthcare Provider	26
109	Model Exposure Control Plan	28
110	Post-Exposure Follow-Up and Evaluation	34
111	Supervisor and Employee Report of Accident	36
112	Exposure Prevention/Engineering Controls – List of Supplies and Storage Locations	38
113	Hepatitis B Immune Globulin Vaccination Consent	40
114	Hepatitis B Immune Globulin Vaccination Declination	41
Community		
200	Parent/Guardian and Student Complaints Policy	42
201	Public Attendance at School Events Policy	44
202	Religious Beliefs and Customs Policy	45
203	Clearance Policy for Volunteers	46
204	Prohibition From Recording Policy	48
205	Parent and Family Members Engagement Policy for Title I Requirements	52
205.1	Parental & Family Engagement Policy	54
206	Student/Employee Immigration Policy	56
207	Public Participation at Board Meetings Policy	59
Employee		
300	Staffing and Hiring Policy	61
301	Employees/Equal Employment Opportunity Policy	63
302	Employment of Personnel Policy	65
303	Employment Contract Policy	67
304	Establishing a Position Policy	68
305	Employee Evaluation Policy	69
306	Anti-Discrimination and Complaint Policy	71

Policy Number	Policy Title	Page Number
307	Employee Anti-Harassment and Anti-Discrimination Policy	75
308	Conflict of Interest Policy	81
309	Employee Chromebook/Electronic Tablet Policy	85
310	Employee Files Policy	88
311	Employee Freedom of Speech in Non-Instructional Settings	90
312	Employee Grievance Policy	92
313	Employee Leaves of Absence	95
314	Family and Medical Leave Act (FMLA) Policy	97
315	Employee Responsibility for Student Welfare	104
316	Employee Physical Examination Policy	105
317	Employee Smoking Policy	106
318	Employment of Relatives and Non-Nepotism Policy	108
319	Employment of Substitutes Policy	110
320	Child Abuse Mandatory Reporting Policy	112
321	Professional Growth Guidelines Policy	120
322	Solicitation Policy	121
323	Travel Expense Reimbursement Policy	122
324	Whistleblower Policy	128
325	Professional Educator Code of Conduct Policy	129
326	Government Inquiry and Compulsory Process Policy	134
Finance		
400	Finances Policy	136
401	Budget Planning, Preparations, and Monitoring Policy	137
402	Public Charter School Audit Policy	139
403	Bank Accounts Policy	140
404	Federal Fiscal Compliance Policy	141
405	Financial Reporting Policy	144
406	Common Trusts for Gifts & Grants Policy	145
407	Credit Card/Debit Card Policy	146
408	Gifts, Grants, Donations Policy	147
409	Payment of Claims Policy	149
410	Payroll Authorization Policy	150
411	Per Pupil Allotment Policy	151
412	Petty Cash Policy	152
413	Special Purpose Funds Policy	153
414	Uniform Grant Guidance (UGG) Policy	155
415	Internal Control Policy	172
416	Electronic Funds Transfers	197

Policy Number	Policy Title	Page Number
Medical		
500	Administration of Medication/Medical Equipment Policy	203
501	Administration of Medication/Medical Equipment Off-Site Policy	208
502	Student Immunization Policy	211
503	Health, Safety and Physical Education Policy	217
504	Education and Training of Staff for Diabetes, Asthma and Allergic Reactions	220
505	Diabetes Medication, Equipment, and Self-Administration Policy	223
506	Asthma Medication, Equipment, and Self-Administration Policy	230
507	ADHD/ADD Medication and Self-Administration Policy	236
508	Emergency/First Aid Care Policy	242
509	Automatic External Defibrillator & Cardiopulmonary Resuscitation Policy	244
510	EpiPen Policy	246
511	Self-Monitoring & Treatment for Various Medical Conditions Policy	250
512	Nalaxone Policy	252
Operations		
600	Board Policy Manual Distribution Policy	256
601	School Safety Policy	257
602	Threat Assessment Policy	261
603	Active Shooter Policy and Procedures	286
604	Lockdown and Shelter-In-Place Policy	289
605	Fire Drill Policy and Procedures	291
606	Instructional Materials Policy	297
607	Evaluation of Educational Program Policy	299
608	Lesson Plans Policy	300
609	School Day Policy	301
610	School Calendar Policy	302
611	Records Management Policy	303
612	Record Retention and Destruction Policy	307
613	Student Educational Records Policy	314
614	Right to Know Policy	338
615	Acceptable Use and Internet Safety Policy	351
616	Breach of Electronic Information Policy	373
617	Copyright Material Policy	376
618	Remote Access and Monitoring of School-Issued Technology – Students and Employees	378
619	Internet Security/Firewall Policy	381
620	Insurance Policies Policy	385

Policy Number	Policy Title	Page Number
621	Bonding Policy	386
622	Field Trip Policy	387
623	Food Services Policy	389
624	Guidance and Counseling Policy	391
625	Hearing Officer Policy	393
626	Response as Non-Party to Subpoena, Custody and/or Protection From Abuse Orders	395
627	Curriculum Review by Parents and Students	397
628	Audio Interception on School Buses and School Vehicles	399
629	Integrated Pest Management Policy	401
Property		
700	Safety Policy	404
701	Care of School Property Policy	405
702	Property/Maintenance Policy	406
703	Use of School Facilities Policy	407
704	Asbestos Policy	411
705	Wireless Reading Devices Policy	412
706	School Property Records Policy	414
707	Visitor's Policy	415
Special Education		
800	Special Education Policy	417
801	Special Education Student Enrollment Policy	419
802	Students with Specific Learning Disabilities Policy	426
803	Inclusion Policy	428
804	Individualized Education Program Policy (IEP)	432
805	Evaluation and Reevaluation Policy	435
806	Transition from Preschool Early Intervention Programs to Charter School Kindergarten or First Grade Programs	439
807	Exclusions: Suspensions and Expulsions Policy	442
808	Positive Behavior Support Policy	449
809	Alternate Assessment of Students Policy	455
810	Related Services Policy	457
811	Section 504 Policy	459
812	Program Options Policy	465
813	Free Appropriate Public Education (FAPE) Policy	466
814	Access to Instructional Materials Policy	467
815	Assistive Technology (AT) Policy and Procedures	469
816	Least Restrictive Environment Policy	473

Policy Number	Policy Title	Page Number
817	Homebound Instruction Charter Policy	475
818	Child Find Policy	480
819	Child Find Notice	482
820	Policy for the Prevention of Disproportionate Representation of Racial/Ethnic Groups in Special Education	484
821	Dispute Resolution and Alternative Dispute Resolution Policy	486
822	Exceptional Student Records Confidentiality Policy	489
823	Extended School Year Services ("ESY") Policy	490
824	Special Education Personnel Training Policy	493
825	Parent Training Policy	495
826	Surrogate Parent Policy	497
827	Psychological Services Policy	502
828	Physical Education Policy	504
829	Service Animals in School Policy	505
830	Intensive Interagency Approach Policy	509
831	Independent Educational Evaluations Policy	511
832	Independent Educational Evaluations (IEE) Administrative Procedures Policy	514
833	Annual Public Notice of Special Education Services and Programs and Rights for Student with Disabilities And Notification of Rights Under the Family Educational Rights and Privacy Act ("FERPA") 2020-2021	516
Student		
900	Student Conduct and Discipline Policy	541
901	Student Rights Policy	544
902	Enrollment Policy	545
903	Student Promotion and Retention Policy	552
904	Anti-Bullying Policy	555
905	Anti-Violent Behavior Policy	562
906	Anti-Weapons Policy	565
907	Terroristic Threats Policy	567
908	Student Attendance and Punctuality Policy	569
909	Truancy Elimination Policy	570
910	Disciplinary Exclusions and Hearings Policy	577
911	ESL Policy	582
912	Nondiscrimination in School and Classroom Practices Policy	595
913	Nondiscriminatory Administration of School Discipline Policy	597
914	Title IX Policy 2020	601

Policy Number	Policy Title	Page Number
915	Homeless Students Policy	614
916	Foster Care Policy	623
917	Transgender and Gender Nonconforming Student Policy	627
918	Health Examination Policy	631
919	Wellness Policy	633
920	Student Tobacco Use Policy	636
921	Extracurricular Activities Policy	638
922	Student Clubs and Activities Policy	642
923	Student Fundraising Policy	650
924	Student Participation in School Affairs	652
925	Acceptable Use and Internet Safety Policy	654
926	Video Surveillance Policy	676
927	Social Media and Networking Guidelines Policy	678
928	Children's Internet Protection Act (CIPA) Policy	683
929	Electronic Devices by Students Policy	687
930	Student Assistance Program Policy	690
931	Student Assistance Program (SAP) – Controlled Substances (Drug and Alcohol) Abuse Policy	693
932	Student Assistance Program – Suicide Prevention, Assessment, Response & Postvention Policy	699
933	Reporting Student Progress Policy	707
934	Parental Rights Relative to Excusal from Instruction on Religious Grounds	708
935	Exclusion from Assessments Policy	710
936	Opening Exercises Policy	712
937	Public Performances by Students Policy	713
938	Student Complaint Process Policy	714
939	Transfer of Records Policy	717
940	Annual Notification of Rights under Family Educational Rights and Privacy Act (FERPA) for the 2020-2021 School Year/Notice to Parents and Guardians Regarding the Disclosure of Student "Directory Information"	718
941	Discipline of Student Convicted/Adjudicated of Sexual Assault Policy	726
942	Admission of Students Through the Lottery Process Policy	729
943	Student Searches	733
944	Search and Seizure	739
945	Use of Scanning Equipment to Detect Weapons	749
946	Dress Code Policy	751
947	Swatting Policy	753

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogen Policy
Code	100
Adopted	October 15, 2020

Board of Trustees Policy

BLOODBORNE PATHOGEN POLICY

Bloodborne Pathogen Training

Employee education and training for Bloodborne Pathogens should be part of the new employee orientation for all employees, and conducted for all employees on an annual basis. Keep a copy of the Exposure Control Plan on file in the school at all times.

Training should cover specifics in the plan, applications of the Bloodborne Pathogens program to the employee's specific job and answer any questions.

The training should cover the following items of the Exposure Control Plan:

1. The OSHA definitions/regulations that include
    - Definition of Bloodborne Pathogens;
    - Occupational exposures and exposure incidents;
    - Potentially infectious materials;
    - Modes of transmission; and
    - Definition and symptoms of Hepatitis and HIV.
2. Exposure Determination
3. Control Measures
4. Decontamination/Cleaning Procedures
5. Regulated Waste Disposal Procedures
6. Hepatitis B Vaccination
7. Incident and Exposure Procedures
8. Post-Exposure Follow-Up

Purpose of the Plan

The purpose of this plan is to minimize or eliminate employee occupational exposure to blood or certain other body fluids and to comply with the Occupational Safety and Health Administration (OSHA) Exposure to Bloodborne Pathogens: Final Rule. OSHA's purpose is to ensure that no employee will suffer material health or functional impairment due to exposure to hazardous agents during the course of their employment.

"Occupational exposure" is any reasonably anticipated contact with blood by skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials resulting from the performance of any employee's duties.

Exposure Determination

Initial Exposure Determination of the Jobs

In the Chester Community Charter School ("Charter School") the following employees may incur an occupational exposure: Principal, Assistant Principal, administrative assistant, secretary, teacher, assistant teacher, vehicle driver, cleaning personnel, and kitchen staff.

Occupational Tasks at Risk for Exposure

Specific tasks associated with the above-mentioned job classifications that may cause these employees to have an occupational exposure include:

- Responding to an injured child that results in visible blood.
- The need for cleaning of a wound with soap and water.
- Application of a Band-Aid.
- Visible blood in stool, urine, vomit or nasal secretions of children.

Definition of Exposure

- Skin or parenteral (piercing the skin) contact with blood or other potentially infectious fluids.
- Mucous membranes (eyes, nose, mouth, ears, etc.) contact with blood or other potentially infectious fluids.

Control Measures: Universal Precautions

A universal precaution is an approach to infection control whereby all human blood and certain potentially infectious bodily fluids are treated as if infected with HIV or Hepatitis B or other Bloodborne Pathogens. These precautions have been adopted by the Charter School to protect staff from Bloodborne Pathogens.

Blood can become mixed with normal bodily fluids such as saliva, vomit, sweat, urine or stool, and these fluids should be treated as being possible HIV/HBV contaminated fluids. When staff comes in contact with or handle blood or body fluids, they must always wear gloves.

You can't identify every child or adult who may transmit infection. Yet you cannot afford to ignore the risk of infection since it takes just one exposure to become infected. Universal precautions resolve this uncertainty by requiring you to treat all human blood and certain human bodily fluids as if they were known to be infected with HIV, HBV or other Bloodborne Pathogens.

Reducing your Risk

- Engineering controls.
- Employee work practices.
- Personal Protective equipment.
- Decontamination procedures.

Engineering Controls

Engineering controls are items provided by the employer that serve to reduce employee exposure in the work place. Engineering control effectiveness depends on the employee actually using the provided items.

- Puncture-Proof Containers: "Sharps" which include needles and broken glass, or other sharp, pointed instruments, are to be placed in disposable puncture-proof containers.

  Sharps are never to be thrown directly into a trash receptacle. Disposable puncture-proof containers are located in the nurse's office.

- Biohazard Items: Biohazard items include: latex glove, disinfectant wipes and CPR Micro Shields. First Aid kits will include biohazard items as well as Band-Aids, and paper towels to absorb blood. All first aid supplies and biohazard items will be located in areas free from food and drinking liquids. Biohazard items will be located throughout the Charter School and in the Charter School's first aid kit and playground first aid kits.

- Disinfecting Solutions and Disposable Cloths: Registered germicide or bleach solutions (fresh mixture of ¼ cup bleach to 1 gallon of water) and disposable cloths to soak up contaminated material are to be located the nurse's office.

- Gloves: In addition to being stored in first-aid kits, gloves should also be available at locations throughout the Charter School, but will be available at all times in the nurses office.

Employee Work Practices

Employee work practices reduce the likelihood of exposure through changing the manner in which the task is performed. These are specific procedures you must follow on the job to reduce your exposure to Bloodborne pathogens or other infectious material.

- **Hand washing;** if infectious material gets on your hands, the sooner you wash it off, the less chance you have of becoming infected:

Hand washing will occur at the following times:

1. When hands become soiled.
2. Before and after handling food.
3. Before and after drinking.
4. After using the bathroom, personal.
5. After assisting a child in the bathroom or with changing soiled clothing.
6. After wiping your nose or someone else's nose
7. Immediately after removing protective gloves.
8. Immediately after having contact with blood, body fluids, or other potentially infectious material.
9. Before and after administering medication.
10. Immediately after cleaning/disinfecting any contaminated surfaces.

Purpose:

1. To protect employees and others from exposure to harmful microorganisms.
2. To prevent transmission of infection from one individual to another.
3. To remove transient bacteria on hands contaminated after handling children, objects and surfaces.

Equipment:

1. Warm running water.
2. Soap dispenser with liquid soap.
3. Paper towels.

Procedure:

1. Adjust running water to comfortable temperature and force at a level to prevent spattering water.
2. Wash hands, vigorously scrubbing with soap and water for a minimum of 15 seconds. Scrub hands, wrists and between fingers and around nails. Rinse hands with fingertips downward. The friction of the skin with soap and water is essential in hand washing. Microorganisms will remain unless effectively removed.
3. Dry hands with paper towel.
4. Turn off faucet with paper towel.
5. Leave equipment clean and in proper place.

Note: Disinfectant wipes should be available when a hand washing facility if not available.

Sharps will be handled in the following manner:

1. Sharps including needles, broken glass or other sharp, pointed instruments are to be placed in a disposable puncture-proof container.
2. Sharps are never to be picked up directly with the hands. Sharps should be picked up with a dust pan, pliers, tweezers or similar tool.
3. Contaminated needles should not be bent, recapped, removed, sheared or purposely broken.
4. Label containers as containing sharps and tape shut to prevent re-opening before disposing.
5. Dispose of puncture-proof container. See section on Regulated Waste Disposal Procedures.

Work Area Restrictions include:

1. In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees are not to eat, drink, apply cosmetics or lip balm, smoke or handle contact lenses. Food and beverages are not to be kept in

refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood or other potentially infectious materials are present.

2. All procedures will be conducted in a manner that will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious material.

Personal Protective Equipment (PPE)

Gloves

Gloves are the most widely used form of personal protective equipment. Gloves act as a primary barrier between your hands and Bloodborne Pathogens. Gloves will be worn when:

1. Assisting with toileting of a child.
2. Blood is visible on an adult, child, surface or piece of equipment.
3. Cleaning a contaminated surface or object.
4. Dealing with vomit, stool, urine, non-intact skin or other potential infectious fluids or material.
5. The employee anticipates hand contact with blood.
6. The employee feels the need to properly protect self from any illness, disease, surface or object.
7. When removing garbage from the Charter School to the dumpster.
8. When handling soiled laundry.

Types of gloves include:

1. Latex or vinyl gloves in appropriate sizes for each employee.
2. Hypoallergenic gloves or glove liners for individuals allergic to latex or vinyl gloves.

Procedure for using gloves:

1. Check gloves for holes, tears, or punctures before wearing.
2. Since gloves can be torn or punctured, bandage any cuts before being gloved.
3. Wear one glove on each hand.
4. To remove gloves, peel one glove off from top to bottom and hold it in the gloved hand.
5. With the exposed hand, peel the second glove from the inside, tucking the first glove inside the second one.
6. Place in a Zip-lock bag and dispose of the entire bundle promptly. See section on Regulated Waste Disposal Procedures.
7. Do not wash or attempt to disinfect the glove for reuse.
8. Wash your hands immediately after removing the gloves.
9. Change gloves between attending to different individuals, using this entire procedure.

Decontamination and Cleaning Procedures

Employees must clean the work area or surfaces when surfaces become obviously contaminated; after any spill of blood or other potentially infectious materials; after any individual care procedure whether visible contamination occurs or not; at the end of the work shift.

Hard Surfaces

A hard surface is any surface that can be cleaned immediately by the use of a registered germicide or bleach solution and paper towel. The surface will be allowed to air dry and has no need to be laundered or otherwise treated. In addition, bins, pails, cans, and similar receptacles should be decontaminated on a regularly scheduled basis.

Method of Cleaning:

1. Gloves must be used when decontaminating these surfaces.
2. Pre-clean surfaces with a suitable detergent prior to disinfecting. Anti-bacterial soap, hot water and a paper towel can be used for pre-cleaning.
3. Disinfect surface with a registered germicide or bleach solution by applying the solution until the entire surface is wet, allow to remain at least 10 minutes, if possible and allow to air dry or remove with clean dry paper towel or cloth.

Soft Surfaces

A soft surface is any surface that would need to be laundered if contaminated. The surface will usually need to be dried mechanically or hung out to dry.

Method of Cleaning:

1. Gloves must be used when decontaminating soft surfaces or when doing laundry.
2. Put soft surface or laundry into a washing machine with soap and bleach solution.
3. If a washing machine is unavailable, the contaminated item(s) should be put into a bucket with bleach and water solution to soak until a washer is available and the item can be laundered. This solution should be emptied out and discarded when not being used. Fresh bleach and water solution should be made for each instance of contamination.

Miscellaneous Surfaces

Any surface area that cannot be thoroughly cleaned by school personnel and equipment, i.e. carpeting, ceiling tiles, etc.

Method of Cleaning

1. Gloves must be worn when attempting to secure or decontaminate the area.
2. Pre-clean the area with soap and water as well as possible.
3. Disinfect: use a registered germicide or bleach solution directly on the surface, then rise with water.
4. Inform the Chief Executive Officer of the Charter School (“CEO”) or his/her designee that a contamination has occurred and identify the site.
5. The CEO or his/her designee will notify a commercial cleaning company to thoroughly clean the item or site that same day.
6. Contaminated area must be secured so that no exposure can occur to children or faculty i.e. carpeting contamination should be covered and labeled in order to alert other teachers, parents and staff to the site or item.

Regulated Waste Disposal Procedures

Sharps:

1. Place all sharps in a disposable puncture-proof container.
2. The puncture-proof container should then be labeled as containing sharps to prevent re-opening.
3. Tape container shut and dispose of container in approved receptacle.

First Aid Clean-Up Items

1. All disposable first aid clean-up items, such as band aids, used cotton balls, used antiseptic wipes, used paper towels or facial tissues shall be placed in a Zip-lock bag and then thrown into an approved receptacle.

Personal Protective Equipment (PPE)

1. All PPE such as gloves shall be removed immediately after use.
2. All PPE shall be placed into a Zip-lock bag and disposed of in an approved disposal area.
3. Any waste should then be tied up and taken out to the Charter School's approved disposal area.

1. Note: Used gloves that are not suspected to be contaminated with blood or other potentially infectious materials can be thrown into the regular garbage without a Zip-lock bag.

All contaminated waste should be disposed of in red Zip-locked bags or in Zip-lock bags with the biohazard label affixed to signify enclosed potentially infectious materials. Disposal bags are to be emptied when necessary by using disposable gloves and deposited in your school's disposal area. No trash should ever be removed from receptacles or dumpsters.

Hepatitis B Vaccination

Employees who render first aid only as a collateral duty responding solely to injuries resulting from workplace incidents need not receive a pre-exposure Hepatitis B vaccination.

The CEO or his/her designee will ensure that the vaccination is offered at no cost to the employee within 24 hours of any exposure incident and that the appropriate forms are signed. Employees who decline the Hepatitis B vaccination will sign a waiver (see the Forms Section). Employees who initially decline the vaccination but who later wish to have it may then have the vaccine provided at no cost.

Employees should be made aware in Bloodborne Pathogen trainings of the following information regarding the vaccine:

An employee should not take the vaccine if he/she has an allergy to yeast

WARNINGS

Active Infections: any serious active infection is reason for delaying use of the vaccine except when, in the opinion of a physician, withholding the vaccine entails a greater risk.

Pregnancy: it is not known whether the vaccine can cause fetal harm when administered to a pregnant woman or can affect reproduction capacity. The vaccine should be given to a pregnant woman only if clearly needed and recommended by a physician.

Nursing Mothers: it is not known whether the vaccine is excreted in human milk. Because many drugs are excreted in human milk, caution should be exercised when the vaccine is administered to a nursing woman.

Employees should consult a physician before taking the vaccine.

Incident and Exposure Procedures

Incident and Accident Reporting

All injuries that require any first aid must be written up on the Charter School's Emergency/Accident Report. The Charter School's Emergency/Accident Report will include the following information:

1. Name of injured person;
2. Date and time of accident/incident;
3. Location of the accident/incident on the premises;
4. Brief description of the accident and resulting injury;
5. First aid procedures used on the injured person;
6. Names of any staff members in attendance;
7. Signature of the supervisor to whom the accident/injury was reported;
8. Signature of the staff member who filed the report;
9. Brief description of the PPR used during the first aid treatment; and
10. Answer to the question: Did the accident involve staff being exposed to blood or potentially infectious fluids? _____Yes _____No

Exposure Reporting Procedures

If the treatment and/or care of an individual or an accident results in an exposure of a staff member, then an Exposure Incident Report must be completed by the employee and submitted to the supervisor on duty.

1. The Determination: each incident must be evaluated by the employee to determine if an exposure has occurred. (See section on Exposure Determination)
2. Complete the Report Form (See Forms Section)
3. Submitting the Report:
    - The report must be completed the day the exposure occurs.
    - The completed report must be submitted to and signed by the CEO or his/her designee.
    - The CEO or his/her designee will notify the appropriate agencies and the solicitor within 24 hours of the exposure.

Post Exposure Follow-Up

In the event of an exposure, the employer will provide the employee with:

1. The post exposure Hepatitis B Immune Globulin (HBIG) vaccine, and the series of Hepatitis B vaccinations if the employee consents and the health care provider recommends the full vaccination series at no cost. (See section describing Hepatitis B Vaccination)
2. Immediate blood testing with the employee's consent.
3. If the employee refuses HIV testing, the lab will be instructed to hold the sample for 90 days. The employee may then decide to test for HIV, and the test is done free of charge to the employee.
4. A written confidential report of the employee's blood test as soon as available.
5. A copy of the report with the identity of the source individual, unless prohibited by law.
6. If the source individual refuses to test, the same procedures will still apply to the employee.
7. Re-Testing of the employee's blood at 6 weeks, 12 weeks, 6 months and one year following exposure. The employee must provide a separate consent form for each test.
8. Post exposure services, when medically indicated, may include counseling and evaluation of related illnesses.

In the event of an exposure, the employer will provide the healthcare provider with:

1. A copy of the Occupational Exposure to Bloodborne Pathogens: Final Rule.
2. A description of the exposed employee's job as it relates to the exposure incident.
3. Documentation of the routes of exposure.
4. Documentation of the circumstances.
5. Results of the source individual's blood testing, if available.
6. All medical records that are relevant to the appropriate treatment of the employee.

Written Opinion from Health Care Provider:

The exposed employee will be provided with a copy of the health care professional's written opinion within 15 days of the completion of the medical evaluation. The exposed employee is also entitled to

complete confidentiality and the freedom to designate, by express written consent, what persons will be notified of the physician's findings and the results of the testing.

The Chief Administrative Officer's Responsibilities:

The CEO of the Charter School will assure that the policies described in this document are effectively carried out.

Record Keeping:

The CEO and designated staff are required to maintain medical records related to Bloodborne Pathogens, including exposure incidents, post exposure follow-up, Hepatitis B vaccination status, and training for all employees with occupational exposure. These records are to be kept confidential and should be held for the duration of the employee's employment plus thirty (30) years. Training records should be held for three (3) years. Additionally, all records related to an exposure incident should be promptly copied and forwarded to the Charter School solicitor.

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

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Diseases Definitions
Code	101
Adopted	October 15, 2020

Board of Trustees Policy

BLOODBORNE DISEASES DEFINITIONS

Definitions

Blood: human blood and human blood components

Bloodborne Pathogens: microorganisms that are present in the human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human immunodeficiency Virus (HIV).

Exposure Incident: skin, eye, mucous membrane, or parenteral (piercing of the skin) contact with blood or other potentially infectious materials that results or may result from the performance of an employee's duties.

Other potentially infectious materials (fluids): semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva during dental procedures, and any body fluid that is visibly contaminated with blood.

Universal precautions: a method of infection control in which all human blood and certain bodily fluids are treated as if known to be infectious for HIV, HBV or other bloodborne pathogens.

Personal Protective Equipment (PPE): is the equipment supplied by the employer for the employee to use in any situation that the employee feels the needs for protection from blood or other potentially infectious material, and to use in these situations as spelled out in this policy.

Contaminated: the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Contaminated Laundry: the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Sharps: any object that can penetrate the skin including, but not limited to, needles and broken glass.

Decontamination: the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

Engineering Controls: controls that isolate or remove the bloodborne pathogens hazard from the workplace including but not limited to: Sharps disposable puncture-proof containers, use of gloves, use of Ziploc bags, biohazard disposal containers.

HBV: hepatitis B virus

HIV: human immunodeficiency virus

Parenteral: Piercing mucous membranes through such means as needles, ticks, human bites, cuts and abrasions.

Regulated Waste: liquid or semi-liquid blood or other potentially infectious materials; contaminated items that could release blood or other potentially infectious materials in a liquid of semi-liquid state; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials. Any item that has the potential to release blood or flakes of dried blood when handled or scratched is a regulated waste.

Source Person: any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

Sterilize: the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial and spores.

Work Practice Controls: controls that reduce the likelihood of exposure by altering the manner in which a task is performed e.g., washing hands when removing protective gloves.

Recommendations for Preventing Transmission of Bloodborne Diseases

General Recommendations:

- Gloves should be worn whenever contact with blood or blood-contaminated body fluid might occur, such as when providing first aid to a bleeding person or cleaning up blood.
- Hands should be washed thoroughly and immediately after exposure to blood or any other body fluid and after removing gloves.
- Open skin lesions of all children and faculty should be kept covered to prevent contamination of the environment and contact with other persons.
- Any surface contaminated with blood or body fluids should be cleaned with a diluted solution of household bleach and water (1/4 cup of bleach to a gallon of water).
- Blood-contaminated materials should be disposed of in a leak proof plastic bag that is securely closed.
- Personal care items should not be shared.
- Educate yourself about bloodborne diseases by referring to local resources including libraries and local health departments.
- Immediately report any unsafe condition to the Chief Executive Office or Chief Administrative Officer.

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

Book Policy Manual
Section Bloodborne
Title Attendance and Training Record
Code 102
Adopted October 15, 2020

Bloodborne Pathogens Exposure Control Training
ATTENDANCE AND TRAINING RECORD

Date of Training: _____ Trainer: _____

Attendees:

Name of Participant	Position	Signature

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogen Training Outline
Code	103
Adopted	October 15, 2020

BLOODBORNE PATHOGEN TRAINING OUTLINE

1. The OSHA definitions/regulations including:

    Definition of bloodborne pathogens

    Occupational exposures and exposure incidents

    Potentially infectious materials

    Modes of transmission

    Definition and symptoms of Hepatitis and HIV

2. Exposure Determination

3. Control Measures

4. Decontamination/Cleaning Procedures

5. Regulated Waste Disposal Procedures

6. Hepatitis B Vaccination

7. Incident and Exposure Procedures

8. Post-Exposure Follow-Up

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogen Training Outline
Code	104
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

ACKNOWLEDGEMENT OF TRAINING

I acknowledge that I have received training regarding the Bloodborne Pathogens Exposure Control Plan for the Chester Community Charter School and understand what to do in the case of an exposure incident.

Employee Name: _____ Date of Training: _____

Employee Social Security Number: _____

Employee Signature: _____

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogens Exposure Control Plan
Code	105
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control Plan

LIST OF CONTENTS

I. Policy Statement

II. Introduction - Overview

III. Definitions

IV. Training

Purpose of Plan
Exposure Determination
Initial Exposure Determination of the Jobs
Occupational Tasks at Risk for Exposure
Definition of Exposure
Control Measures: Universal Precautions
Engineering Controls
Employee Work Practices
Decontamination/Cleaning Procedures
Hard Surfaces
Soft Surfaces and Laundry
Miscellaneous Surfaces
Regulated Waste disposal Procedures
Sharps

First Aid Clean-Up Items
Personal Protective Equipment (PPE)
Hepatitis B Vaccination
Incident and Exposure Procedures
Incident/Accident Reporting Procedures
Exposure Reporting Procedures
Post-Exposure Follow-Up
Obligation of Employer to Employee
Obligation of Employer to Health Care Provider
Written Opinion from Health Care Provider
CAO Responsibilities
Record Keeping
Forms
Supervisor and Employee Report of Accident
Bloodborne Pathogen Exposure Incident Log
Exposure Incident Report for Health Care Provider
Exposure Incident Report for School Records
Post-Exposure Follow-Up and Evaluation
Hepatitis B Vaccination Employee Declination
Hepatitis B Vaccination Employee Consent Form
Training Outline
Attendance and Training Record
Employee Acknowledgement of Training
List of Supplies and Location

Bloodborne Pathogens/Exposure Plan

Policy Statement:

The Board of Trustees recognizes that in order to protect workers from occupational exposure to potentially infected blood products, the Occupational Safety and Health Administration (OSHA) issued The Bloodborne Pathogens Standard (Standard 29 CFR 1910.1030) effective March 6, 1992. Preventing exposure to blood, body fluids, and infectious materials that potentially increase the risk of contracting hepatitis B virus (HBV), human immunodeficiency virus (HIV), cytomegalovirus and syphilis is of primary concern to the School. In order to protect employees from exposure specific objectives have been established to provide protection to the Charter School employees directly related to the Charter School policy.

Introduction

Bloodborne Pathogens/Exposure Plan

Overview

In order to protect workers from occupational exposure to potentially infected blood products, the Occupational Safety and Health Administration (OSHA) issued The Bloodborne Pathogens Standard (Standard 29 CFR 1910.1030)[1] effective March 6, 1992. Preventing exposure to blood, body fluids, and infectious materials that potentially increase the risk of contracting hepatitis B virus (HBV), human immunodeficiency virus (HIV), cytomegalovirus and syphilis is of primary concern to the Charter School. In order to protect employees from exposure specific objectives have been established.

What are Bloodborne Pathogens?

Bloodborne pathogens are microorganisms in the bloodstream that can cause diseases including Malaria, Hepatitis B (HBV), human immunodeficiency virus (HIV), cytomegalovirus and syphilis.

Bloodborne pathogens are found in blood, blood products, and other body fluids including semen, vaginal secretions, breast milk, and amniotic fluid. Although microorganisms are found in the body fluids listed above, in many cases they are not strong enough to be transmitted. The focus of this Exposure Plan is on the work environment and transmission via blood.

What is Hepatitis B?

Hepatitis B is an inflammation of the liver. Swelling and redness can be caused by toxins or drugs, but it is most often caused by a virus.

Symptoms include:

- Minor symptoms that resemble the flu
- More severe symptoms are jaundice, dark urine, fatigue, loss of appetite, nausea, and abdominal pain
- No symptoms

Those who suffer the disease build up antibodies, or a natural protection, against further occurrence. Ten percent of Hepatitis cases are chronic, meaning repeated illness. Approximately 1-2 percent of Hepatitis B cases prove fatal. A vaccination that is 90% effective is available to prevent infection from the Hepatitis B Virus.

What is HIV/AIDS?

The human immunodeficiency virus, HIV, attacks the white blood cells that play a key role in the body's immune system. The HIV infection may develop into AIDS anywhere from 2 – 10 years after the infection with the virus.

Symptoms include:

- Chronic fatigue. Fever and rapid weight loss
- Flu-like symptoms
- Diarrhea

AIDS related illnesses may include:

- Neurological problems
- Cancer
- Pneumonia
- Opportunistic infections

Currently there is no vaccination for HIV/AIDS.

Mode of Transmission in the Workplace

Although Hepatitis B and HIV are transmitted mainly through sexual contact and sharing needles, any situation in which blood is present in the work environment is an area of concern.

HIV and Hepatitis B can only be transmitted if **both** of the following are present:

- Exposed blood is infectious, and
- That blood is allowed to enter directly into the body

Routes of Entry

Blood or other infectious material could enter your system through these routes of entry:

- Unprotected openings in the skin, such as cuts, scrapes, and dermatitis
- Unprotected mucous membrane openings, such as the eyes, nose and mouth
- Penetration into the skin by a sharp object, such as broken glass, a needle, or a knife blade
- Indirect transmission, such as touching a contaminated surface or object and transferring the infectious material to our mouth, nose, eyes, or open skin

It is important to remember that for an infection to take place the blood must be infected and the blood must go into your bloodstream via the mentioned routes of entry.

Legal References:

1. 29 CFR 1910.1030

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogens Exposure Incident Report for School Records
Code	106
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

EXPOSURE INCIDENT REPORT FOR SCHOOL RECORDS

Confidential Report

1. Date of Incident: _____

2. Time of Incident: _____

3. Location of Incident: _____

4. Names of first aid provider(s) _____
_____
_____

(list all providers regardless of whether personal protective equipment was used)

5. Description of the circumstances of the accident including routes of exposure and how exposure occurred: _____
_____
_____

6. Did an Exposure Incident occur?
❑ Yes (proceed to question #7) ❑ No (proceed to question #17)

7. Name of staff member exposed: _____

8. Name of source individual: _____

9. Was consent given by source individual for a blood test? ❑ Yes ❑No

Note: If source individual is known to be infected with HIV or HBV, testing need not be repeated)

If Yes, provide results of blood test: _____

Name of legally responsible individual ❑ providing or ❑ denying consent:

_____ _____

Name Date

10. Date the exposed staff member was provided with the source individual's test results and information about applicable disclosure laws and regulations concerning the source identity and infectious status: _____

11. Did staff member consent to be vaccinated?

❑ Yes (attach copy of consent form) ❑ No (attach copy of decline form)

12. Did staff member consent to a blood test?

❑ Yes (attach copy of consent form) ❑ No (attach copy of decline form)

13. Did staff member consent to a blood sample but elect to withhold consent for serological testing on the sample? ❑Yes (complete following information and attach copy of consent form)

Note: Hold baseline blood sample for at least 90 days. If during this time, the exposed employee elects to have the baseline sampled tested, testing shall be done as soon as possible.

❑ Sample taken by: _____

❑ Date sample was taken: _____

❑ Sample held – location: _____

14. Staff Blood Sample:

❑ Blood test performed by : _____

❑ Date blood test performed: _____

❑ Results or blood test: _____

Note: The exposed employee's blood should be collected as soon as possible after the exposure incident and tested for HBV and HIV serological status.)

15. Written Opinion of Health Care Professional: check off every box and provide the date completed

Does the health care provider have a copy of the OSHA standards?

❑ Yes ❑No

If no, date provided: _____

❑ Health care provider given a list of the employee's job duties relevant to this exposure

Date Provided: _____

❑ Health care provider given a copy of all relevant employee medical records

Date Provided: _____

❑ Health care provider given a copy of **Exposure Incident Report for Health Care Provider**

Date Provided: _____

16. Name of Health Care Provider: _____

Address: _____

_____

Telephone: _____

17. Date Opinion Received: _____

18. Date Written Opinion Received by employee: _____
must be within 15 days of evaluation

Note: The written opinion should be limited to whether the vaccine is indicated, and it has been received by the employee. The written opinion for post exposure evaluation must document that the employee has been informed of the results of the medical evaluation and of any medical conditions resulting from the exposure incident that may require further evaluation or treatment. All other information is confidential and may not be included in the written report.

19. Follow-up information and additional comments or information: _____
_____
_____
_____
_____
_____

20. Name and position of individual completing this report:

Name: _____ Position: _____

Date Completed: _____

21. Signature of Chief Executive Officer:

Name: _____ Date: _____

Book Policy Manual
Section Bloodborne
Title Bloodborne Pathogens Exposure Incident Log
Code 107
Adopted October 15, 2020

Bloodborne Pathogens Exposure Control Training

Confidential Report

This log should be completed within 24 hours of an incident and be kept confidential and on file in the charter school for 30 years.

EXPOSURE INCIDENT LOG

Date of Exposure	Employee Name and Social Security Number	Type of Exposure	Type of Body Fluid Exposed to	Status of HIB Vaccination	Medical Records on File ✓

Book	Policy Manual
Section	Bloodborne
Title	Bloodborne Pathogens Exposure Incident Report for Healthcare Provider
Code	108
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

Confidential Report

EXPOSURE INCIDENT REPORT FOR HEALTHCARE PROVIDER

Name of Individual Exposed: _____

❑ Attach Relevant Medical Records

1. Date of Incident: _____

2. Time of Incident: _____

3. Location of Incident: _____

4. Names of first aid provider(s) _____
_____
_____

(list all providers regardless of whether personal protective equipment was used)

8. Description of the circumstances of the accident including routes of exposure and how exposure occurred:
_____
_____
_____
_____
_____

9. Job duties relevant to this exposure incident: _____

7. Name of source individual: _____

8. Was consent given by **source individual** for a blood test? ❑ Yes ❑No

Note: If source individual is known to be infected with HIV or HBV, testing need not be repeated)

If Yes, provide results of blood test: _____

9. Did staff member consent to be vaccinated?

❑ Yes (attach copy of consent form) ❑ No (attach copy of decline form)

10. Did staff member consent to a blood test?

❑ Yes (attach copy of consent form) ❑ No (attach copy of decline form)

11. Did staff member consent to a blood sample but elect to withhold consent for serological testing on the sample?
❑Yes (complete following information and attach copy of consent form)

Note: Hold baseline blood sample for at least 90 days. If during this time, the exposed employee elects to have the baseline sampled tested, testing shall be done as soon as possible.

For additional information contact: _____

Telephone number: _____

Book	Policy Manual
Section	Bloodborne
Title	Model Exposure Control Plan
Code	109
Adopted	October 15, 2020

MODEL EXPOSURE CONTROL PLAN (ECP)

Responsible Person/Dept. For ECP: _____

1. The Exposure Control Plan

The ECP has been designed to comply with the Guidelines on Bloodborne Pathogens (BBP's) for the Public Sector. The purpose is to outline policies and procedures to eliminate or minimize employee exposures to BBP's. The ECP is available to all employees/ independent contractor and state officials upon request. The ECP will be updated at least annually or whenever procedures or equipment changes.

2. Employee/Independent Contractor Exposure Determination *

(a) The following is a list of job classifications in our Charter School for **all** employees/independent contractors who have any risk of occupational exposure to BBP's:

JOB TITLE DEPT./LOCATION TASK/PROCEDURE

Ex. School Nurse/Student Injury/Dress Wound

_____ _____ _____

_____ _____ _____

(List other jobs in this category)

(b) The following is a list of job classifications in our Charter School for employees/ independent contractors who have **some** risk of occupational exposure to BBP's:

JOB TITLE DEPT./LOCATION TASK/PROCEDURE

Ex. Custodian Housekeeping Handling Trash

_____ _____ _____

_____ _____ _____

(List other jobs in this category)

*Employees covered by these guidelines include fulltime, part-time, and temporary and also independent contractors to Charter School are covered as well.

3. Methods of ECP Implementation and Control

(a) UNIVERSAL PRECAUTIONS shall be used by all employees/ independent contractors for all body fluids.

(b) ENGINEERING CONTROLS will be used to prevent or minimize occupational

exposure to BBP's. Specific engineering controls are listed below:

- Control Use
- Needleless system All IV's
- Sharps containers Disposal of all sharps after use
- (List other controls) (List instances of use)

(c) WORK PRACTICES will be implemented to prevent and minimize occupational

exposure to BBP's. Specific work practices are listed below.

(i) Handwashing is required of all employees/ independent contractors. Handwashing facilities are found in the following locations:

_____

_____

_____

(ii) Broken sharps should be picked up with a brush, dust pan, or tongs and

disposed of as contaminated waste.

(iii) Recapping, bending, or breaking of needles is prohibited. If no alternative

exists, recap using one-handed method or recapping device.

(iv) All sharps should be disposed of in puncture resistant, leak-proof sharps

containers. Containers are available in the following locations:

_____

_____

(v) (List other work practices for various tasks with potential for exposure.)

(d) PERSONAL PROTECTIVE EQUIPMENT (PPE) is provided to all employees and independent contractors at no cost to prevent direct skin, eye, or mucous membrane contact with blood or body fluids. Employees/ independent contractors are required to wear all PPE appropriate to the task and

level of potential exposure.

(i) The types of PPE available to employees/independent contractor are as follows:

(LIST ALL AVAILABLE which may include: Gloves(type), Eye protection, Mouth piece, Foot covering, Pocket mask, (Other);

(List other PPE Available)

(ii) PPE is located (specific location)_____and may be obtained through (responsible person or dept._____.

(iii) The procedure for handling used PPE is (Specify location(s) of

decontamination stations and how to decontaminate different kinds of

PPE.)

(Ex.- Dispose of foot coverings in designated containers.)

4. Sharps Injury Log

(a) Employers shall establish and maintain a sharps injury log to help monitor injuries

and assist in developing plans to eliminate or reduce these injuries, and to help employees and independent contractors evaluate sharps injury prevention devices and needless systems.

(b) Sharps injuries should be reported immediately to: (Specify person.)

(c) The following information reported to the person(s) listed above must include:

(i) Dept./work area of exposure_____

(ii) Date/time of exposure_____ _____

(iii) Job classification of exposed employee_____ _____

(iv) Type/brand of sharp_____

(v) Body part(s) involved _____

(vi) Procedure employee was performing_____

(vii) Description of exposure & how occurred_____

(viii) Did sharp have engineered sharps injury protection?_____

(ix) If yes, did injury occur before, after, or during activation of protective

mechanism? _____

(x) If no sharps injury protective mechanism, how could one have prevented

injury and basis for statement?_____

(xi) What other methods or equipment might have prevented injury and basis

for statement?_____

NOTE: Employers are required to provide employees and independent contractors with an opportunity to evaluate sharps injury prevention devices and needleless systems. For more information on the evaluation process, contact: (Specify person, location, and how to contact.)

5. Hepatitis B Vaccination

(a) In compliance with state guidelines, the Charter School offers the Hepatitis B vaccine free of charge after training and within 10 days of initial assignment to all employees/ independent contractors identified as at risk for occupational exposure to BBPs.

(b) Vaccination will be provided by (List name of healthcare provider), at the following location and times:_____ _____

(c) Any information about the vaccination and/or other evaluation of an employee or independent contractor will be kept in the individual's confidential medical record file.

(d) An employee or independent contractor who refuses the vaccination must sign a declination form, which will be kept in the employee's individual confidential medical record file. (See separate Declination Form.)

(e) An employee who declines the vaccination may request and obtain the vaccination at a later date at no cost.

6. Post-Exposure Evaluation and Follow-Up

(a) If an exposure incident occurs, immediately contact:(List person, title, way to contact.) After initial first aid (clean and treat wound, flush eyes or other mucous membranes, etc.) the following activities will be performed:

(i) Document routes of exposure and how exposure occurred.

(ii) Identify source individual, obtain consent for testing, and test source individual for HIV, HBV, and HCV. Before disclosing to employee or independent contractor's health care provider, please consult Charter School's legal counsel.

(iii) Provide exposed employee with counseling and evaluation by a licensed physician or health care professional.

(iv) Offer employee testing for HBV, HCV, and HIV and blood collection as soon as possible after incident. If employee does not give consent for HIV serological testing during blood collection, blood must be kept for 90 days. During that time, the employee retains the right to have the testing performed.

(v) Offer employee appropriate post-exposure prophylaxis as determined by evaluating physician.

(vi) Provide employee with a copy of the health care professional's written evaluation results within 15 days of the completed evaluation.

(vii) Provide physician or health care professional with copy of state guidelines, and information about the employee's exposure and vaccination status.

(b) All information on the exposure incident and post-exposure evaluation will be kept in the employee's individual confidential medical record file. These records shall be kept by the facility for a period of at least 30 years after termination of employment. The records are available to the employee or authorized representative, upon written request, as well as to proper state authorities.

(c) The facility's confidential medical records are kept in the following secure

location:

_____(Specify location)_____.

7. Employee Training and Education

(a) All employees and independent contractors who have an occupational exposure to BBP's shall receive training at the time of their initial assignment and at least annually, or when there are equipment, procedure, or task changes. Training will be provided during working hours at no cost.

(b) At the minimum, training and education shall include the following:

(i) a copy of the state guidelines

(ii) the health effects of exposure to BBP's

(iii) details of the Exposure Control Plan

(iv) exposure prevention methods (i.e., engineering controls and safe work methods)

(v) hands-on training on use of needles and needleless systems

(vi) exposure reporting procedures

(vii) post-exposure counseling and evaluation

(viii) (benefits and availability of Hepatitis B vaccine

(ix) complaint procedure

(x) access to medical and environmental records

(c) Training materials for this facility are available at_____(List location)____

8. Recordkeeping

(a) TRAINING RECORDS

(i) Training records are maintained for each employee. These documents are

kept for at least 3 years at _____(List location)_____ _____.

(ii) Training records include dates of training, contents of sessions, names and

qualifications of instructors, names and job titles of those attending the training sessions.

(iii) Employee training records are provided, upon request, to the employee or the employee's authorized representative within 15 working days.

Training record requests are to be addressed to: (Specify department or person and address.)

(b) MEDICAL RECORDS

(i) Medical records are maintained in a confidential file for each employee or independent contractor with an occupational exposure to BBP's. These records shall be kept for the length of employment plus 30 years thereafter at specific location)_.

(ii) Medical records include social security number, Hepatitis B vaccine status, dates of vaccination, consent/refusal form, exposure incident information, post-exposure follow-up information, and all other relevant records.

(iii) Medical records are provided within 15 working days upon request to the employee, independent contractor or to a person having the written consent of the employee or independent contractor.

Record requests are to be addressed to: (Specify department or person and address.)

(c) SHARPS INJURY LOG RECORDS

(i) The Sharps Injury Log is maintained for 5 years at the following location_____.

(ii) Records on the Sharps Injury Log include the information listed in Section 4.

(iii) Sharps Injury Log records are provided, upon request, to an employee or

the employee's or independent contractor's authorized representative within 15 working days. Sharps Injury Log records are to be addressed to: (Specify department or

person and address.).

Book	Policy Manual
Section	Bloodborne
Title	Post-Exposure Follow-Up and Evaluation
Code	110
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

Written Opinion of Health Care Provider

OSHA Bloodborne Pathogen Standard

POST-EXPOSURE FOLLOW-UP AND EVALUATION

Name of Patient: _____ Date: _____

Date of Examination: _____

Name of Health Care Provider: _____

Address of Health Care Provider: _____

_____

_____

Telephone Number: _____

Was the Hepatitis B vaccination recommended for the exposed patient?

❑ Yes ❑ No

Did the exposed patient receive the vaccination?

❑ Yes ❑ No

Certification:

I hereby certify that the above referenced patient has been informed of the results of the medical evaluation and of any medical conditions resulting from the exposure incident that require further evaluation or treatment.

Signature of Health Care Provider Date

Book	Policy Manual
Section	Bloodborne
Title	Supervisor and Employee Report of Accident
Code	111
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

Supervisor and Employee Report of Accident

Employee Name:_____ Social Security Number: _____

Job Title:_____ Supervisor: _____

Date of Accident: _____ Time of Accident: _____

Date Accident was Reported:_____ Time of Report: _____

_____

Name of Injured Person: _____

Witness Name(s): _____

Type of Accident: ___ No Injury ___First Aid Only* ___Medical* ___Fatality*

*Describe First Aid procedure used and the Personal Protective Equipment (PPE) used:

_____

Restricted Duty? ___No ___Yes; Number of Days _____

Lost Work Days? ___No ___Yes; Number of Days _____

Date of First Medical Treatment: _____ Time of Treatment: _____

Name and Address of Medical Provider: _____

_____

Phone Number: _____

Describe how the accident occurred, location of accident on premises and resulting injury. _____

_____

_____

What actions, events or conditions contributed to the accident? _____

_____

_____

What can be done to prevent this type of accident? _____

_____

_____

_____ _____

Supervisor Signature: Date:

_____ _____

Employee Signature: Date

Book	Policy Manual
Section	Bloodborne
Title	Exposure Prevention/Engineering Controls – List of Supplies and Storage Locations
Code	112
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control Training

EXPOSURE PREVENTION/ENGINEERING CONTROLS

LIST OF SUPPLIES AND STORAGE LOCATIONS

Supply	Location
School First Aid Kit	_____
Latex Gloves	_____
Red Zip-lock Bags	_____
Paper/Disposable Towels	_____
CPR Micro-Shields	_____
Puncture Proof Containers for Sharps	_____
Anti-microbial Wipes	_____
Disinfecting Solutions	_____

Bleach Solution (1/4 c bleach to 1 gallon water)
Or Registered Germicide _____

Soap _____

Garbage Bags _____

Bio-Hazard Warning Labels _____

School's Bio-Hazard Disposal Area _____

Bloodborne Pathogen Exposure Incident Reports _____

Report all exposure incidents to: _____

Book	Policy Manual
Section	Bloodborne
Title	Hepatitis B Immune Globulin Vaccination Consent
Code	113
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

Hepatitis B Immune Globulin (HBIG)

Post-Exposure

VACCINATION CONSENT

I understand that due to an exposure incident involving the exposure to possible bloodborne pathogen contaminated materials. I have been given the opportunity to be vaccinated with the HBIG vaccine at no charge to myself, within seven days of the incident, followed by the Hepatitis B vaccination series if recommended by a health care provider.

I **consent** to take the indicated vaccine and have been informed of the possible side effects and complications, as well as the benefits of the vaccine. It has been emphasized that I should discuss with a health care provider the decision to undergo vaccination if I am currently pregnant or nursing, or if I am experiencing signs of an active infection. Additionally, I have been informed I should **not** take the vaccine if I have an allergy to yeast.

_____ _____

Employee Signature Date

Book	Policy Manual
Section	Bloodborne
Title	Hepatitis B Immune Globulin Vaccination Declination
Code	114
Adopted	October 15, 2020

Bloodborne Pathogens Exposure Control

Hepatitis B Immune Globulin (HBIG)

Post-Exposure

VACCINATION DECLINATION

I understand that due to an exposure incident involving the exposure to possible bloodborne pathogen contaminated materials. I have been given the opportunity to be vaccinated with the HBIG vaccine at no charge to myself, within seven days of the incident, followed by the Hepatitis B vaccination series if recommended by a health care provider. However, I **decline** the vaccination at this time. I understand that by declining this vaccine, I may be at risk of Hepatitis B contamination. If in the future I want to be vaccinated I can receive the vaccine after medical consultation concerning the effectiveness of the vaccine due to the delay.

_____ _____

Employee Signature Date

Book	Policy Manual
Section	Community
Title	Parent/Guardian and Student Complaints Policy
Code	200
Adopted	October 15, 2020

Board of Trustees Policy

PARENT/GUARDIAN AND STUDENT COMPLAINTS POLICY

The Board of Trustees (the "Board") of the Chester Community Charter School ("Charter School") welcomes inquiries, suggestions and constructive criticism regarding the Charter School's programs, personnel, operations and facilities. Any parent/guardian and student shall have the right to present a request, suggestion or complaint. The Board will be responsive to parents/guardians and students by maintaining an open line of communication and responding promptly to any grievances.

There will be a variety of avenues to register complaints or concerns, and to ask questions about the Charter School's progress toward its goals. These avenues include talking with a teacher and/or administrator, sending a comment or concern via email or the school's parent portal to the administration, addressing a concern to the Home and School Association (PTA) and entering a comment during the public comment period of the regularly scheduled Board meetings. All grievances will be handled expeditiously and diplomatically, with the intention of bringing those involved in the conflict to a consensus and satisfactory resolution.

Attempts to resolve public concerns and complaints of Charter School residents shall begin with informal, direct discussions among the affected parties, following the established guidelines and Charter School organizational structure. Only when informal meetings fail to resolve the issue shall more formal procedures be utilized.

Any requests, suggestions or complaints directed to individual Board members and/or the Board shall be referred to the Chief Executive Officer ("CEO") of the Charter School for consideration and action. If further action is warranted, based on the initial investigation, such action shall proceed in accordance with the established guidelines.

Guidelines

General Complaint Procedure

General complaints about Board policy and Charter School procedures, programs, operations, facilities and personnel shall be processed in accordance with the following procedure.

First Level - Complaints and requests from parents/guardians of a student shall be addressed initially to the concerned employee (ex., teacher), who shall discuss it with the complainant and attempt to provide a reasonable explanation or take appropriate action within the employee's authority.

As appropriate, the staff member shall report the matter and the resolution to his or her immediate supervisor.

Second Level - If the issue cannot be resolved satisfactorily at the first level, it shall be discussed by the complainant with the employee's immediate supervisor.

Third Level - If a satisfactory resolution is not achieved by discussion with the employee's immediate supervisor, a conference shall be scheduled with the CEO or designee. The supervisor shall provide to the CEO or designee a report that includes the specific nature of the complaint, brief statement of relevant facts, how the complainant has been affected adversely, the action requested, and the reasons why such action should be taken or not taken.

Fourth Level - Should the matter not be resolved by the CEO or designee to the complainant's satisfaction, or is beyond the CEO's authority, and requires Board action, the CEO or designee shall provide the Board with a complete report.

Final Level - After reviewing all information relative to the complaint, the Board shall provide the complainant with its written decision within fifteen (15) days of receipt of all such information.

The Board of Trustees shall become involved in such matters only in cases where the school administration is unable to remedy the situation. The administration will supply the Board of Trustees with a complete detailed report. The complainant shall be advised of the Board's decision and shall be allowed to participate in the next Board meeting during the public comment portion.

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

Book	Policy Manual
Section	Community
Title	Public Attendance at School Events Policy
Code	201
Adopted	October 15, 2020

Board of Trustees Policy

PUBLIC ATTENDANCE AT SCHOOL EVENTS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need to maintain the structure and safety of the Charter School during events open to the community. The Board may bar the attendance of any person at a Charter School event whose conduct may constitute a disruption, and further prohibit that individual from attending future Charter School events. The Board will define a "disruption" as a deemed disturbance or problem that interrupts or interferes with the business and activity of the Charter School, and its Board, staff, parents, students, and surrounding community. The Board defines an "event" as any activity that is scheduled outside of the normal school day and outside of school personnel control.

The Board prohibits gambling, and the possession, use or distribution of alcohol or controlled substances on Charter School property or at Charter School events. Please see Board policies regarding the Use of Facilities, Student Assistance Program and Tobacco Use for additional guidance.

The supervision by parents of young children at Charter School events is necessary for a safe and orderly atmosphere.

The Chief Executive Officer ("CEO") of the Charter School or his/her designee is instructed to report at his/her discretion incidents involving the disruption Charter School events open to the public to the local police department that has jurisdiction over the event in question, in accordance with state law and regulations. As per the Safe Schools Act (24 P.S. § 13-1303-A) [1], the CEO shall annually, by July 31, report all incidents of violence, possession of a weapon, and use or sale of a controlled substance or tobacco by any person on school property to the Office for Safe Schools on the required form.

The Charter School recognizes that certain events require reasonable accommodations to assist disabled attendees. Those potential attendees requiring such accommodations should contact the CEO or his/her designee at least three (3) business days in advance of the scheduled Charter School event. Requests should be made as early as possible because some accommodations require additional time to prepare/arrange.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 24 P.S. § 13-1303-A

Book	Policy Manual
Section	Community
Title	Religious Beliefs and Customs Policy
Code	202
Adopted	October 15, 2020

Board of Trustees Policy

RELIGIOUS BELIEFS AND CUSTOMS POLICY

No religious belief or non-belief should be promoted by the Chester Community Charter School ("Charter School") or its employees, and none should be disparaged. Instead, the Charter School should encourage all students and staff members to appreciate and be tolerant of each other's religious views and customs. The Charter School should foster understanding and mutual respect among diverse students and parents.

In that spirit of tolerance, students and staff members should be excused from participating in practices which are contrary to their religious beliefs or cultural beliefs unless there are clear issues of law and/or overriding concerns that would prevent such excuse. Students and staff members must notify the School's Chief Executive Officer ("CEO") of the Charter School or his/her designee in writing if the student or staff member believes he/she should be excused from participating in practices which are contrary to his/her religious beliefs. Should the staff member's lack of participation interfere with his/her ability to perform the essential functions of his/her position, the CEO or his /her designee shall consult with the Human Resources Department for resolution.

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

Book	Policy Manual
Section	Community
Title	Clearance Policy for Volunteers
Code	203
Adopted	October 15, 2020
Revised	September 21, 2023

Board of Trustees Policy

Clearance Policy for Volunteers

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

Volunteers must obtain the following certifications

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

A fingerprint based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is **not** required as long as: (1) the position the volunteer is applying for is an unpaid position; and (2) the volunteer has been a resident of the Commonwealth of Pennsylvania for the entirety of the previous ten (10) years. If a volunteer has not been a resident of Pennsylvania for the previous ten (10) years, but obtained their FBI certification at any time since establishing residency, they must provide a copy of the certification to the person responsible for the selection of volunteers. They are not required to obtain any additional FBI certifications. If an FBI clearance has not been obtained for a volunteer who has NOT been a PA resident for the previous ten (10) years, then that person cannot qualify as a volunteer until he/she obtains the FBI certifications.

Every year volunteers must complete PDE-6004 Form - Arrest/Conviction Report and Certification under Act 24 of 2011 and Act 82 of 2012.

Volunteers required to obtain clearances include persons who are responsible for the child's welfare or who wish to visit the school regularly to serve as a volunteer and provide for the care, supervision, guidance or control of children. All Clearance Required Volunteers must obtain the required certification every sixty (60) months from the date of the individual's most recent certification. Copies of all clearances shall be provided to the Charter School.

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

- Volunteer tutors
- Field Trip Chaperones

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

Volunteers not required to obtain clearances include visitors who are not responsible for a child's welfare or are visiting the school irregularly and not providing for the care, supervision, guidance, or control of children. Although occasional visitors are not required to complete the clearances, they should continue to comply with building security policies (such as signing in before entering the building).

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

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

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

Legal References:

1. Act 15 of 2015
2. Section 6344

Book	Policy Manual
Section	Community
Title	Prohibition From Recording Policy
Code	204
Adopted	October 15, 2020

Board of Trustees Policy

PROHIBITION FROM RECORDING POLICY

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

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

Definitions:

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

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

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

Pennsylvania Wiretapping Statute:

18 Pa.C.S.A. § 5703[1] states the general rule for the interception, disclosure or use of wire, electronic or oral communications:

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

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

18 Pa.C.S.A § 5704[2] states exceptions to the rule, most of which pertain to law enforcement investigations. However, subsection (4) states that it is an exception to the prohibition of interception and disclosure of communications of a person, to intercept a wire, electronic or oral communication, "**where all parties to the communication have given prior consent to such interception."** 18 Pa.C.S.A § 5704(4)[3] (emphasis added).

Prohibition Against Consent:

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

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

Penalties:

The Pennsylvania Wiretapping Act carries both civil and criminal penalties.

- Criminal penalties: A person found guilty of violating the wiretapping statute could be subject to a third-degree felony conviction and face up to seven (7) years in prison.
- Civil penalties: A successful plaintiff seeking damages against a person who has violated the wiretapping act can seek:

- Actual damages, but not less than liquidated damages computed at the rate of $100 a day for each day of violation, or $1,000, whichever is higher.
- Punitive damages.
- Reasonable attorney's fees and other litigation costs reasonably incurred.

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

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

Notice Provisions:

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

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

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

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

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

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

Legal References:

1. 18 Pa.C.S.A. § 5703
2. 18 Pa.C.S.A § 5704
3. 18 Pa.C.S.A § 5704(4)

Book	Policy Manual
Section	Community
Title	Parent and Family Members Engagement Policy for Title I Requirements
Code	205
Adopted	October 15, 2020

Board of Trustees Policy

PARENT AND FAMILY MEMBERS ENGAGEMENT POLICY FOR TITLE I REQUIREMENTS

PURPOSE:

The Chester Community Charter School ("Charter School") will develop, jointly with teachers, principals, program administrators, and parents and family members of participating children, a Title I Parent and Family Members Engagement Policy. This policy shall be incorporated into any Charter School consolidated application for selected programs funded under the Every Student Succeeds Act (ESSA).

The ESSA serves as the latest reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA) which was last reauthorized in 2002 as the No Child Left Behind Act (NCLB). Since its inception, the intent of the law has been to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps. Parent and family engagement and consultation have always been a key piece of the law, focused on the low-income parents of "Title I-participating" children.

Title I is a 100% federally funded supplemental education program that provides financial assistance to local educational agencies ("LEAs") to improve educational opportunities for educationally deprived children. Title I programs are designed to help children meet the state content and performance standards in reading, language arts, and mathematics. For LEAs with 40% or more of their students designated as coming from poverty, the Title I funds may be used to upgrade the entire curriculum of the Charter School as Schoolwide Programs. For LEAs with less than 40% poverty rates, programs are designed to help specific children and are targeted assisted programs. LEAs and district schools are subject to consequences of school choice and supplemental education services if they do not meet adequate yearly progress as determined by the State Educational Agency.

In order to receive Title I funds, LEAs must conduct outreach to parents and family members and must implement programs, activities and procedures for the involvement of parents and families in Title I-funded activities. Each LEA must jointly develop with and distribute to families, in a language they can understand, a written Parent and Family Engagement Policy. This policy must be periodically updated to reflect the needs of families and be incorporated into the LEA's school improvement plan.

The Charter School, as an LEA, welcomes the participation of parents and family members in support of student learning and recognizes that parental and familial engagement increases the opportunities for student success. It is the policy of the Charter School to foster and maintain ongoing communications with parents and family members concerning their opportunities for involvement, their child's eligibility for special programs, their child's educational progress, the professional qualifications of their child's

teachers, and the status of their child's school. The Charter School strives to provide such information in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language that parents can understand. To the extent practicable, the Charter School shall also provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and Charter School reports required under Section 1116 in a format and, to the extent practicable, in a language such parents understand. Communications with parents shall, at all times, respect the privacy of students and their families.

To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards the Charter School shall adhere to all requirements set forth in 20 U.S.C. §6312[1] and any amendments thereto.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 20 U.S.C. §6312

Book	Policy Manual
Section	Community
Title	Parental & Family Engagement Policy
Code	205.1
Adopted	September 21, 2023

Board of Trustees Policy

Parental & Family Engagement Policy

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

I. We encourage and promote family and community participation in district and school level decisions when we are developing and reviewing our Family Engagement Policy, the Parent-Teacher-Student compact, our Equity Plan, and the development of our Consolidated Application.
   a. We have our annual Title I meeting in the beginning of the school year to discuss Title I funds, the Parent Family Engagement policy, and the Parents' Right to Know. We also talk about how parents can get involved.
   b. We have regularly scheduled Parent Advisory meetings. In addition, the Parent Engagement Coordinator attends building events to invite parents to attend the Parent Advisory meetings and to discuss equity and engagement topics. We send home virtual forms for parents to participate if they cannot attend meetings.
   c. Meetings are held at various times and days throughout the year based on parent input.

II. We measure the effectiveness of our Family Engagement policy using our end of the year "Parent Report Card". Also, we reevaluate our policy annually using results from our annual Parent survey and conversations with parents.

III. We believe in strengthening parents' effectiveness in monitoring their child's progress, working with teachers to improve the achievement of their children, understanding the challenging State academic standards and assessments, and building their own strengths. We provide: o Meetings to explain State assessments in both Spanish and English.
   a. Training videos on our website in both Spanish and English to explain how to log on to Schoology to monitor their child's progress.
   b. The school's curriculum posted on our website.
   c. Host workshops/parent training for parents:
      i. Based on parent needs identified in surveys (e.g., how to help with homework and financial literacy)
      ii. Specific literature and workshop for state assessments and State Academic standards
   d. CCCS staff training based on Parent survey results.

e. Family Engagement Policies posted on our school's web page in English and Spanish.
f. ESL specific meetings in Spanish, with a French translator, 2 to 3 times a year to include our ESL families. At these meetings, we also have a French translation service and use an interpreter if needed for any other languages.
g. Coordination with local agencies (J. Lewis Crozer Library, Ruth Bennett Community Farm, Delaware County Literacy council) to host shared events and promote services available to families in the community.

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

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Community
Title	Student/Employee Immigration Policy
Code	206
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT/EMPLOYEE IMMIGRATION POLICY

Purpose:

In response to increased immigration enforcement by the federal government, the Board of Trustees ("Board") for the Chester Community Charter School ("Charter School") adopts the following policy regarding students who are immigrants to the United States. A Memorandum was issued by the Department of Homeland Security ("DHS") on February 20, 2017 increasing efforts to deport illegal immigrants from the United States.

The purpose of this policy is to advise students, parents, and Charter School board members, administrators, faculty, and staff of the rights of students who are undocumented immigrants. It is also intended to ensure compliance with federal laws that prohibit employers from hiring undocumented immigrants.

Authority

The Board declares it to be its policy to provide an equal opportunity and education for all students, including students who are undocumented immigrants. At no time shall the Charter School, including the Board, fail to admit a child conditioned on the child's immigration status. At no time, shall the Charter Schools' board members, administration, faculty or staff, inquire regarding the immigration status of a student as part of the admission process. 22 Pa Code § 11.11(d)[1].

The Board also declares it to be its policy to have updated information regarding its employee's immigration statuses, insure that all employees I-9 forms are up to date, and kept in a separate employee file. If any employees cannot provide updated immigration documents required on an I-9, that employee should be terminated.

Furthermore, if the Charter School is presented with a government warrant for immigration records, it should contact legal counsel for review before providing those records.

Undocumented Students:

Pennsylvania regulations state that a child's right to be admitted to a public school may not be conditioned on the child's immigration status. 22 Pa Code § 11.11(d)[1]. Since a child's right to be admitted may not be conditioned on his/her immigration status, a school cannot inquire about the immigration status as part of the admission process.

In 1982, the United States Supreme Court held that students who are undocumented immigrants have an equal right to education as students who are citizens.

The provision does not relieve a student who has obtained an F-1 visa (international students) from the student's obligation to pay tuition under Federal law.

In compliance with Pennsylvania and Federal law, no board member, administrator, faculty or staff member of the Charter School should inquire about a student's immigration status, before or after the admission process. The Charter School may require proof of residency from the student's parents, but that can be shown by means other than government-issued documentation.

Immigration Status of Employees:

The Charter School shall ensure that all of its employees' I-9 forms are up to date and all supporting documentation is on file.

The Charter School shall require all new hires to complete and sign an I-9 form, and present required documentation upon hire. Within three business days of hire, the Charter School shall review the form and supporting documentation. If the I-9 form is compliant and required documentation is presented, a representative from the Charter School should sign the I-9 form. 8 C.F.R. 274a.2(b)(i) and (ii)[2].

All I-9 forms and other immigration forms should be kept in a separate file, or an immigration compliance file. While copies of government-issued documentation (such as Social Security cards, driver's licenses, and birth certificates) may be kept in an employee's regular file, copies should also be kept with the I-9 forms in an employee's immigration compliance file. If an employee at the Charter School is not a citizen, but legally permitted to be in the United States and permitted to work in the United States, then copies of any immigration documents showing legal work status and/or documents required by the I-9 form must be kept in the file.

The Charter School should take note of the expiration of any I-9 form required documents, and if any of those documents are expired or nearing expiration, ask the employee for updated documentation.

It is the policy of the Charter School to not employee undocumented immigrants. If an employee cannot provide the Charter School with documentation that he/she is able to work in the United States legally, the employee shall be terminated. It is a violation of the law for a Charter School to continue to employ an undocumented immigrant. 8 U.S.C.A. § 1324a[3].

Warrants:

If the Charter School is presented with a warrant from the Office of Immigration and Customs Enforcement ("ICE") for immigration purposes, or for any purpose, the Charter School should present that warrant to legal counsel for review before it complies with the warrant.

ICE Administrative warrants are not warrants signed by a judge or judicial officers. These warrants are signed by federal immigration officials, and do not require the same burden of proof that a judicial warrant requires. The United States Supreme Court has held that constitutionally sufficient warrants are issued only upon oath or affirmation of facts submitted to a judicial officer, one who is neutral and detached from enforcement activities. *Coolidge v. New Hampshire*, 403 U.S. 443, 450 (1971)[4]. A warrant not signed by neutral judge is not constitutionally sufficient and may not need to be followed. If

presented to the Charter School, these warrants should be reviewed by legal counsel to determine whether the Charter School must comply.

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

Legal References:

1. 22 Pa Code § 11.11(d)
2. 8 C.F.R. 274a.2(b)(i) and (ii)
3. 8 U.S.C.A. § 1324a
4. *Coolidge v. New Hampshire*, 403 U.S. 443, 450 (1971)

Book	Policy Manual
Section	Community
Title	Public Participation at Board Meetings Policy
Code	207
Adopted	June 15, 2023

Board of Trustees Policy

PUBLIC PARTICIPATION AT BOARD MEETINGS POLICY

The Chester Community Charter School's (the Charter School) Board of Trustees recognizes the need for members of the public to provide comments and opinions to the members of the Board of Trustees regarding agenda items for designated meetings and with regard to education in general.

Speakers are asked to come to the meeting, stating their name and address. Speakers are limited to three minutes each. The Board requests that, when possible, all individuals supporting a like position on a topic select a speaker to present their common views to avoid repetition. If that is not possible, all are welcome to speak. **Speakers are limited to taxpayers, residents, or employees of this school district.** It is asked that speakers observe proper decorum, without personal attacks towards a specific individual or individuals. It is not the custom for the Board to enter into a dialogue at these meetings about concerns. However, the Board does listen with care to issues raised. Speakers may receive responses by the administration or Board President.

All public commenters sign in ahead of time by signing in on the comment sheet at an in-person meeting. When the Board announces that it is time for public comment, the individual can come to the front of the meeting room. The Board President will then ask the person to state his/her name (and home address), remind the person that he/she has 3 minutes, and let the person know that this is a time to share thoughts or concerns and for the board to listen and take in feedback. When three minutes are up, the President or Chair will advise. After comment the individual will be moved (back into the waiting room.) If you are unable to make an in person meeting, you can complete the form attached hereto as Exhibit "A" and mail the form to the Chester Community Charter School, 302 E. Fifth Street, Chester, PA 19013, attn.: Board President.

Resolving Problems or Concerns

As per Board policy, if a student, parent, community member, or even an employee, has a problem or concern with operations or decisions made, he, she, or they should seek to resolve the issue directory and at the lowest level possible. This means that if someone has a problem with a classroom situation, they should resolve it with the teacher, the principal, and so on through the chain of command. The Board of Trustees does not address specific student or operational matters and have directed conflict and problem resolution through appropriate student, community, and employee policies.

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

Exhibit "A"

Written Public Comment

The Chester Community Charter School Board of Trustees (the Board) recognizes that you may not be able to make it to Board Meetings for in-person public comment. For your convenience, please fill out the form below with your comment. The Board may respond to comments at their discretion.

RULES:
- Only School District residents/taxpayers, and employees may address the Board.
- Do not mention the name of a student that is not your child.
- Do not use profanity or offensive language.

Email: _____

I agree to the rules: Yes No

Name: _____

Home Address: _____

Comments: _____

_____

_____

_____

_____

_____

_____

A copy of your responses will be emailed to the address you provided.

Book	Policy Manual
Section	Employee
Title	Staffing and Hiring Policy
Code	300
Adopted	October 15, 2020

Board of Trustees Policy

STAFFING AND HIRING POLICY

The purpose of this document is to establish consistent procedures for the recruitment and selection of candidates for positions at the Chester Community Charter School ("Charter School"). The Board of Trustees ("Board") recognizes its legal responsibility to ensure and establish adequate levels of staffing, salaries/rates, the candidate selection process, and qualifications of candidates.

Applicability

This policy applies to all paid positions at the Charter School.

Authority

The Charter School Board has the sole authority and responsibility to create new/additional staff positions. The Chief Executive Officer of the Charter School "CEO"), in collaboration with the Board, has the authority to establish salaries and approve candidates for hire.

Policy

The primary goal in the employment process is to fill vacancies with the most qualified candidates available. In this pursuit, the Charter School will adhere to the principles of Equal Employment Opportunity ("EEO"). As required by applicable law, the Charter School is an equal opportunity employer dedicated to the goal of building a culturally diverse and pluralistic faculty and staff committed to teaching and working in a multicultural environment. The Charter School strongly encourages applications from women, minorities, individuals with disabilities and covered veterans.

Probation/Orientation/Mentoring

All employees will undergo a 90-day probationary period in order to be introduced to school norms/culture. Criteria for applicable and appropriate orientation, staff development, mentoring, and continuous support for each position will be developed through the use of a collaborative process.

Terminations/Separations

Upon the separation of an individual, whether voluntarily or involuntarily, notice will be given immediately to the CEO in order to initiate separation and security procedures.

Any Charter School property issued, including, but not limited to, items such as computer equipment, credit cards, keys, petty cash, and instructional materials, must be returned to the Charter School at the time of termination or the last day of work. The departing employee will be responsible for any lost or damaged items. The value of any property issued and not returned will be deducted from the last paycheck.

The Charter School does not respond to oral requests for or provide "to whom it may concern" reference letters, as these letters can be easily misused. In the event of termination, either voluntarily or involuntarily, the CEO may be able to provide a reference to specific potential employers only if a signed release form has been received.

Exit Interviews

Whenever possible, in cases of voluntary terminations, the Charter School shall interview the departing employee on or just prior to his/her last day of work. This interview will serve to ascertain the employee's forwarding address, to sign off on retirement and/or insurance conversions, and to obtain further details on the employee's reason(s) for leaving. The written results of the interview shall be placed in the employee's personnel file.

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

Book	Policy Manual
Section	Employee
Title	Employees/Equal Employment Opportunity Policy
Code	301
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEES/EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Chester Community Charter School ("Charter School") has been and remains committed to the principle and practice of equal employment opportunity for all persons without regard to race, color, religion, age, sex, sexual orientation, ancestry, national origin, handicap, disability or Vietnam era veteran status, consistent with job qualifications and safe performance of work requirements. The Charter School seeks to recruit, hire and place into available jobs the most qualified persons and to administer personnel matters such as compensation, benefits, promotion, training, layoffs, discipline, termination and Charter School-sponsored educational, social and recreational programs in accordance with this policy. In addition to applying equal employment principles in all its personnel decisions, the Charter School is committed to affirmative action to assure equal opportunity. The Charter School values diversity in the workplace and encourages all qualified minorities, women, handicapped persons, and covered veterans to seek employment with or advancement within the Charter School.

The Chief Executive Officer of the Charter School ("CEO") has overall authority for the Charter School's equal employment policy and shall designate such personnel as he deems appropriate to implement the policy.

All administrators, supervisors and managers shall be made aware of this policy and shall fulfill their responsibilities in a manner that reflects and fosters the Charter School's equal employment policy. All other employees are expected to conduct themselves at work in a way consistent with this policy. All employees are expected to deal fairly and courteously with one another to ensure a work environment free of intimidation and harassment. Ethnic, racist, or sexist slurs or other personal derogation not related to legitimate factors concerning work are offensive and unacceptable employee behavior. Sexual harassment is also a form of unlawful and unacceptable sexual discrimination and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Please see the Charter School's Anti-Harassment and Anti-Discrimination Policy.

Any employee who violates this policy commits misconduct for which appropriate discipline may be imposed, up to and including termination. Any employee who believes he has been subjected to unlawful discrimination or harassment should make a written complaint to his immediate supervisor or, if appropriate, the CEO. Employees are encouraged to contact the CEO for information on making complaints. Employees with complaints as to the CEO may proceed to the Board of Trustees directly if the issue is not addressed by the CEO.

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

Book Policy Manual
Section Employee
Title Employment of Personnel Policy
Code 302
Adopted October 15, 2020

Board of Trustees Policy

EMPLOYMENT OF PERSONNEL POLICY

In its dedication to excellence in education, the Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") is committed to the employment of the most qualified staff.

Upon recommendation of the Chief Executive Officer of the Charter School ("CEO"), the Board shall approve the employment and determine responsibilities and approve compensation for each employee. Any employee who is related to any member of the Board shall receive the affirmative vote of a majority of all members of the Board other than the member related to the applicant. Relatives shall include: father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister/brother-in-law, uncle or aunt. The use of applicants prior to employment approval by the Board is authorized when necessary to maintain continuity in the educational program or meeting emergency conditions in the operation of the Charter School. Retroactive employment shall be recommended at the next regular meeting of the Board.

Guidelines

Appointments of personnel shall be made on merit without regard to race, creed, color, national origin, sex, sexual orientation, marital status, or membership in an employee organization or any other legally protected class. An employee's deliberate misstatement of fact essential to qualifications for employment or determination of salary shall be considered as grounds for dismissal. All prospective employees must provide the CEO with:

A) State of Pennsylvania (PA) certification where such certification is required;

B) Completed PA State Police Request for Criminal Record;

C) FBI Clearance for new PA residents in accordance with PA law; and

D) Completed PA Child Abuse History Clearance.

The CEO and or his/her designee shall develop procedures for the recruitment, screening and recommendation of candidates for employment in accordance with the following guidelines: candidates of good moral character who possess the following attributes: successful educational training and experience, scholarship, and intellectual vigor; appreciation of children; and good physical health, emotional and mental maturity and stability. Screening procedures may be used, as necessary, to determine the candidate's ability to perform the tasks for which the candidate is being considered. Recommendations may be sought from former employers and others to assist in assessing the candidate's qualifications. Such records may be retained confidentially and for official use only. All employees, regardless of position, must be photographed for identification purposes. All information shall be kept confidential. The identification card shall serve to admit employees to the school building(s) in the

course of their duty assignment. Candidates shall be recruited and recommended in accordance with Board policy as well as state and federal law. The CEO shall make appointments on merit without regard to race, religion, color, national origin, sex, sexual orientation, marital status, or membership in an employee organization or any other legally protected class. Exception to this policy of merit shall be made for the following:

Administrators;

A) Persons employed by contract to perform special services for the Charter School where the CEO certifies that such services cannot be performed by current employees; and,

B) Persons temporarily appointed or designated to make or conduct a special inquiry or study, or to perform a special service of a unique character which cannot or should not be performed by Charter School employees.

C) Physical examinations by a licensed physician shall be required of all employees as follows:

1) A tuberculin skin test shall be administered within three (3) months prior to the date the school receives the form.

2) Charter School personnel who have a documented non-significant tuberculin skin test are not required to have further tuberculin tests unless they are exposed to a case of active tuberculosis or are directed otherwise by the Secretary of the Department of Health to have an additional test.

3) Results of this examination shall be made known to the CEO on a confidential basis, discussed with the employee, and made part of the employee's record.

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

Book	Policy Manual
Section	Employee
Title	Employment Contract Policy
Code	303
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYMENT CONTRACT POLICY

All employees must have an employment agreement/letter agreement for employment with the Chester Community Charter School ("Charter School"). All employees of the Charter School shall be considered entirely at-will, and can be terminated at any time for any reason or no reason, unless expressly stated otherwise in a written employment agreement executed by the Board of Trustees.

The Board of Trustees ("Board") has the authority to prescribe employment conditions for the personnel of the Charter School. Willful misrepresentation of facts material to the employment and/or to the determination of compensation or salary level shall be considered cause for disciplinary action or dismissal of the employee.

Employment agreements/letter agreements shall be executed for all full and part time positions with the Charter School and shall terminate no later than June 30 of the then current school year unless expressly stated in an employment agreement executed by the Chief Executive Officer of the Charter School ("CEO"), employment with the Charter School shall be considered entirely at-will.

Employees working subject to an employment agreement must give the mandated time of resignation that is set forth in the employment agreement. Failure to provide such notice can result in litigation.

Certified professional employees shall maintain valid certification during the term of their employment in accordance with state and federal requirements.

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

Book	Policy Manual
Section	Employee
Title	Establishing a Position Policy
Code	304
Adopted	October 15, 2020

Board of Trustees Policy

ESTABLISHING A POSITION POLICY

To maintain an effective charter school, the Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") shall continually evaluate the Charter School's staff and establish positions essential to the fulfillment of educational goals.

The Chief Executive Officer of the Charter School ("CEO") shall be responsible for recommending, to the Board, new or additional positions, whether these are permanent or temporary assignments.

Recommendations for new or additional positions will include position descriptions of the duties for which the positions were established, a title that conforms with the appropriate State certification, if such certification is required, and supporting data and other rationale essential to the recommendation for such a position.

The initial salary or salary range for new positions shall be determined by the Board at the time of establishing such positions based upon the recommendation of the CEO and supporting documentation. In the exercise of its authority to establish new or additional positions, the Board shall give primary consideration to the most effective management of the affairs of the Charter School, the number of students enrolled, the special needs of students, the financial resources, and, above all, the educational goals of the Charter School.

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

Book	Policy Manual
Section	Employee
Title	Employee Evaluation Policy
Code	305
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE EVALUATION POLICY

All employees of the Chester Community Charter School ("Charter School") have the continuing responsibility of engaging in a program of evaluation consistent with legal and professional guidelines. Such evaluation shall seek to make each employee more effective in achieving the goals of the Charter School.

The Chief Executive Officer of the Charter School ("CEO") shall have the authority to develop a system-wide program in accordance with the law, the charter, professional standards, and the guidelines of this policy.

A) Guidelines

1) Procedures such as use of evaluation forms shall be uniform for each employee category.

2) Major emphasis shall be placed on the identification and development of the knowledge, skills, and attitudes that improve employee competency.

3) To the greatest extent, evaluation shall be cooperative with effort made to involve the employee in developing specific performance goals and methods for attaining such goals.

4) Findings shall be objective involving citing observable and verifiable data.

5) Employee strengths, as well as weakness, should be recognized.

6) The goals of Charter School shall be the determining factors in any recommendation.

7) All materials shall be held confidential, shared only as the law may provide.

8) The wording of any report shall be clear in language and intent.

9) The employee shall be permitted to file a response to any supervisor's recommendation.

10) The Board of Trustees of the Charter School shall have final approval in compensation, termination and renewal of personnel.

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

Book	Policy Manual
Section	Employee
Title	Anti-Discrimination and Complaint Policy
Code	306
Adopted	October 15, 2020

Board of Trustees Policy

ANTI-DISCRIMINATION AND COMPLAINT POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") declares that the Charter School shall not discriminate against any person on the basis of race, sex, color, creed, religion, sexual orientation, ancestry, national origin, disability, marital status, pregnancy, genetic information or any other classification otherwise protected by applicable state and/or federal laws. Charter School's Board of Trustees recognizes school administrators', employees' obligations to comply with all applicable federal, state, and local laws in providing equal opportunity for all Charter School students, including 22 Pa. Code §12.4[1] and consistent with the Pennsylvania Human Relations Act (43 P.S. §§ 951 - 963)[2]; Title IX of the Education Amendments of 1972, and implementing federal regulations at 34 CFR Part 106[3]; Section 504[4] of the Rehabilitation Act of 1973, and implementing federal regulations at 34 CFR Part 104[5]; Title II of Americans with Disabilities Amendments Act of 2008 and federal implementing regulations at 34 CFR §104.4(b)[6] and 28 CFR §35.130(b)[7].

The Charter School does not discriminate on the basis of race, sex, color, creed, religion, sexual orientation, ancestry, national origin, disability, marital status, pregnancy, genetic information or any other classification otherwise protected by law in the administration of its educational policies, admission policies, hiring policies, scholarship and aid programs, and all other policies and operations, nor may a student be subject to disciplinary action on account of race, sex, color, creed, religion, sexual orientation, ancestry, national origin, disability, marital status, pregnancy, genetic information or any other classification.

The Charter School's Board of Trustees encourages students and third parties who have been subject to discrimination to promptly report such incidents. The Board of Trustees directs that complaints of discrimination shall be investigated promptly. Confidentiality of all parties shall be maintained, consistent with Charter School's legal and investigative obligations. Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates a Title IX Coordinator for the Charter School. The Board designates the Chief Executive Officer of the Charter School (CEO) as the Title IX Coordinator. The Title IX Coordinator shall publish and disseminate this Policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Title IX Coordinator.

The Title IX Coordinator is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

- Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
- Training - Provision of training for students and staff to identify and alleviate problems of discrimination.
- Student Access - Review of programs, activities and services to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
- Support - Assurance that like aspects of the educational program receive like support as to staffing and compensation, facilities, equipment, and related matters.
- Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
    - Charter School Website Accessibility – Compliance to enable individuals, including current and prospective students and Parents/Guardians of students and other members of general public, with vision and print disabilities and/or other physical impairments to access any/all website content. Actions to ensure accessibility include, but are not limited to selection of a website auditor with requisite knowledge and experience to audit content and functionality and to identify barriers to access on the existing website for persons with disabilities;
    - Conducting a thorough audit of existing online content and functionality;
    - Adoption of policies and procedures to ensure that all new, newly added or revised online content and functionality will be accessible for persons with disabilities;
    - Posting a notice to persons with disabilities about how to request access to online information or functionality that is currently inaccessible; and
    - Providing website accessibility training to all appropriate personnel.

The Building Principal or other Administrator shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.

2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.

3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.

4. Refer the complainant to the Title IX Coordinator if the Building Principal or other Administrator is the subject of the complaint. Refer the complainant to the Board of Trustees if the CEO is the subject of the complaint.

5. Guidelines Complaint Procedure – Student/Third Party

Step 1 – Reporting.

A Charter School student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Title IX Coordinator, Building Principal or other Administrator. While oral

complaints are acceptable, the Title IX Coordinator, Principal or other Administrator shall have the student or third party complete a written complaint form which sets forth the following:

(a) the specific nature of the complaint and a brief statement of the facts giving rise to it;
(b) the manner in which and the extent to which the student believes s/he has been adversely affected;
(c) the relief sought by the student;
(d) the reasons why the student feels s/he is entitled to the relief sought.

A Charter 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 Title IX Coordinator, Building Principal or other Administrator. In either instance, if the Principal or Administrator is the subject of a complaint, the student, third party or employee shall report the incident directly to the Title IX Coordinator. If the subject of the complaint is the Title IX Coordinator and this position is not filled by the CEO, the student, third party or employee shall report the incident directly to the CEO. If the CEO is the subject of the complaint, the student, third party or employee shall report the incident directly to the Board of Trustees.

Step 2 – Investigation upon receiving a complaint of discrimination.

The Building Principal or other Administrator shall immediately notify the Title IX Coordinator. The Title IX Coordinator shall authorize the Building Principal or other Administrator to investigate the complaint, unless the Principal or Administrator is the subject of the complaint or is unable to conduct the investigation. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report.

The person conducting the investigation, whether the Building Principal, other Administrator or Title IX Coordinator, shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint. Findings of the investigation shall be provided to the complainant, the accused, and the Title IX Coordinator, if the investigation and report were completed by the Building Principal or other Administrator.

Step 4 – Charter School Action.

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Charter School shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies, Charter School administrative procedures, and state and federal laws.

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Title IX Coordinator within fifteen (15) days or to the Board of Trustees if the CEO and/or Title IX Coordinator was the subject of the initial complaint.

2. The Title IX Coordinator shall review the investigation and the investigative report and may also conduct a reasonable investigation.

3. The Title IX Coordinator shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Building Principal or other Administrator who conducted the initial investigation or to the CEO, if s/he is not the Title IX Coordinator.

4. If the initial complaint concerned the CEO and/or Title IX Coordinator, or if the complaint is not settled to the student's satisfaction by the Title IX Coordinator, the student may appeal, in writing, to the Board of Trustees, which will call a special meeting within five (5) school days of receipt of written notice of appeal.

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

Legal References:

1. 22 Pa. Code §12.4
2. 43 P.S. §§ 951 - 963
3. 34 CFR Part 106
4. Section 504[4] of the Rehabilitation Act of 1973
5. 34 CFR Part 104
6. 34 CFR §104.4(b)
7. 28 CFR §35.130(b)

Book	Policy Manual
Section	Employee
Title	Employee Anti-Harassment and Anti-Discrimination Policy
Code	307
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

The Chester Community Charter School ("Charter School") shall strive to be an environment free from harassment of any kind, including sexual harassment, or harassment because of one's gender. Sexual harassment has been defined by the Equal Employment Opportunity Commission (EEOC), as well as by federal, state and local laws, and for the purpose of this policy, the Charter School has adopted this definition. This policy covers employee on student and employee on employee harassment.

A key aspect of such an environment is protection from harassment or discrimination based on sex, race, religion, age, marital status, ethnicity, disability, ancestry, sexual orientation, gender and/or any other legally-protected class for every employee. Such harassment will not be tolerated by or from any Board member, employee, student or vendor doing business with the Charter School.

Harassment or discrimination is defined herein as discriminatory treatment on the basis of race, color, sex, religion, national origin, age of forty (40) or older, disability, or any other protected activity or class under applicable law or statutes. An action may not rise to the level of harassment pursuant to federal law if it consists of simple teasing, offhand comments, or isolated incidents that are not "extremely serious." Rather, the conduct must be "so objectively offensive as to alter the 'conditions' of the victim's employment." The conditions of employment are altered if the harassment or discrimination culminated in a tangible employment action or was sufficiently severe or pervasive to create a hostile work environment.

Further, sexual harassment is defined as: unwanted sexual advances, including request for sexual favors, and/or inappropriate verbal or physical contact of a sexual nature when made by a member of the Charter School staff, administration or Board of Trustees ("Board"). Sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature constitute sexual harassment when:

A) Submission to such conduct is made either explicitly or implicitly a term or condition of a student's success in school;

B) Submission to or rejection of such conduct by a school employee is used as the basis for the employee's success in their employment with the Charter School or threatens their employment with the Charter School in any way;

C) Submission to or rejection of such conduct by a student is used as the basis for school decisions affecting such student;

D) Such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or offensive school environment; or

E) Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile work environment.

Recent court cases have recognized acts of harassment directed at a person because of gender to be sexual harassment, despite the intent behind the act. The Charter School adopts this interpretation as part of its policy. Sexual harassment is a violation of federal and state laws and may expose not only the Charter School, but also individuals to significant liability under the law.

Any student or employee who feels he or she is being subjected to harassing or discriminatory behavior of any kind is encouraged to object to the behavior and report the behavior to his/her Chief Executive Officer of the Charter School ("CEO") or other appropriate officials. It is a violation of this policy to retaliate or engage in any form of reprisal because a student or employee has raised a concern, filed a complaint of, or been a witness to sexual harassment.

It shall also be the policy of the Charter School that the basic rights of all concerned must be respected at all times.

Prohibited Sexually Harassing Conduct

The following are examples of acts that violate the Charter School's Anti-Harassment and Anti-Discrimination policy and position. These examples are not to be construed as an all-inclusive list of prohibited acts under the policy.

A) Physical assaults of a sexual nature, such as:

1) Rape, sexual battery, molestation or attempts to commit those offenses, or committing an act with intent to cause fear in another of immediate bodily harm or death; and

2) Intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking a person's body, or touching of the clothing covering the immediate area of the complainant's intimate body parts.

B) Unwelcome sexual advances, propositions or other sexual comments such as:

1) Sexually-oriented gestures, sounds, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any student;

2) Preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any student to engage in sexual activity for compensation or reward; and

3) Subjecting, or threatening to subject, an individual to unwelcome sexual attention or conduct, or intentionally making success in school more difficult because of the individual's gender.

C) Display of publications anywhere within the Charter School's control such as:

1) Displaying pictures, posters, cartoons, calendars, graffiti, objects, promotional materials, reading materials, music or other materials that are sexually suggestive, sexually demeaning, or pornographic;

2) Displaying or publicizing, in the classroom environment, materials that are sexually revealing, sexually suggestive, sexually demeaning or pornographic;

3) Displaying signs or other materials purporting to segregate a student by gender in any area of the school (other than the rest rooms and similar semi-private lockers/changing rooms); or

4) Possession of such material in a manner that is reasonably foreseeable that it might be seen by others.

Exceptions will be considered in situations where nudity or sexually explicit language is necessary to convey a message important to public health and/or safety or pedagogically appropriate.

Subject to the foregoing exceptions, visual material will be presumed to be sexually suggestive if it depicts a person of either sex who is nude or seminude and/or who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.

D) Sexual Favoritism: The granting or withholding of school opportunities and benefits, including, but not limited to, evaluation, salary, etc., constitutes sexual harassment when it is based on sexual favoritism, and is prohibited.

E) Other Forms of Prohibited Sexual Harassment: Other conduct that has the purpose or effect of unreasonably interfering with work performance on the basis of gender may also constitute sexual harassment, and therefore, is prohibited.

Prohibited Retaliation

The following are examples of retaliatory acts that violate the Charter School's Anti-Harassment and Anti-Discrimination Policy. These examples are not to be construed as an all-inclusive list of prohibited retaliatory acts. Examples of such retaliation may include:

1) Arbitrary discipline, threats, unwarranted change of assignments, providing inaccurate information, or failing to cooperate or discuss school-related matters with an employee because that employee has complained about, been a witness to, or resisted harassment, discrimination and/or retaliation; and/or

2) Intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in any items above.

Procedures for Making Complaints

The Charter School is committed to resolving these complaints as quickly and efficiently as possible. Individuals who believe they are/have been the victims of or have knowledge or have witnessed harassment, discrimination and/or retaliation should report such incidents, in writing, as promptly as possible, to the CEO. Should the CEO be the person accused of the harassment, discrimination and/or retaliation or should the complainant feel that the CEO is in some way responsible for the harassment, discrimination or retaliation, the complainant may bring his/her concerns directly to the attention of the Board President who will follow the procedures outlined below.

Any alleged incident involving an employee and another employee, administrator, Board member or vendor shall be investigated by the CEO or his/her designee. After completing any such investigation, the CEO shall determine appropriate remediation and/or discipline and shall report to the Board of Trustees.

The reporting of an alleged incident shall remain strictly confidential, within the bounds of any legal and investigative requirements. The confidentiality and rights of the accused shall be similarly respected.

To the extent possible and as permissible by law, the Charter School shall maintain full and confidential records of all such investigation, remediation and discipline (if imposed).

Any retaliation by a Charter School employee found guilty of harassment, discrimination and/or retaliation (or friend/supporter(s) of such an individual) shall be handled as a most serious offense by the appropriate level of jurisdiction, including possible referral to the appropriate law enforcement agencies. Equally serious is a complaint that is not made in good faith or based upon false information. Disciplinary action, including unpaid suspension or termination, may be taken against an employee who files such a complaint.

All students and employees shall be made aware of this policy and their rights to protection against harassment and against any type of retaliation for reporting alleged harassment or discrimination. They also shall be informed of counseling services, where appropriate.

The employee may seek either an informal or formal resolution to their complaint:

A. Informal (Employee)

The employee may request that the CEO intervene, after a full investigation by the CEO or his/her designee, by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated in the work place. In such case, the CEO must discuss the matter with the alleged offender, and, if warranted, require that he/she participate in non-disciplinary counseling. The CEO shall document responsive actions taken in writing. Copies will also be forwarded to the President of the Board. If a student, the accused shall have the right to have his/her parent/guardian present during his/her interview.

B. Informal (Student)

The student or his/her parent/guardian may request CEO to intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated. In such case, the CEO must discuss the matter with the alleged offender, and, if warranted, require that he/she participate in non-disciplinary counseling. The CEO shall document

actions taken in writing. Copies will also be forwarded to the Board President. The accused, if he/she is a student, shall have the right to have his/her parent present during the interview.

C. Formal

An individual who believes that he/she has been harassed, discriminated, or retaliated against (or a witness to any such conduct) should make a written complaint to the CEO requesting an investigation into the allegation. Formal complaints shall be taken in writing and signed by the complainant. A thorough and complete investigation shall be conducted by the CEO or his/her designee with results provided to the Board of Trustees. To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. All parties will be treated with dignity and due process.

Procedures for Investigating and Resolving Complaints

A. Equal Employment Opportunity Officer ("EEO")

The CEO or his/her designee shall be designated as the EEO Officer, capable of conducting a thorough and complete investigation. This EEO Officer shall seek advice and assistance from the Board of Trustees if it is believed that he/she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the CEO is the alleged harasser or is alleged to have been responsible for the harassment/discrimination/retaliation, the President of the Board will conduct the investigation.

B. Conducting Investigations

The EEO Officer, receiving a complaint of harassment, discrimination or retaliation, shall take the details of the complaint in writing and have the complainant sign it. Copies of this document will be provided to the Board. All complaints of harassment, discrimination or retaliation against a Charter School employee shall be received, investigated and disposed of in accordance with the procedures set forth in this policy, and complainants shall be notified of the final disposition/action taken.

If the complaint involves sexual assault, rape or conduct of a potentially criminal nature, the local police department or law enforcement agency shall be contacted and a report of the incident made. If there is any question whether the conduct complained of constituted criminal activity, the Charter School's solicitor should be contacted and consulted.
The EEO Officer shall attempt to secure statements from all participants in, and witnesses to the alleged incident. The accused, if he/she is a student, shall have the right to have his/her parent or guardian present.

All investigations shall be completed by the EEO Officer within ten (10) school days from the date of the written complaint.

A substantiated charge of harassment, discrimination or retaliation shall result in appropriate disciplinary action, including, but not limited to, potential employee

discharge or suspension without pay, or student suspension or expulsion. Any disciplinary action shall be subject to the requirements of the Charter School's Code of Conduct, the Public School Code, Charter School Law, Department of Education Regulations and other applicable law. All complainants shall be guaranteed protection from reprisals of any type, including, but not limited to, continued employment, promotion, work assignment, grades awarded, etc., unless it can be proved such accusations were known to be false and malicious in their intent. If such malicious intent is proved, the complainant shall be subject to appropriate disciplinary action.

Documents regarding substantiated charges of harassment, discrimination or retaliation shall be maintained by the Charter School. Documents regarding unsubstantiated charges shall not be placed in employee personnel files, but shall be maintained by the Board of Trustees in a confidential EEO file established expressly for retaining complaints of harassment, discrimination and/or retaliation against students and/or employees.

C. Training

It is the responsibility of the Charter School Board of Trustees to ensure that all administration, staff and Board receive the appropriate training to enforce this Policy.

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

Book	Policy Manual
Section	Employee
Title	Conflict of Interest Policy
Code	308
Adopted	October 15, 2020

Board of Trustees Policy

CONFLICT OF INTEREST POLICY

The Board of Trustees' members (the "Board"), Officers and employees of the Chester Community Charter School ("Charter School") have a duty of loyalty to the Charter School. The purpose of this Conflict of Interest Policy, which provides guidance and a general standard of conduct with respect to actual or apparent conflicts, is in keeping with the Pennsylvania Public Official and Employee Ethics Law and the State Legislature's declaration that the people have the right to be assured that the financial interests of public officials and employees conflict with the public trust, and the principle which prohibits public officials and employees from entering into situations where private interests may conflict with official duties.

The appearance of conflict of interest undermines the public confidence in the integrity of the Charter School, its Board Members and/or employees, and should be scrupulously avoided.

Standards of Conduct

No Board Member or employee shall:

A) Engage in conduct that constitutes a conflict of interest, which shall be defined as use by a Board Member or employee of authority of his office or employment of any confidential information received through his position for the private pecuniary benefit of himself, a member of his immediate family, or a business with which the Board Member or employee or a member of his immediate family is associated. "Immediate family," for purposes of this policy, is defined to mean a parent, spouse, child, brother or sister.

B) Engage, or have any interest, financial or otherwise, directly or indirectly, in any business, transaction or professional activity, which conflicts with or impairs the proper discharge of official duties or which could bring disfavor or disrespect upon the Charter School.

C) Accept an honorarium, which represents a payment in recognition of published works, appearances, speeches, and presentations and which is not intended as consideration of the value of such services that are non-public, occupational or professional in nature.

D) Recommend or otherwise participate in the decision to make any contract of any value between the Charter School, any school or Student Activity Fund, and any business or entity in which the Board Member or employee or a member of his immediate family, has a personal or financial interest or act to implement or administer any such contract.

E) No Board Member or employee may participate in the selection, award, or administration of the contract, regardless of the value of the contract, if he or she has a real or apparent

conflict of interest. Such a conflict of interest would arise when the employee or Board Member any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

F) A Board Member or employee shall report the nature of his or her interest in a potential Charter School contract to his or her superior. Where a Board Member or employee or a member of his or her immediate family has a personal or financial interest in a contract, he or she shall disclose it publicly and abstain from voting on the contract. Formal approval of the contract by a majority of all members of the Board of Trustees, other than the abstaining member, shall be required. The foregoing would apply to any business in which the Board Member's or employee's spouse or child is associated.

G) Advertise business or professional activities on the Charter School property or use work hours, property or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.

H) Use confidential information, as defined by the Sunshine Act or the Board of Trustees, concerning property, personnel matters, or affairs of the Charter School or its employees to advance the financial or other private interests of the Board Member, employee or others; nor shall Board Members and employees disclose confidential information except as directed by the Board of Trustees or a court of law. Nothing in this provision shall be interpreted as prohibiting the practice of "whistle-blowing."

I) Accept anything of value including, but not limited to, a gift, loan, political contribution, reward, promise of future employment, favor, gratuity, entertainment, transportation or lodging based on any implied or actual understanding that the judgment of the Board Member or public employee would be influenced thereby. The officers, employees, and agents of the Charter School may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Example gifts of nominal value are t-shirts, calendars, pencils, branded inexpensive pens and other inexpensive promotional items. Examples of gifts of more than nominal value may include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, or promise to do or not do something having a monetary value.

J) Solicit directly from other Board Members or employees, students or their parents, anything of value for the Board Member's or employee's personal benefit.

K) Purchase property of any kind from the Charter School, either directly or indirectly, except in a manner approved by the Board for the particular sale involved, unless (1) there is an open and public bid process, including public notice and subsequent public disclosures of all bids considered and contracts awarded, and (2) the Board Member or employee did not act in an official capacity in connection with the sale, and (3) the Board Member or employee was not privy to non-public information received in the course of his office or employment.

L) Participate in the review and approval of publications or materials for Charter School purchase if the Board Member or employee is the author/editor of or has any financial interest in the sale of such publications or materials.

M) Tutor or counsel as a private enterprise, for compensation, pupils assigned to any class or course of the Charter School to which the employee is assigned. Employees may tutor or counsel pupils enrolled in other schools unless such private enterprise conflicts with or impairs the proper discharge of official duties for the Charter School.

N) Refer a Charter School parent or student to a service, service provider or product in return for anything of value. Employees making referrals as part of their official duties shall make referrals to more than one provider of any non-unique service or product. For example, Charter School counselors shall refer parents or students to more than one counselor or provider of medical services where comparably qualified persons are available.

O) Upon separation from Charter School service or employment, represent any individual or business entity on any matter before the Charter School for a period of one year after such separation.

Administration

Statement of Financial Interest

In accordance with Pennsylvania's Public Official and Employee Ethics Law, the Charter School requires each Board Member and applicable employee to file a Statement of Financial Interest with the Secretary of the Board of Trustees by May 1st of each year for the immediate prior year. All Statements of Financial Interest are reviewed by the Board President.

The Board of Trustees may require any employee whose duties require the exercise of discretion or judgment to file a Statement of Financial Interest.

Conflict of Interest Resolution

In the event that a question of conflict of interest or the appearance of conflict of interest arises, a Board Member or employee must apprise his/her superior and the Board President who will investigate and report the fact of the inquiry and results of his investigation to the CEO and the Board of Trustees for resolution. A Board Member having a conflict question shall take it to the President of the Board of Trustees who, if he/she cannot resolve it, with counsel, will refer the question to the Board of Trustees for resolution.

All violations of the foregoing policy are subject to appropriate censure or disciplinary action, including termination of employment and any penalties as prescribed by law.

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

Book	Policy Manual
Section	Employee
Title	Employee Chromebook/Electronic Tablet Policy
Code	309
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE CHROMEBOOK/ELECTRONIC TABLET POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") believes in the advancement of student learning through the use of new and innovative technology. Consequently, the Board has approved employee usage of Chromebooks, laptop computers, laptop computers and/or similar electronic tablets and directs that the following shall be observed:

All Chromebooks, laptop computers, laptop computers and/or tablets are considered the property of the Charter School. The Charter School retains the right to collect and/or inspect the Chromebook or tablet at any time and to alter, add or delete installed software or hardware.

The Board charges each staff member, entrusted with, or in possession of any Chromebook, laptop computers or tablet, for any period of time, with responsibility for the proper care, maintenance and use of the Chromebook, laptop computers or tablet and any and all related applications, content and parts thereof.

All Chromebooks, laptop computers, laptop computers tablets and/or their content, parts and applications shall be maintained and used in accordance with manufacturer recommended specifications, administrative procedures and applicable federal and state laws and regulations. Refer to the User Guide for appropriate care and maintenance of the device and for the personal health and safety of Users.

All staff entrusted with Chromebooks, laptop computers or tablets and their parts and applications must adhere to administrative procedures regarding the use, maintenance, storage and return of Chromebooks, laptop computers, laptop computers or tablets and their content, parts and applications.

Employees are responsible for any and all loss or damage in connection with the Chromebook or tablet and their content applications and/or parts and may be required to reimburse the Charter School for any associated damages, fines, or losses. The Charter School is not responsible for any claims, demands, damages, or awards sought against staff in connection with their use or attempted use of the Chromebook or tablet and/or their applications, content or parts.

Employees shall comply with all Acceptable Use and Internet Policy. Employees should also adhere to state and federal copyright laws and regulations regarding the use and possession of Chromebooks, laptop computers, laptop computers or tablets and their applications and parts as well as any content stored, shared or attempted to be stored, shared, and/or accessed on Chromebooks, laptop computers, laptop computers or tablets. Please refer to the Charter School's Acceptable Use Policy for a comprehensive review of the provisions and guidelines governing the Charter School's use of technology, including Chromebooks, laptop computers or tablets, for employees.

All Chromebooks, laptop computers, laptop computers or tablets shall be used for school purposes only as expressly authorized by the Chief Executive Officer of the Charter School (CEO) and in the manner and scope as directed by the CEO. Failure to adhere to reasonable administrative procedures, directions and

guidelines regarding Chromebooks, laptop computers , laptop computers or tablets may result in any or a combination of the following consequences: reports to appropriate authorities; consequences under the Charter School's Employee Manual, Handbook or policies (up to and including warnings, suspension and/or termination of employment depending upon the severity of the incident); and/or the imposition of fines and/or damages as may be deemed appropriate by CEO and Board and allowed by applicable federal and/or state laws and regulations.

The CEO shall develop procedures to implement this policy, which shall include: (1) rules for the safekeeping and accounting of Chromebooks, laptop computers , laptop computers and tablets; (2) a report to the Board on occurrence of the incidence of vandalism and/or damage to Chromebooks, laptop computers or tablets, which report shall include the number and kind of incident, the cost of vandalism or loss to the school, and related facts as the CEO deems appropriate.

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

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

Employee Chromebook/Electronic Tablet Policy

Employee Acknowledgment

To acknowledge that you have received, read, understand and agree to comply with the Charter School Policy entitled, "**Employee Chromebook/Electronic Tablet Policy**" please sign below. Retain a copy for your personal file and return a copy to the CEO of the Charter School:

Employee Name: _____

Date: _____

Other: _____

Book	Policy Manual
Section	Employee
Title	Employee Files Policy
Code	310
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE FILES POLICY

For effective operation of the Chester Community Charter School ("Charter School"), a file must be established for the retention of all papers bearing upon an employee's responsibilities.

The Board of Trustees ("Board") of the Charter School requires that sufficient records be maintained to ensure an employee's qualifications for the job held, compliance with federal and state statutes, local benefit programs, conformance with school rules, and evidence of completed evaluations.

The Board designates the establishment and the maintenance of official personnel records to the Chief Executive Officer of the Charter School ("CEO") or his/her designee. A central file shall be maintained; supplemental records may be maintained for ease in data gathering. Only that information which pertains to the professional and legal role of the employee and is submitted by duly authorized staff and/or the Board may be entered in the official record file. A copy of each such entry shall be made available to the employee. Every effort will be made to maintain the confidentiality of all personal information.

Employee records shall not be available to the Board except as may be required in the performance of its functions as a Board, which may include the ability to specifically review evaluations as part of the collective authority to the Board.

Each employee shall have access to his or her file upon written request with five (5) days advance notice except for matters pertaining to pending litigation or possible criminal investigation. An employee shall not have access to an administrator's file for confidential letters of recommendation and administrative review notes, evaluations and/or reports completed in connection with an application for a different position and/or assignment.

Employees wishing to review their own records shall do so in the presence of the administrator designated to maintain such records and shall make no alterations or additions to the records nor remove any material therefrom and shall sign a log attached to the file indicating the date and name of the reviewer.

An employee wishing to appeal material in his or her record shall make a request in writing to the administrator delegated to maintain the records and specify therein name and date, material to be appealed, and reason for appeal.

The CEO or his/her designee shall hear the appeal and make a determination. If necessary, the CEO shall review the determination to the Board of Trustees for review.

Upon initial employment, the CEO or his/her designee will collect appropriate employment documentation in compliance with the laws of the Commonwealth of Pennsylvania the federal government requirements.

All medical and health related information should be maintained in a separate confidential employee file.

During the period of employment, additional and/or updated information may be included along with the data required upon initial employment in confidential personnel files.

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

Book	Policy Manual
Section	Employee
Title	Employee Freedom of Speech in Non-Instructional Settings
Code	311
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE FREEDOM OF SPEECH IN NON-INSTRUCTIONAL SETTINGS

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") acknowledges the right of its professional employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the Charter School and its programs, however, the employee's freedom of expression must be balanced against the interests of the Charter School.

The following guidelines are adopted by the Board to help clarify, and therefore avoid, situations in which the employee's expression could conflict with the Charter School's interests. In situations in which the teacher is not engaged in the performance of professional duties he or she should:

A) State clearly that his or her expression represents personal views and not necessarily those of the Charter School;

B) Not make representations or statements on behalf of the Charter School unless expressly authorized to do so by the Board;

C) Refrain from expressions that would interfere with the maintenance of discipline by Charter School officials or unlawfully interfere with Charter School operations;

D) Refrain from making public expressions that he or she knows to be false or made without regard for truth or accuracy;

E) Refrain from posting on-line information related to the Charter School's operations pursuant to the Acceptable Use and Internet Use Policy, Social Media Policy, and Employee Code of Conduct and any and all other policies and Charter School rules and regulations governing public expressions on the web;

F) Refrain from discussing any and all proprietary information of the Charter School;

G) Not make threats against students, coworkers, supervisors, other Charter School officials or others who contract with or volunteer for or at the Charter School.

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

Book	Policy Manual
Section	Employee
Title	Employee Grievance Policy
Code	312
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE GRIEVANCE POLICY

The Board of Trustees ("Board") of Chester Community Charter School ("Charter School") has developed this policy to provide open and constructive methods by which to entertain and resolve legitimate employee complaints. The first avenue of resolution is informal through an employee's immediate supervisor, Principal, or if a management level employee, through the Chief Executive Officer of the Charter School ("CEO"). If a more formal process is required, the CEO shall develop procedures in accordance with the guidelines set forth below which are overseen for implementation by the CEO's designee.

If the complaint involves any form of harassment and/ or possible criminal actions against a Charter School employee, the CEO or his designee shall conduct all investigation in accordance with the Board's approved Anti-Harassment and Anti-Discrimination Policy as more fully explained below.

At no time shall a Charter School Trustee or employee retaliate in any way against a Charter School employee who has or is participating in the complaint process. Any retaliation by a Charter School employee found guilty of the basis of the complaint (or friend/ supporter(s) of such an individual) shall be handled as a most serious offense by the appropriate level of jurisdiction, including possible referral to the appropriate law enforcement agencies. Equally serious is a complaint that is not made in good faith or based upon false information. Disciplinary action, including unpaid suspension or termination, may be taken against an employee who files such a complaint.

Definition

For purposes of this policy, the following definition applies: Complaint: A complaint is any unresolved problem concerning application or interpretation of the policies, rules or regulations of the Board and Charter School administrative guidelines or procedures.

Guidelines

Level One - Informal Conference

Complaints should be discussed in a private, informal conference between the parties involved. At least one such private meeting should take place between the parties before the complaint is taken to the next higher level of authority. The time limits provided for in this policy may be extended by mutual agreement of the parties. Any decision not pursued within the 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.

Level Two - Immediate Supervisor, Principal, CEO or Designee

Within five school days after the occurrence of the act or omission giving rise to the complaint and following an informal discussion as outlined above, the complainant must present his/her

complaint in writing to the immediate supervisor, Principal, CEO or Designee. This statement shall be a clear concise statement of the complaint, and the rule, policy or regulation for which there is an alleged violation, the circumstances on which the complaint is based, the person(s) involved, the decision rendered at the private conference, and the remedy sought. Copies of this statement may be sent to any individuals who may have been present.

Within five school days, a decision shall be communicated to the complainant in writing. If a response is not received within the time limit, the complainant may appeal to the next higher level of authority.

Level Three - CEO

In the event the employee is not satisfied with the decision in Level One, s/he may appeal the decision in writing to the CEO within five school days after receiving it. This written appeal shall include a copy of the original complaint, the decision rendered and a clear, concise statement of the reasons for the appeal on the decision.

The CEO shall communicate his/her decision to the complainant within five school days, however, prior to the expiration of this time period, either party in the appeal may request a personal conference within the above time limits. If the decision is not rendered within the time limits, the complainant may appeal to the next level.

Level Four - Board of Trustees

Within five school days after receiving the decision of the CEO, the complainant may appeal the decision in writing to the Board. The Board shall schedule the matter for a hearing at its next regularly Board meeting. The complainant shall be present at the hearing. Within ten days of the executive session, the Board will submit its decision in writing together with supporting reasons to the complainant. A copy shall be furnished to the administrator(s) involved. The decision of the Board is final.

Equal Employment Officer

In accordance with the Board's Anti-Harassment and Anti-Discrimination Policy, if a complaint involves any form of harassment and/ or possible criminal actions against a Charter School employee, the CEO or his/her Designee shall be designated as the EEO Officer capable of conducting a thorough and complete investigation. This EEO Officer shall seek advice and assistance from the Board of Trustees if it is believed that he/ she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the CEO act(s) forms the basis of the complaint, the President of the Board of Trustees will conduct the investigation.

The EEO Officer receiving such a complaint shall take the details of the complaint in writing and have the complainant sign it. Copies of this document will be forwarded to the Board. All complaints of harassment or possible criminal activity against a Charter School employee or administrator shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy, and complainants shall be notified of the final disposition/ action taken.

If the complaint involves sexual assault, rape or conduct of a criminal nature, the local Police Department shall be contacted and a report of the incident made. If there is any question whether the conduct complained of constituted criminal activity, the Charter School's solicitor should be contacted and consulted.

Record Keeping

All documents, communications and records dealing with the processing of a complaint shall be filed in a separate confidential file and shall not be kept in the personnel file of any of the participants. The Charter School shall maintain full and confidential records of all such investigation, remediation and discipline (if imposed). Note that pursuant to the Anti-Harassment and Anti-Discrimination Policy approved by the Board, all documents regarding substantiated charges of harassment or of any criminal conduct shall be placed in the accused employee's personnel file.

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

Book	Policy Manual
Section	Employee
Title	Employee Leaves of Absence
Code	313
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE LEAVES OF ABSENCE

The Board of Trustees of the Chester Community Charter School ("Charter School") recognize the need of employees to have leaves of medical, family, civic and personal absence for a variety of reasons.

The Chief Executive Officer of the Charter School ("CEO") is authorized to develop regulations in accordance with the guidelines of this policy and provide each work location with a copy of the regulations.

The CEO shall continually evaluate the effectiveness of this policy, particularly in light of situations that arise, and make appropriate recommendations to the Board of Trustees for any needed revision or addition.

The Board of Trustees reserves the right to specify the conditions under which uncompensated leave may be taken.

The following policy is preliminary and specific information will be set forth in the Employee Handbook or Manual.

Guidelines for Leave

There shall be printed regulations defining types of leaves, time limits for absence, permissible activities during leave, benefits, and salary, if applicable.

Proof of need for a leave of absence such as a physician's signed certification of illness or disability shall be presented by the employee as permitted by applicable law.

Any employee on leave shall be denied approval for engaging in any remunerative activity. Non-compliance of this provision will be a basis for employee dismissal from service.

An employee whose absence exceeds **three (3)** consecutive days must provide a physician's signed certification of illness or disability.

Records of attendance shall be maintained for each employee. Absences and reasons for the absences shall be noted. These records shall be part of the evaluation of the employee's service and maintained in the employee's confidential file.

Provision shall be made for an employee's absence not covered by sick leave or disability regulation. Approval of leave for such purposes shall be approved by employee's immediate supervisor. Such excused absences with entitlement to leave without loss of pay will include the following reasons:

1. The death of a member of the employee's immediate family, which includes spouse,

mother, father, grandmother, grandfather, grandchild, sister, brother, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, and daughter-in-law entitles an employee up to three (3) days leave without loss of pay. Requests for bereavement leave may be considered in exceptional circumstances if someone dies who was as close to employee as an immediate family member.

2. Other reasons on a case-by-case basis as may be determined by the CEO.

Uncompensated Leave

The Board recognizes that in certain instances, an employee may request extended leave for personal reasons and the Charter School would benefit from the return to service of the employee. Requests for such leave for reasons other than those stated below shall be made in writing and submitted to the CEO who will make a recommendation to the Board of Trustees for approval or disapproval.

Approval may be given for the following purposes: birth and care of newborn child of employee, placement with employee of a child for adoption or foster care, to care for an immediate family member (spouse, parent, child) with a serious health condition or medical leave when an employee is unable to work because of a serious health condition;

The employee returning from leave may be reassigned in order of seniority of service as a vacancy occurs, either in the employee's former or an equivalent position.

The Charter School will provide benefits to eligible employees under the Family and Medical Leave Act ("FMLA") as required by law. Eligible employees shall be entitled to an uncompensated leave of up to twelve (12) weeks, including written notice to the employer. The FMLA leave shall commence on the employee's stated date and shall be counted continuously (this includes days compensated through sick leave/personal illness leave, personal leave, disability insurance or other income protection plan) unless the request is for intermittent leave as defined in the FMLA.

Under the FMLA and the terms of any employer-provided health insurance plan, health benefits will be maintained while employee is on FMLA, or other leave, to the extent required by applicable law. If employee does not return to work after exhausting the twelve (12) week FMLA leave or exhausting his/her period of approved leave (or terminates or is terminated from his/her position while on approved leave), benefits will be terminated by employer. However, employee may access or be eligible for COBRA health benefits upon termination of employment or if leave goes beyond twelve (12) weeks.

The Charter School will grant a military leave of absence if an employee is absent from work because he/she is serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any applicable state law. Employee must give his/her supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

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

Book	Policy Manual
Section	Employee
Title	Family and Medical Leave Act (FMLA) Policy
Code	314
Adopted	October 15, 2020

Board of Trustees Policy

FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

The Family and Medical Leave Act (FMLA) provides eligible employees the right to take a leave of absence, generally unpaid, for a period of up to twelve (12) work weeks in any twelve (12) month period, have group health insurance continued during that FMLA leave and to be reinstated upon return to work at the completion of such leave. Chester Community Charter School ("Charter School") is a qualifying employer under the FMLA and provides FMLA benefits to eligible employees as required by law.

I. Eligibility for Leave:

In order to be an "eligible employee" under the FMLA, you must meet three- (3) requirements as of the date the leave would commence:

(a) You must have been employed by the Charter School for at least twelve (12) months; and

(b) You must have worked for the Charter School for at least 1,250 hours during the twelve (12) month-period immediately preceding the commencement of the leave; and

(c) You must work at a worksite where 50 or more employees are employed within 75 miles of the work site.

Note: Although the 12 months of employment need not be consecutive, employment prior to a break in service seven (7) years ago need not be counted, with two exceptions. These exceptions include employees who take leave as a result of military obligations through the National Guard or Reserve or where a written agreement exists concerning the employer's intention to rehire the employee after the break in service. Furthermore, the employer may consider employment outside of the seven-year period but this practice must be done uniformly with regard to all employees with similar breaks. Additionally, there is the possibility of having up to twenty-six (26) workweeks of available leave if certain qualifications are met by employees covered by active military duty, deployment and for care of illness or injury sustained in the line of duty.

Please understand that it is possible for an ineligible employee on Non-FMLA leave to become eligible for FMLA leave while on leave, by meeting the 12-month requirement and that any portion of the leave taken for a qualifying reason after the employee becomes eligible would be protected FMLA leave.

("Key" employees, defined as salaried employees among the highest paid 10 percent of the total employee

populace, are covered, but may not have a right to job restoration. You will be notified if you are considered to be a key employee.)

II. Qualifying Reasons for FMLA Leave:

If you meet the eligibility requirements as described above, you are entitled to FMLA leave for the following reasons:

(a) Birth of your child and in order to care for a newborn child;

(b) Placement of a child with you for adoption or foster care;

(c) To care for your spouse, child, or parent (not parent-in-law) who has a serious health condition;

(d) Because of a serious health condition that renders you unable to perform the functions of your job; or

(e) Because of qualifying exigencies in support of spouse, child or parent covered by active duty military deployment or care of a covered service member due to illness or injury in the line of duty.

III. Serious Health Condition:

The term "serious health condition" is one of the most significant terms under FMLA. Currently, the term is defined to mean an illness, injury, impairment, or physical or mental condition that involves either (a) inpatient care in a hospital, hospice or residential medical care facility or (b) continuing treatment by a health care provider. 29 U.S.C. § 2611(11)[1]. Serious health conditions are illness, injury, impairment, or physical or mental conditions that involve:

(a) Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or

(b) A period of incapacity requiring absence of more than **three calendar days** from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or

(c) Any period of incapacity due to pregnancy, or for prenatal care; or

(d) Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.); or

(e) A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.); or

(f) Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).

A chronic serious health condition as one that (1) requires "periodic visits" for treatment by a health care provider or nurse under the supervision of the health care provider, (2) continues over an extended period of time, and (3) may cause episodic rather than continuing periods of incapacity. While "periodic" is not defined, there is a requirement of at least two (2) visits a year to a healthcare provider to qualify.

The term 'serious health condition' is not intended to cover short-term conditions for which treatment and recovery are very brief. Conditions or medical procedures that would not normally be covered by the FMLA include minor illnesses that last only a few days or surgical procedures that typically do not involve hospitalization and require only a brief recovery period.

A "serious illness or injury" is one sustained in the line of duty on active duty by a member in the Armed Forces, including the National Guard or Reserves, or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty and that may render medically unfit to perform his or her duties of the member's office, grade, rank or rating. In the case of a covered veteran, it is an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or which existed before the beginning of active duty and was aggravated by service in the line of duty on active duty and that manifested itself before or after the member became a veteran.

IV. Substance Abuse and Alcoholism:

Please note that substance abuse and/or alcoholism may be considered a "serious health condition" if the conditions of this section are met. However, FMLA leave may only be taken for the treatment of substance abuse or alcoholism. In other words, absence because of your use of a substance or alcohol, rather than for the treatment of the illness, does not qualify for FMLA leave.

V. Duration of Leave:

An eligible employee may not take more than a total of twelve (12) work weeks of FMLA leave within any twelve (12) month period. Your entitlement to FMLA leave because of the birth of a child or the placement of a child with you for adoption or foster care expires at the end of the twelve (12) month period beginning on the date of the birth or placement. Any such FMLA leave must be concluded within the twelve (12) months unless state law, contractual agreement or Charter School practice allows for a longer period of time.

To care for a covered service member, an eligible employee may take twenty-six (26) weeks of leave during a single twelve (12) month period. The single twelve (12) month period begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends twelve (12) months after that date; it is measured on a rolling forward basis. An employee is entitled to a combined total of twenty-six (26) weeks of leave for any FMLA-qualifying reason during the single twelve (12) month period. However, the employee is never entitled to more than twelve (12) weeks of leave for one or more types of FMLA leave other than care of a service member.

If spouses both work for the Charter School and each wishes to take leave for the birth of a child, adoption

or placement of a child in foster care or to care for a parent (but not a parent-in-law) with a serious health condition, the spouses may only take a combined total of twelve (12) weeks of leave. If a spouses both work for the Charter School and each wishes to take leave to care for a covered ill or injured service member, the spouses may only take a combined total of twenty-six (26) weeks of leave.

The "12-month period" of FMLA is determined to be a "rolling" twelve- (12) months measured backward from the date you use any FMLA leave. Under the ''rolling'' 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example, if an employee requests FMLA to begin on July 1st of the current year, the Charter School would "look back" 12 months (from July 1st back to June 30 of the previous year) to see if any FMLA leave has been used and, if so, how much of the total 12-week period remains available to the employee.

VI. Intermittent Leave or a Reduced Work Schedule:

The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances (CFR Section 203)[2]:

(a) Intermittent/reduced schedule leave may be taken when medically necessary to care for a seriously ill family member or because of the employee's serious health condition.

(b) Intermittent/reduced schedule leave may be taken to care for a newborn or newly placed adopted or foster care child only with the employer's approval.

When permitted under the FMLA, an eligible employee may take FMLA leave in twelve (12) consecutive weeks, may use the leave intermittently or under certain circumstances may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) work weeks over the twelve (12) month period.

The Charter School may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule for that eligible employee. The Charter School does not generally permit employees to take an intermittent leave for child birth or the placement of a child for adoption or foster care. In such circumstances, Eligible Employees will be permitted to take FMLA in a full-time 12-week block leave.

If you plan to take intermittent leave or work a reduced schedule due to a serious health condition, the medical certification must also include dates and the duration of treatment as well as a statement of medical necessity for taking intermittent leave or working a reduced work schedule.

VII. Thirty (30) Day Notice for FMLA Leave:

You must provide the Charter School with at least thirty (30) days advance notice before FMLA leave is to

begin if the need for leave is foreseeable based on an expected birth or placement of a child, or planned medical treatment for a serious health condition of you or a family member as permitted by the FMLA.

If thirty (30) days' notice is not practicable, (such as lack of knowledge, medical emergency or change in circumstances), notice must be given as soon as possible. You must also make a reasonable effort to schedule medical treatment, so as not to unduly disrupt the Charter School's operations, subject to the approval of the health care provider.

If you fail to provide thirty (30) days' notice when the need for leave was foreseeable, the Charter School may deny FMLA leave until at least thirty (30) days' after the notice was first given.

VIII. Medical Certification:

Application for FMLA leave based on your serious health condition or that of a spouse, child or parent will require medical certification completed by the applicable health care provider.

The certification must state:

(a) The date on which the health condition commenced

(b) The health care provider's best judgment as to the probable duration of the condition

(c) The health care provider's best judgment as to the patient's present incapacity

(d) Appropriate medical facts regarding the condition (such as the regimen of treatment prescribed, hospitalization requirements, etc.)

(e) If you are needed to care for a spouse, child, or parent, along with an estimate of the amount of time that your assistance will be needed.

(f) The Charter School has a supply of the appropriate medical certification forms and if you are requesting FMLA leave due to a serious health condition you should obtain a copy of the form from the Human Resources Department of CSMI, LLC. It is your obligation to have the form completed by the health care provider, and to return the completed form to Human Resources.

(g) The Charter School may, through you request subsequent re-certification of your or family member's serious health condition on a reasonable basis. Such requests must be coordinated with the CEO.

IX. Paid Leave and FMLA Leave:

FMLA by itself is unpaid leave. However, if an employee is receiving worker's compensation or other disability benefits, receipt of such benefits will run concurrently with FMLA leave.

The Charter School will require eligible employees to use all accrued earned time off days while on FMLA leave to the extent allowed by law. As a result: (1) at least part of your FMLA leave may be paid; and (2) you would thereby be prevented from enlarging annual leave entitlement by adding earned time off days to

an approved twelve (12) week FMLA leave period.

X. Benefits Coverage During Leave:

The Charter School will continue to provide you with health insurance benefits for the full period of the approved leave, providing you pay the Charter School monthly for your portion of the coverage, if any, as required for all employees. If paid leave is substituted for unpaid leave, the Charter School will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must remit your portion of the premium on a monthly basis to the Charter School's CEO on or before the 1st day of the month for each month during your leave.

As permitted by law, your health care coverage will cease if your premium payment is more than thirty (30) days late.

You will continue to accrue earned time off days for any portion of your FMLA leave that is paid, however, you will not accrue any earned time off days for the portion of your leave that is unpaid.

XI. Restoration of Employment:

Upon expiration of your FMLA leave, an eligible employee must be restored to his/her old position or to a position with equivalent pay, benefits, and conditions of employment unless:

(a) The circumstances are such that the employee would have lost his/her position even if FMLA has not been taken (e.g., layoff.).

(b) An employee is not able to perform the essential functions of the position because of a physical or mental health condition. In this case, if an employee is unable to perform the original job with or without reasonable accommodation, an attempt will be made to transfer the employee to an alternate suitable position for which the employee is otherwise qualified, if one is available.

(c) An employee fails to present a Certification by the health care provider that stating that he/she is unable to return to work (under circumstances where the Charter School lawfully requires such Certification.)

(d) The Charter School proved the leave to be fraudulent.

12. Failure to Return from Leave:

Employment may be terminated immediately if an employee fails to return from FMLA leave after the twelve- (12) week eligibility period, and is not covered under another type of authorized leave.

13. Failure to Satisfy Medical Certification/Recertification Requirements:

If you fail to satisfy the medical certification/recertification requirements for leave under this policy, the Charter School may not be obligated to grant you FMLA leave and once the fifteen (15) day period

(discussed below) has elapsed, your absence may not be considered as FMLA protected.

14. Application Procedure:

Application and Medical Certification forms for FMLA may be obtained from the CEO who is responsible for the administration of this policy.

In order to make application for this leave; you must submit a request in writing. Your licensed healthcare provider must complete the Certification of Health Care Provider. Both of these completed documents must be returned to the CEO or designee within fifteen (15) days from the letterhead date that accompanies these documents when they are given or sent to you by CEO or his/her designee.

Once these completed documents are returned to the CEO or his/her designee and reviewed, you will receive written notification of your approval/disapproval for this leave within three (3) school days of receipt.

If approved for FMLA leave, your first day of the approved leave period will coincide with your first full day or partial day of absence.

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

Legal References:

1. 29 U.S.C. § 2611(11)
2. CFR Section 203

Book	Policy Manual
Section	Employee
Title	Employee Responsibility for Student Welfare
Code	315
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE RESPONSIBILITY FOR STUDENT WELFARE

The Board of Trustees of the Chester Community Charter School ("Charter School") believes that the major focus of an educational institution is to protect and advance the welfare of its students. Each employee has the moral and legal responsibility to assist in making the learning environment free of risk to the well-being of the learner.

Commensurate with assigned duties and responsibilities, each employee must maintain a standard of concern for the physical, emotional, and moral protection of the students. Instructional staff shall provide content and activities on general welfare as presented in assigned curricula courses and/or guides. Employees are responsible for the safety of students assigned to their charge. This provision includes the presence of the teacher or a responsible designee at all times, the use of only that equipment which has been approved by the Board, and the reporting of unsafe equipment or conditions to the immediate supervisor. This reporting includes the presence of dangerous weapons, drug abuse and any persons who are acting in a suspicious manner. Students may not be transported in a personal vehicle except where specifically permitted by Board policy.

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

Book	Policy Manual
Section	Employee
Title	Employee Physical Examination Policy
Code	316
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE PHYSICAL EXAMINATION POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need to protect the health of students and staff from the transmission of communicable diseases. For effective operation of the Charter School, physical examinations of all Charter School employees prior to employment at the Charter School is required.

All Charter School employees undergo a tuberculosis examination by a licensed physician, certified registered nurse practitioner or a licensed physician assistant upon initial employment, in accordance with regulations of the Pennsylvania Department of Health. In addition, all candidates for employment at the Charter School shall undergo all medical examinations as required by law for their prospective positions. Please see 28 PA Code 23.43[1], 42 U.S.C. 12112[2], & 28 PA Code 23.44[3] for more information on what is required for Charter School employees.

Medical records of all Charter School employees shall be kept in a file separate from the employee's personnel file and made available to the Chief Executive Officer of the Charter School (CEO) on a confidential basis. All Employee records shall not be available to the Board except as may be required in the performance of its functions as a Board which may include the authority of the Personnel Committee to specifically review evaluations as part of the collective authority to the Board. Please see the Charter School's Employee Files Policy for more information.

Any Charter School employee may submit to the CEO or his/her designee a signed statement that a medical examination is contrary to his/her religious beliefs, and therefore refuse to submit to the examination. That employee shall be examined only when the Pennsylvania Secretary of Health determines that the employee presents a substantial menace to the health of others. Please see the Pennsylvania Department of Health's Resources for School Representatives: https://www.health.pa.gov/I_am_a/School%20Representative/Pages/School-Representative.aspx

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

Legal References:

1. 28 PA Code 23.43
2. 42 U.S.C. 12112
3. 28 PA Code 23.44

Book	Policy Manual
Section	Employee
Title	Employee Smoking Policy
Code	317
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYEE SMOKING POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that smoking during school hours and on school property presents a health and safety hazard, which can have serious consequences for the smoker, the nonsmoker, and the safety of the Charter School and is, therefore, of concern to the Board.

For the purposes of this policy, "use of tobacco" shall mean all uses of tobacco and tobacco related products, including possession, including but not limited to the following: lighted or unlighted cigar, cigarette and pipe; other lighted or unlighted smoking product or material, smokeless tobacco in any form, electronic smoking products, as well as other controlled substances. "Electronic smoking products" mean electronic products designed to deliver nicotine, flavor, and/or other potentially harmful chemicals. School jurisdiction shall include use of property owned or operated by the School or contracted transportation to and from school and extra-curricular activities and during extracurricular activities. The time shall include transportation on School or leased vehicles or public transit vehicles.

Pennsylvania Act 128, of 2000[1] prohibits the use of tobacco products in Charter School buildings or other premises leased by, or under the control of Charter School and on buses, vans or other vehicles owned by, leased by or under the control of Charter School.

In order to protect students and staff from the safety hazards of smoking and from an environment noxious to nonsmokers, the Board prohibits the use of tobacco by anyone in school buildings, on school grounds, and on school buses.

Whenever such property shall be used as a public place or public meeting, the School employee in charge shall prohibit the use of tobacco by any attendees.

The Board prohibits tobacco use and possession by employees at school-sponsored activities that are held off school property.

Employees who violate the Board's policy on the use of tobacco are subject to the consequences as set forth in the Employee School Code of Conduct.

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

Legal References:

1. Pennsylvania Act 128, of 2000

Book	Policy Manual
Section	Employee
Title	Employment of Relatives and Non-Nepotism Policy
Code	318
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYMENT OF RELATIVES AND NON-NEPOTISM POLICY

The Chester Community Charter School ("Charter School") permits the employment of qualified relatives of employees so as long as such employment does not, per the discretion of the Board of Trustees ("Board") and with the guidance of the Charter School administration, create actual or perceived conflicts of interest.

In accordance with the Pennsylvania Public Official and Employee Ethics Act, ("Act"), a Board Member, 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 public record in a written memorandum filed with the person responsible for recording the minutes of the meeting at which the vote is taken. Employment matters which could result in a conflict of interest include, but are not limited to: decision(s) to hire, to determine initial salary, salary increase/decrease/bonus, to discipline or to fire an individual who is or will be employed, whether by contract or at-will, by the Charter School as an administrator, staff person, independent contractor or other capacity, who is a relative of a Board Member.

For purposes of this policy in order to avoid any suggestion of impropriety, "relative" is defined more broadly than the Act's definition of an "immediate family member" and will include a spouse, domestic partner, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. The Charter School, per the discretion of the Board of Trustees and with the guidance of the administration, will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Board of Trustees' approval is required prior to hire.

- Individuals who are related by blood or marriage are permitted to work at the Charter School, provided no direct reporting or supervisory/management relationship exists. That is, no employee is permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary, or career progress could be influenced by the other relative.

- No relatives are permitted to work in the same department or in any other positions in which the Charter School believes an inherent conflict of interest may exist.

- Employees who marry while employed are treated in accordance with these guidelines. That is, if, in the opinion of the Charter School a conflict or an apparent conflict arises as a result of the marriage, one of the employees will be transferred at the earliest practicable time.

- In addition, the Charter School recognizes that at times, employees and their "close friends," "domestic partners," or "significant others" may be assigned to positions that create a coworker or supervisor-subordinate relationship. The Charter School will, per the Board of Trustees' discretion and with the guidance of the administration, exercise sound judgment with respect to the placement of employees in these situations in order to avoid the creation of a conflict or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.

This policy applies to all categories of employment at the Charter School including regular, temporary, and part-time classifications.

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

Book	Policy Manual
Section	Employee
Title	Employment of Substitutes Policy
Code	319
Adopted	October 15, 2020

Board of Trustees Policy

EMPLOYMENT OF SUBSTITUTES POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need to employ qualified and proficient substitute employees for professional and support services at the Charter School. The Chief Executive Officer of the Charter School (CEO) or his/her designee shall develop procedures regarding the hiring and employment of substitutes at the Charter School.

The Charter School shall conduct an employment history review in compliance with state law prior to issuing an offer of substitute employment to a candidate. The employment history review shall remain valid as long as the substitute continues to be employed by the Charter School or remains on the approved substitute list. 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 Charter School 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.

The employment history of all substitute employees will be reviewed by the CEO or his/her designee in accordance with state and federal law prior to any offer of employment. The failure to accurately report required information by the prospective employee shall be subject to denial of employment. The Charter School may use this information for the purpose of evaluating an applicant's qualifications, as permitted by law.

Day-to-day Substitutes

If a prospective employee holds a Pennsylvania public educator certificate or a professional-level out of state educator certificate, he or she may be eligible to become a day-to-day substitute. Requirements for day-to-day substitutes:

- Valid Pennsylvania educator certificate or out of state certificate
- Bachelor's degree (or foreign equivalency) if not certified
- Background clearances
- U.S. citizen or permanent resident alien status (green card)

If he/she does not hold the proper certification but have a conferred bachelor's degree, the Charter School can hire the employee by requesting an emergency permit from the Pennsylvania Department of Education. An emergency permit for day-to-day substitutes is valid for one (1) school year. The Charter School can request unlimited re-issuances of emergency permits for day-to-day substitutes.

Pennsylvania educators with inactive certificates may only substitute for up to a total of 90 days per school year.

Please note: clearances are required of all substitutes in the state of Pennsylvania.

The CEO or his/her designee will develop procedures regarding employment of substitute employees at the Charter School. The CEO or his/her designee shall formally inform all approved substitute employees regarding their rate of pay, employment status, schedule, and other matters that enable them to perform their duties to the best of their ability. This communicated information will be included in the employees file at the Charter School.

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

Book	Policy Manual
Section	Employee
Title	Child Abuse Mandatory Reporting Policy
Code	320
Adopted	October 15, 2020

Board of Trustees Policy

CHILD ABUSE MANDATORY REPORTING POLICY

The Chester Community Charter School ("Charter School") Board of Trustees ("Board") requires trustees, 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 Pennsylvania School Code.

Definitions

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

Bodily injury - impairment of physical condition or substantial pain.

Child - an individual under 18 years of age.

Child abuse - intentionally, knowingly or recklessly doing any of the following:

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 that 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. Interfering with the breathing of a child.

d. Causing a child to be present at a location while a violation of 18 Pa. C.S. § 7508.2[1] (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

e. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known: Is required to register as a Tier II or Tier III sexual offender under 42 Pa. C.S. Ch. 97 Subch. H[2] (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed; has been determined to be a sexually violent predator under 42 Pa. C.S. § 9799.24[3] (relating to assessments) or any of its predecessors; or has been determined to be a sexually violent delinquent child as defined in 42 Pa. C.S. § 9799.12[4] (relating to definitions).

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 under section 103 of the Trafficking Victims Protection Act of 2000[5].

The term **child abuse** does not include:

a. Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

b. Injuries that result solely from environmental factors, such as inadequate housing, furnishings, income, clothing and medical care, that are beyond the control of the parent or person responsible for the child's welfare with whom the child resides.

c. The use of reasonable force on or against a child by the child's own parent or person responsible for the child's welfare if any of the following conditions apply:

i. The use of reasonable force constitutes incidental, minor or reasonable physical contact in order to maintain order and control;

ii. The use of reasonable force is necessary:

(1) to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;

(2) to prevent the child from self-inflicted physical harm;

(3) for self-defense or defense of another; or

(4) 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.

d. Harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator. Notwithstanding this exclusion, the following shall apply:

i. Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of this policy:

(1) Rape as defined in 18 Pa.C.S. § 3121[6];

(2) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123[7];

(3) Sexual assault as defined in 18 Pa.C.S. § 3124.1[8];

(4) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125[9];

(5) Indecent assault, as defined in 18 Pa.C.S. § 3126[10];

(6) Indecent exposure, as defined in 18 Pa.C.S. § 3127[11].

ii. No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight or scuffle entered into by mutual consent.

An individual participating in a practice or competition in an interscholastic sport, physical education, a recreational activity or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this policy.

Direct contact with children – the care, supervision, guidance or control of children or routine interaction with children.

Independent contractor - an individual who provides a program, activity or service. The term does not include an individual who has no direct contact with children.

Perpetrator - a person who has committed child abuse and is: (1) a parent/guardian of the child, (2) a spouse or former spouse of the child's parent/guardian, (3) a paramour or former paramour of the child's parent/guardian, (4) a person 14 years of age or older and responsible for the child's welfare, (5) an individual 14 years of age or older who resides in the same home as the child, or (6) an individual 18 years of age or older 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, (7) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

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. The term includes any such person who has direct or regular contact with a child through any program, activity or service sponsored by a school, for-profit organization or religious or

other not-for-profit organization.

Program, activity or service - a public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to, the following:

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. An outreach program.
5. An enrichment program.
6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two years of the date of the report to the Department of Public Welfare (also known as the Department of Human Services) or county agency.

Recklessly – this term shall have the same meaning as provided in 18 Pa. C.S. § 302[12].

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term excludes an individual who has no direct contact with children.

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

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:

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:

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited

to, the following:

a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

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

Sexual abuse or exploitation does not include consensual activities between a child who is 14 years of age or older and another person who is fourteen 14 years of age or older and whose age is within 4 years of the child's age.

Student - an individual enrolled in a public or private school, intermediate unit or area vocational-technical school who is under 18 years of age.

Guidelines

Training

The Charter School shall provide their employees and independent contractors of the Charter School, 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 per the PA Child Protective Services Law.

2. Provisions of the Educator Discipline Act, including mandatory reporting requirements for suspected abuse and sexual misconduct.

3. The Charter School's policy related to reporting of suspected abuse and sexual misconduct.

4. Maintenance of professional and appropriate relationships with students.

Employees are required to complete a minimum of three hours of training every five years. Volunteers and student teachers should be provided with opportunity to participate in training.

Duty to Report

Trustees, 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:

1. The trustee, 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 trustee, 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 trustee, school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.

4. An individual 14 years of age or older makes a specific disclosure to a trustee school employee, independent contractor or volunteer that the individual has committed child abuse.

A child is not required to come before the trustee, school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.

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.

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.

The Charter School shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.

Reporting Procedures

Trustees, 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 at the time of the adoption of this policy) or an oral report via the statewide toll-free telephone number (1-800-932-0313 at the time of the adoption of this policy). A person making an initial oral report of suspected child abuse must also submit a written electronic report within 48 hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the Charter School with a written record of the report. If such automatic written confirmation is not received, then the person reporting the suspected child abuse shall immediately make an oral report via the statewide telephone number.

A trustee, school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the Chief Executive Officer of the Charter School (CEO) of the Charter School and if the initial report was made electronically, also provide the CEO with a copy of the report confirmation.

When a report of suspected child abuse is made by a trustee, school employee, independent contractor or volunteer as required by law, the Charter School is not required to make more than one report.

If the CEO reasonably suspects that conduct being reported involves an incident required to be reported under the Charter School's Memorandum of Understanding with local law enforcement, the CEO or his or her designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.

Investigation

The CEO or his /her designee shall facilitate the cooperation of the Charter School with the Department of Human Services of the Commonwealth, the county agency, or law enforcement investigating a report of suspected child abuse.

Upon notification that an investigation involves suspected child abuse by a school employee or independent contractor, the CEO shall immediately implement a plan of supervision or alternative arrangement for the school employee or independent contractor under investigation to ensure the safety of the child and other children who are in the care of the Charter School. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.

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

Legal References:

1. 18 Pa. C.S. § 7508.2
2. 42 Pa. C.S. Ch. 97 Subch. H
3. 42 Pa. C.S. § 9799.24
4. 42 Pa. C.S. § 9799.12
5. Trafficking Victims Protection Act of 2000, Section 103
6. 18 Pa.C.S. § 3121
7. 18 Pa.C.S. § 3123
8. 18 Pa.C.S. § 3124.1
9. 18 Pa.C.S. § 3125
10. 18 Pa.C.S. § 3126
11. 18 Pa.C.S. § 3127
12. 18 Pa. C.S. § 302

Book	Policy Manual
Section	Employee
Title	Professional Growth Guidelines Policy
Code	321
Adopted	October 15, 2020

Board of Trustees Policy

PROFESSIONAL GROWTH GUIDELINES POLICY

Continued professional study and in-service training are prerequisites for continued professional growth and advanced ability to undertake increased responsibility. Therefore, these guidelines are established for all professional personnel of the Chester Community Charter School ("Charter School"). As a result, the Charter School will comply with the requirements set forth in Act 48 of the Commonwealth of Pennsylvania.

It is the policy of this Board of Trustees that the Chief Executive Officer of the Charter School (CEO) and/or his/her designee shall prepare a professional development plan for the Charter School consistent with Act 48 to assure that all affected employees meet their obligation for continuing professional growth.

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

Legal References:

1. Act 48 of the Commonwealth of Pennsylvania

Book	Policy Manual
Section	Employee
Title	Solicitation Policy
Code	322
Adopted	October 15, 2020

Board of Trustees Policy

SOLICITATION POLICY

Solicitation, distribution of literature/printed materials and the sale of merchandise (including electronic solicitations, distributions of materials and sale of merchandise) by an employee of the Chester Community Charter School ("Charter School") for any purpose is prohibited.

The Charter School bulletin boards and other areas where information is posted are provided for advertising of school functions or information. Posting of any literature/printed materials unrelated to such functions or information is strictly prohibited.

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

Book	Policy Manual
Section	Employee
Title	Travel Expense Reimbursement Policy
Code	323
Adopted	October 15, 2020
Revised	November 21, 2024

Board of Trustees Policy

TRAVEL EXPENSE REIMBURSEMENT POLICY

To establish the policies and procedures governing the reimbursement of travel and other reasonable and proper expenses incurred by employees in the performance of official and necessary Chester Community Charter School ("Charter School") business.

To establish procedures for the reimbursement of travel expenses for necessary Charter School-related business and activities.

Authorization and Approval of Travel and Reimbursements

The Chief Executive Officer of the Charter School ("CEO") or his/her designee(s) is responsible for authorizing travel on necessary and essential Charter School business and the subsequent approval of incurred expenditures. The intent of reimbursement is to defray those expenses the employee would not ordinarily have incurred had the employee not been on travel status.

A CEO OR HIS / HER DESIGNEE shall be considered an agent of the CEO OR HIS/HER DESIGNEE, and have the authority to approve expenditures for this purpose for their direct reports. It shall be their responsibility to see that their subordinates are familiar with these procedures and that their approval is obtained ***before*** such expenditures are incurred. An Administrator may not authorize his/her own travel or approve expenditures, but must obtain the approval of his/her supervisor.

All out-of-town travel for educational personnel must be approved by the CEO OR HIS/HER DESIGNEE or his/her designee to ensure that the purpose is consistent with the Charter School's educational goals and focus. Additionally, expenditures for all out-of-town travel require the prior approval of the CEO OR HIS/HER DESIGNEE or his/her designee(s).

Expenditures in excess of the limitations established in these procedures will be approved only if fully documented and a review of the circumstances indicates that such expenditures are necessary and in the best interests of the Charter School. Approval of the CEO OR HIS/HER DESIGNEE for review and written approval for reasons set forth here. Limited instances outside of established limitations set forth in these procedures when necessitated by business circumstances are subject to ***advance*** written approval of the CEO OR HIS/HER DESIGNEE for reasons other than those set forth here.

Federal Grant Recipient Reimbursement

The Board of Trustees shall reimburse administrative, professional and support employees and school officials for travel costs incurred in the course of performing services related to official business as a federal grant recipient.

Conference Participation

Participation in any one conference will be limited to ***two (2) participants*** absent approval from the CEO OR HIS/HER DESIGNEE.

Subject to advance approval of the CEO OR HIS/ HER DESIGNEE, the Charter School will reimburse employees, directly involved in educating students, for no more than up to two (2) conferences per fiscal year. For all non-instructional employees subject to advance approval of the CEO OR HIS/ HER DESIGNEE, the Charter School will reimburse for not more than up to one (1) conference per fiscal year.

For all employees, attendance at the conference must be essential to job performance. For instance, travel to participate in meetings of professional, civic, or social associations will only be approved if their content is deemed to be specifically aligned with and critical to job performance. Employees may attend additional conferences on their own time and at their expense.

To share helpful information, attendance at a conference by any employee, including an employee who has been invited to a conference as a presenter, is conditioned upon the employee providing a written report and, if requested by his/her supervisor, a presentation to colleagues regarding conference content within thirty (30) days after the conference.

Waiver of any or all of the limitations set forth above in Conference Participation may be granted only by the CEO OR HIS/HER DESIGNEE.

Request for Reimbursement

Employees will be reimbursed for approved expenditures within the policies and limitations established herein. The "Charter School Travel Reimbursement Form" (hereinafter referred to as "Reimbursement Form"), properly executed and signed, will be used to request reimbursement for routine or out-of-state travel. Receipts for all expenses to be reimbursed, e.g., transportation, hotel accommodations, taxi fares, tolls, etc., must be obtained and attached to the form. Upon approval of documentation related to reimbursement, reimbursement will be included in the employee's paycheck for a subsequent pay period.

All requests for reimbursement of travel expenses are subject to review by the Board of Trustees ("Board") to determine the official nature of the expenditure and the propriety and reasonableness of the charges. Expenditures not deemed necessary or reasonable will not be reimbursed.

Reimbursable Expenses

- **Routine Travel**

The Reimbursement Form should be submitted for reimbursement on a monthly basis.

- **By Automobile**

The shortest distance to the destination should generally be taken. Exceptions may be made when expressways or other highways are more convenient or require less time. Records must be kept of the distances between stops so that entries on the Reimbursement Form will be accurate. In listing trips on the Reimbursement Form, indicate the start destination (school/location) of each trip and the miles covered. Show the total reimbursable miles covered for the day in the prescribed block, rounding the total to the nearest mile. Attach a computer map showing the miles of the route. The Charter School's mileage reimbursement rate is the rate allowed by the Internal Revenue Service. Parking fees are reimbursable when parking at commercial parking areas is necessary. Parking fees are ***not*** reimbursable with respect to the regular or normal work location.

Mileage reimbursement will not be granted for the first stop of each workday or for the trip home from the last work location of the day. These two trips are equivalent to going to work and returning home after work each day and are not reimbursable. Mileage after the first stop through the last official stop of the day is reimbursable.

Travel mileage reimbursement will not be granted to employees who are eligible to earn overtime or compensatory time and who work on a non-scheduled workday, i.e., weekends, holidays, snow days or summer days for ten-month employees, etc.

Indicate on the Reimbursement Form each place visited via public transportation and the cost of each trip. Generally, the least expensive mode of travel should be used. Enter the total fares for the day in the amount column on the Reimbursement Form. The cost of travel to and from home and an employee's school or office is not an allowable expense.

- **Non-Routine Travel**

Travel within the states of Pennsylvania, New Jersey, New York, Delaware Maryland, and West Virginia, which does not include an overnight stay, and is less than 150 miles *(one-way),* is considered routine. The same guidelines established for routine travel as outlined above apply. Overnight stay is not permitted within the local Pennsylvania Region unless an exception is granted by the CEO OR HIS/HER DESIGNEE or his/her designee(s).

- **Out-of-Town Travel**

Out-of-town travel includes any travel that is (a) over 150 miles (one-way), or (b) includes an overnight stay, or (c) is outside the states of Pennsylvania, New Jersey, New York, Delaware, Maryland and West Virginia. All out-of-town travel must be authorized ***in advance*** by the CEO OR HIS / HER DESIGNEE or his/her designee(s), even where reimbursement of expenses is not being requested. The Reimbursement Form should be used for this purpose.

The authorizing administrator must be aware of the difference between the costs for automobile, train and air travel before approving a trip and authorize only that travel plan

most advantageous to the Charter School. Car-pooling should be required by supervisors wherever possible.

Employees are required to forward a completed Reimbursement Form to the CEO OR HIS/HER DESIGNEE or his/her designee.

Conference registration fees for conventions, professional or trade association meetings are reimbursable by use of the Reimbursement Form. Payment of registration fees must be documented by cancelled check, credit card receipt, or money order receipt.

Transportation to a terminal for the purpose of beginning a trip, transportation to and from the destination terminal, and transportation home from the terminal must always be made at the lowest possible cost. Public transportation, shuttle service, or private automobile, if less costly, must be used in preference to taxi service. Reasonable, long-term airport parking costs will be reimbursed.

Bridge and highway tolls incurred in official travel will be reimbursed when receipts are attached to the Reimbursement Form.

- **Meals While In Travel Status**

Meal allowance will be made for travel of over four (4) hours

All meals while on travel status are reimbursable, without documentation, at the following rates (taxes and tips included):

A) Meal Allowances:

Breakfast:	$5.00
Luncheon:	$10.00
Dinner:	$20.00
Total Per Day	$35.00

In order to qualify for meal allowances, an employee must be in a travel status during at least one half hour between the following time limits:

Breakfast:	7:30 am and 9:30 am
Luncheon:	11:30 am and 1:30 pm
Dinner:	5:30 pm and 7:00 pm

Meals that are part of an official function (conventions, etc.) will be reimbursed in the amount actually expended and should not be included in the meal allowance. A receipt must accompany the reimbursement request for such meals. Meals that are included in the registration fee may not be included in the request for meal allowance.

Other Expenses

Valet expenses (dry cleaning, laundering) and other such personal expenses are not reimbursable.

Reasonable tips for carrying luggage ***will be allowed of $5.00 per stay.***

Use of a rental car is not reimbursable unless it can be shown that it was essential in the conduct of the official business and /or in the best interests of the Charter School. Approval for use of a rental car must be secured in advance of travel on the Reimbursement Form.

Upon conclusion of travel, and within ten (10) business days, a Reimbursement Form must be completed and signed by the CEO OR HIS/HER DESIGNEE or his/her designee. Additional requests for travel will be denied to an employee who has not submitted a Reimbursement Form in a timely fashion.

Vacation Preceding/Following Travel

When an official period of travel is preceded or followed by an approved employee vacation or other non-work day, only such expenses that are an integral part of the official travel may be charged.

Transportation costs will be reimbursed up to the approved value of the roundtrip cost to and from the point of destination of the official travel.

CEO OR HIS/HER DESIGNEE and Board Expense Reimbursements

The CEO OR HIS /HER DESIGNEE, the Chief Financial Officer of the Charter School (CFO) may use the school credit card (he/she are the only eligible employees authorized to use the school credit card to incur reasonable and necessary expenses related to conducting official Charter School business in accordance with the reimbursement guidelines and the policies and procedures for utilization of the Charter School).

Late fees will NOT be reimbursed by the Charter School, but will be the responsibility of the CEO OR HIS/HER DESJGNEE and/or Board Member to pay using non-Charter School funds.

All requests for payment by the CEO OR HIS/HER DESIGNEE must be reviewed and approved by the Board.

All requests for reimbursement of expenses by a Board member or the Board must be reviewed by the CFO and approved by the CEO OR HIS/HER DESIGNEE.

All requests for credit card payment or reimbursement of expenses are subject to review by an internal audit service to determine the official nature of the expenditure and the propriety and reasonableness of the charges.

Policies and Procedure for Air Travel

Airline reservations will be booked by the employee at the lowest available coach rate requiring as few transfers as possible.

Many airlines offer substantially reduced fares when a Saturday evening stay-over is booked. Approval for early arrivals and extended stays at the expense of the Charter School will be granted if the employee can demonstrate that the additional cost for lodging and meals is more than offset by reduced airfares.

Paper tickets will not be issued. All tickets will be electronic, requiring the employee to present two forms of identification at the check -in. Employees will receive a printed itinerary prior to traveling. This itinerary and appropriate receipts must be submitted along with the properly completed Reimbursement Form.

An employee's frequent flier mileage account can be credited for official travel. Employees cannot reject a booking if the lowest available fare is with an airline other than that of which they are a frequent flier member.

Charges for change of flights will be the responsibility of the employee unless the change was in the interest of the Charter School and approved by the CEO OR HIS /HER DESIGNEE or his/her designee prior to or after completion of travel.

Lodging will be booked at government rates ***or at the lowest available rate if government rates are not available within a ½-mile radius*** except as noted below. Employees will be required to present identification and a credit card at the time of arrival. Reimbursement of room charges will be through the Reimbursement Form.

Regularly scheduled conferences and meetings usually provide for special lodging rates for participants. Employees should check to see if they can book lodging at the designated conference or meeting hotels at a price that is less than the conference or meeting rate. If a lower rate cannot be secured, the employee should book lodging through the conference or meeting facility.

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

Book	Policy Manual
Section	Employee
Title	Whistleblower Policy
Code	324
Adopted	October 15, 2020

Board of Trustees Policy

WHISTLEBLOWER POLICY

All employees of the Chester Community Charter School ("Charter School") are subject to the obligations and protections of the Pennsylvania Whistleblower Law, 43 Pa.C.S. §§ 1421-1428[1]. The Charter School will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report to the Charter School or an appropriate authority an instance of wrongdoing, which is not merely technical or minimal, or an instance of substantial waste, abuse, misuse, destruction or loss of the funds or resources of the Charter School.

The Charter School will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

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

Legal References:

1. 43 Pa.C.S. §§ 1421-1428

Book	Policy Manual
Section	Employee
Title	Professional Educator Code of Conduct Policy
Code	325
Adopted	October 15, 2020

Board of Trustees Policy

PROFESSIONAL EDUCATOR CODE OF CONDUCT POLICY

In accordance with applicable state regulations, including Title 22 Pa. Code Chapter 235[1], the Chester Community Charter School ("Charter School") Board of Trustees ("Board") has established this policy to create high standards in ethical conduct for the teachers at the Charter School.

Professional practices are behaviors and attitudes that are based on a set of values that the professional education community and the Charter School believe in and accept. These values are evidenced by the professional educator's conduct toward students, colleagues, the Charter School and the community.

Professional educators at the Charter School are expected to abide by the following:

A) Pennsylvania's Charter School Law, 24 PS 17-1701-A[2], other applicable school laws of the Commonwealth, all applicable state and federal law, including sections of the Public Employee Relations Act and the Pennsylvania Code of Professional Practice and Conduct for Educators.

B) Professional educators shall maintain high levels of competence throughout their careers.

C) Professional educators shall exhibit consistent and equitable treatment of students, fellow educators and parents. They shall respect the civil rights of all and not discriminate on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disabling condition or vocational interest. This list of bases of discrimination is not all-inclusive.

D) Professional educators shall accept the value of diversity in educational practice. Diversity requires educators to have a range of methodologies and to request the necessary tools for effective teaching and learning.

E) Professional educators shall impart to their students principles of good citizenship and societal responsibility.

F) Professional educators shall exhibit acceptable and professional language and communication skills. Verbal and written communications with parents, students and staff shall reflect sensitivity to the fundamental human rights of dignity, privacy and respect.

G) Professional educators shall be open-minded, knowledgeable and use appropriate judgment and communication skills when responding to an issue within the educational environment.

H) Professional educators shall keep in confidence information obtained in confidence in the course of professional service unless required to be disclosed by law or by clear and compelling professional necessity as determined by the professional educator.

I) Professional educators shall exert reasonable effort to protect the students from conditions that interfere with learning or are harmful to the student's health and safety.

Ethical Conduct

The professional educator at the Charter School shall not:

A) Intentionally, knowingly or recklessly engage in deceptive practice regarding official policies of the Charter School or the rules and regulations of the Pennsylvania Department of Education.

B) Make threats of violence against Charter School employees, Board of Trustee members, students or parents/guardians of students.

C) Falsify records or direct or coerce others to do so.

D) Use or distribute illegal controlled substances and/or engage in the abuse of prescription drugs and toxic inhalants.

E) Intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

F) Consume alcoholic beverages on the Charter School property or during school activities when students are present.

Legal obligations

The professional educator shall not engage in conduct prohibited by:

A) The Public School Code, Charter School Law and other laws and regulations relating to the schools or the education of children.

B) The applicable laws of the Commonwealth establishing ethics of public officials and public employees, including the Public Official and Employee Ethics Law.

Civil rights

The professional educator at the Charter School shall not:

A) Discriminate on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disability or other legally-protected class. This list of bases of discrimination is not all-inclusive.

B) Interfere with a student's or colleague's exercise of political and civil rights and responsibilities.

Improper Personal or Financial Gain

The professional educator at the Charter School shall not:

A) Accept gratuities, gifts or favors that might impair or appear to impair professional judgment. This shall not restrict the acceptance of gifts or tokens offered and accepted only from students, parents of students, other persons or organizations in recognition or appreciation of service.

B) Exploit a professional relationship for personal gain or advantage.

C) Knowingly misappropriate, divert, or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.

D) Submit fraudulent request for reimbursement, expenses or pay.

E) Use institutional or professional privileges for personal or partisan advantage.

Relationships with Students

The professional educator at the Charter School shall not:

A) Knowingly and intentionally distort or misrepresent evaluations of students.

B) Knowingly and intentionally misrepresent subject matter or curriculum.

C) Sexually harass or engage in sexual relationships with students.

D) Knowingly and intentionally withhold evidence from the proper authorities about violations of the legal obligations as defined within this section.

E) Reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

F) Intentionally, knowingly or recklessly treat a student in a manner that adversely affects or endangers the learning, physical health, mental health or safety of the student.

G) Intentionally, knowingly, or recklessly misrepresent facts regarding a student.

H) Engage in physical mistreatment, neglect or abuse of a student.

I) Furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age or knowingly allow any person under 21 years of age to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

J) Engage in inappropriate professional educator-student relationships. The professional education shall create boundaries based on a reasonably prudent educator standard.

K) Engage in inappropriate communications with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, e-mail, instant messaging, blogging, or other social network communication, such as Facebook, Twitter, Instagram, SnapChat, Vine, MySpace and so forth. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

1) the nature, purpose, timing and amount of the communication;
2) the subject matter of the communication;
3) whether the communication was made openly or the educator attempted to conceal the communication;
4) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
5) whether the communication is sexually explicit; and
6) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

Professional relationships

The professional educator at the Charter School shall not:

A) Knowingly and intentionally deny or impede a colleague in the exercise or enjoyment of a professional right or privilege in being an educator.

B) Knowingly and intentionally distort evaluations of colleagues.

C) Sexually harass a fellow employee.

D) Use coercive means or promise special treatment to influence professional decisions of colleagues.

E) Threaten, coerce or discriminate against a colleague who in good faith reports or discloses to a governing agency actual or suspected violations of law, agency regulations or standards.

F) Reveal confidential health or personnel information concerning colleagues, unless disclosure serves lawful professional purposes or is required by law.

G) Harm others by knowingly making false statements about a colleague or the Charter School.

H) Not violate Charter School policies and state and federals laws regarding the hiring, evaluation and dismissal of personnel.

Violations

Individual professional conduct reflects upon the practices, values, integrity and reputation of the profession and of the Charter School. Violations of this policy may include, but not be limited to, verbal warnings, written warnings, reprimands, suspension, dismissal, or civil and criminal sanctions.

All discipline reprimands or criticism by the Board of Trustees of a professional employee shall be done only when the Board is in executive session. Individual Board members shall not make any statement to the news media concerning the disciplining, reprimanding or criticizing of a professional employee which may have taken place during the time the Board met in executive session.

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

Legal References:

1. Title 22 Pa. Code Chapter 235
2. 24 PS 17-1701-A

Book	Policy Manual
Section	Employee
Title	Compulsory Process Policy
Code	326
Adopted	November 25, 2025

Board of Trustees Policy

GOVERNMENT INQUIRY AND COMPULSORY PROCESS POLICY

The purpose of this document is to provide guidance regarding cooperating with government and police investigations, including, but not limited to, responses to requests for information, subpoenas, and warrants. The health, safety, and privacy rights of the students at Chester Community Charter School (the "Charter School") are of the highest priority. The Board of Trustees ("Board") recognizes that its commitment to cooperating with law enforcement and government officials must align with its obligation to protect students and comply with the Family Educational Rights and Privacy Act ("FERPA"). Accordingly, this document formalizes the Charter School's procedures for responding appropriately and legally to such requests for information. This policy aims to ensure that School employees understand their rights, cooperate effectively with authorities, and prioritize the safety of students and staff.

Subpoena: Anyone who receives a subpoena, including a subpoena to testify or a subpoena to produce documents, related to the Charter School must deliver the subpoena in person to the Chief Executive Officer or his/her designee ("CEO"), immediately and no later than the same business day. The response to any subpoena concerning Charter School records or other matters related to Charter School affairs will be prepared by the CEO in accordance with FERPA.

Request for Information: Informal requests for written or oral information from government agencies, law enforcement officials, or legal counsel may arise from time to time. Before responding to any such requests, the CEO must be notified immediately. If you are approached by any law enforcement official on school property you must immediately notify the CEO. You are not obligated to engage in conversation or provide information to the official at that time. Please await further direction from the CEO before proceeding. No Charter School employee should speak with any government agency, law enforcement official or legal counsel—except on purely personal matters or if a student faces imminent danger—without the express consent of the CEO. These requests include any written or oral information related to the Charter School.

Warrant: Anyone who is the subject of a warrant should request a copy to verify its validity. If the warrant requests information related to the Charter School, the individual must immediately contact the CEO. During the service of any type of warrant, Charter School employees should cooperate with law enforcement officials but should not consent to any searches or seizures beyond what is specified in the warrant.

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

Book	Policy Manual
Section	Finance
Title	Finances Policy
Code	400
Adopted	October 15, 2020

Board of Trustees Policy

FINANCES POLICY

The Board of Trustees (the "Board") of the Chester Community Charter School ("Charter School") recognizes its responsibility to ensure that monies expended by the Charter School are utilized for the furtherance of pupil education.

The Chief Executive Officer of the Charter School ("CEO") and/or the Chief Financial Officer of the Charter School ("CFO") has the authority and responsibility, in conjunction with the Board to prepare the budget. The Board has the authority and responsibility to approve the budget.

To meet the goals of this policy, the Board requires the CEO and his/her designee to establish sound accounting procedures based upon State and federal recommended accounting procedures and upon the recommendation of the local, state, and federal auditors, and to institute effective business practices and recommend suitable accounting equipment, where necessary.

In accordance with State law, the Board will authorize an annual audit by an independent auditor. In addition, a Board audit committee may be established.

Neither federal funds received directly from the federal government or indirectly through the Pennsylvania Department of Education or other administrative agency nor state funds or any donations or gifts will be used for any partisan political activity.

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

Book	Policy Manual
Section	Finance
Title	Budget Planning, Preparations, and Monitoring Policy
Code	401
Adopted	October 15, 2020

Board of Trustees Policy

BUDGET PLANNING, PREPARATION, AND MONITORING POLICY

The Board of Trustees (the "Board") of Chester Community Charter School ("Charter School") considers the preparation of an annual budget to be one of its most important responsibilities because the budget is the financial reflection of the education plan for Charter School. The budget shall be designed to carry out that plan in a thorough and efficient manner and to maintain the facilities and honor the obligations of Charter School.

The budget should be studied by each member of the Board during its preparation but, once adopted, it deserves the support of all members of the Board regardless of their position when adoption was voted

The budget shall be designed to reflect the Charter School's objectives for the education of the students. Therefore, it must be organized and planned to ensure adequate understanding of the financial needs associated with program implementation, support, and development. This necessitates a continuous joint review of the financial requirements of Charter School programs by the Charter School Administration and Board of Trustees.

It is the policy of the Board to establish a system of control over the adopted budget to assure that funds are available for approved programs and that Charter School remains financially sound.

To meet the objectives of this policy, the Board directs the Chief Executive Officer of the Charter School (CEO) or designee to set general priorities for expenditures for:

1. Staff necessary to maintain current programs and an estimated annual cost for additional staff to implement, improve or expand current educational program and support services.

2. Preparing a plan for annual maintenance repair of facilities.

3. Technology, equipment and supplies necessary to maintain current programs and a new technology needs, debt service, equipment and supplies necessary to improve or expand current programs.

4. Maintaining an inventory and replacement schedule of all Charter School major equipment.

5. Establishing a projected budget of expenditures and income for the current year and ensuing year and projecting an amount of surplus anticipated at the end of the current fiscal year.

6. Student enrollment in current programs and estimated student enrollment in special education and other instructional programs for the upcoming school year.

7. Estimated revenue and expenditures in each financial category for the previous fiscal year and a plan of anticipated revenues based on changes in state and federal legislation.

8. Explanation of each item of expense proposed, upon request.

9. Report of any serious financial implications arising from the budget plan.

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

Book	Policy Manual
Section	Finance
Title	Public Charter School Audit Policy
Code	402
Adopted	October 15, 2020

Board of Trustees Policy

PUBLIC CHARTER SCHOOL AUDIT POLICY

The Board of Trustees the (the "Board") of the Chester Community Charter School ("Charter School") recognizes the importance to maintain records of the Charter School. This includes financial records of the Charter School. The public has the right to procure copies of the school's annual audit conducted by the Charter School's independent auditor.

The Board also recognizes its obligation to represent the best interests of the community it serves. Therefore, the Board will make a copy of the Charter School's annual audited financial report available to the public upon written request.

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

Book	Policy Manual
Section	Finance
Title	Bank Accounts Policy
Code	403
Adopted	October 15, 2020

Board of Trustees Policy

BANK ACCOUNTS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") shall designate one or more bank(s) and trust companies as depository(s) for the safeguarding of school funds by a majority vote of the Board in accordance with the Bylaws.

Each designated depository shall be federally secured and insured by the FDIC and such deposits shall be so secured and insured in accordance with law.

Each designated depository shall be advised not to cash checks payable to Chester Community Charter School but to deposit said checks to Charter School's accounts.

The Chief Financial Officer of the Charter School (CFO) or his/her designee shall review the monthly bank statements and report to the Chief Executive Officer of the Charter School (CEO) on effectiveness and recommended improvements, and prepare administrative regulations and procedures for sound banking operations.

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

Book	Policy Manual
Section	Finance
Title	Federal Fiscal Compliance Policy
Code	404
Adopted	October 15, 2020

Board of Trustees Policy

FEDERAL FISCAL COMPLIANCE POLICY

The Board of Trustees (the "Board") of the Chester Community Charter ("Charter School") shall ensure federal funds received by the Charter School are administered in accordance with federal requirements, including but not limited to the federal Uniform Grant Guidance.

The Board designates the Chief Financial Officer (CFO) of the Charter School as the Charter School contact for all federal programs and funding. The Board shall review, approve, and/or ratify applications for federal funds submitted by the Charter School.

The Chief Executive Officer of the Charter School (CEO) or his/her designee, in collaboration with the Federal Programs Coordinator and CFO, 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.

The Charter School'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.

Financial management standards and procedures shall assure that the following responsibilities are fulfilled:

Identification – the Charter School must identify, in its accounts, all federal awards received and expended, and the federal programs under which they were received.

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 the Education Department General Administrative Regulations ("EDGAR").

Accounting Records – the Charter School must maintain records which adequately identify the source and application of funds provided for federally-assisted activities.

Internal Controls – Effective control and accountability must be maintained for all funds, real and personal property and other assets. The Charter School must adequately safeguard all such property and must assure that it is used solely for authorized purposes.

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.

Cash Management – The Charter School shall maintain written procedures to implement the cash management requirements found in EDGAR.

Allowability of Costs – The Charter School shall ensure that allowability of all costs charged to each federal award is accurately determined and documented.

Employees - Time and Effort Reporting

All Charter School employees paid with federal funds shall document the time they expend in work performed in support of each federal program, in accordance with law. Time and effort reporting requirements do not apply to contracted individuals.

Charter School employees shall be reimbursed for travel costs incurred in the course of performing services related to official business as a federal grant recipient.

The Charter School shall establish and maintain employee policies on hiring, benefits and leave and outside activities, as approved by the Board.

Record Keeping

The Charter School shall adhere to Records Management Policy and administrative regulations for the retention, retrieval and disposition of manual and electronic records, including emails.

The Charter School shall ensure the proper maintenance of federal fiscal records documenting:

a. Amount of federal funds.

b. How funds are used.

c. Total cost of each project.

d. Share of total cost of each project provided from other sources.

e. Other records to facilitate an effective audit.

f. Other records to show compliance with federal program requirements.

g. Significant project experiences and results.

h. All records must be retrievable and available for programmatic or financial audit.

The Charter School 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 Charter School records which are pertinent to the

federal award. The Charter School shall also permit timely and reasonable access to the Charter School's personnel for the purpose of interview and discussion related to such documents.

Records shall be retained for a minimum of five (5) years from the date on which the final Financial Status Report is submitted, 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.

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.

As part of the Records Management Plan, the Charter School shall maintain a records retention schedule, which shall delineate the record retention format, retention period and method of disposal.

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.

The Charter School 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.

Sub recipient Monitoring

In the event that the Charter School awards sub grants, the Charter School shall establish procedures to:

a. Assess the risk of noncompliance.

b. Monitor grant sub recipients to ensure compliance with federal, state, and local laws and Board policy and procedures.

c. Ensure the Charter School's record retention schedule addresses document retention on assessment and monitoring.

Compliance Violations

Employees and contractors involved in federally funded programs and sub recipients 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.

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

Book	Policy Manual
Section	Finance
Title	Financial Reporting Policy
Code	405
Adopted	October 15, 2020

Board of Trustees Policy

FINANCIAL REPORTING POLICY

It is the purpose of this policy to establish financial reporting requirements to the Board of Trustees ("Board") of the Chester Community Charter School ("Charter School").

The Chief Executive Officer of the Charter School ("CEO") or his/her designee shall, as soon as is practicable after the end of each fiscal year, submit to the Board an annual financial statement for the Charter School for the past year. Such statement shall include itemized data with respect to all assets of the Charter School, outstanding indebtedness, if any, and such other information relating to the finances of the Charter School as the Board may deem necessary or proper.

On a monthly basis, the CEO or his/her designee shall prepare a monthly financial report for the Charter School's operating fund including:

a. Balance Sheet; (Prepared quarterly – see note below)

b. Statement of Revenues, Expenditures and Budget Comparison;

c. Listing of Disbursements; and

d. Statement of Cash Flow. (Prepared quarterly – see note below)

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

Note: We prepare a. Balance Sheet and d. Statement of Cash Flow when we prepare a quarterly internal financial statement.

Book	Policy Manual
Section	Finance
Title	Common Trusts for Gifts & Grants Policy
Code	406
Adopted	October 15, 2020

Board of Trustees Policy

COMMON TRUSTS FOR GIFTS & GRANTS POLICY

The Board of Trustees (the "Board") of the Chester Community Charter School ("Charter School") recognizes the need to establish a mechanism for the acceptance and use of gifts, bequests, or grants made to the Charter School.

The Board accepts with gratitude bequests for the advancement of education or for the general welfare of its students and staff.

All bequests shall be accepted by a resolution of the Board setting forth the identity of the grantor (unless the grantor requests anonymity), the stipulated use of the bequest, the time period over which the bequest is to be expended and limitations, if any, which apply to the use of funds.

The Chief Executive Officer of the Charter School ("CEO") or his/her designee shall see to the investment of all trust funds received with the term of the investment consistent with the period of the intended use of the funds and the purpose of the Charter School.

The CEO, in consultation with key staff, shall determine the most appropriate use of trust funds consistent with the intent of the grantor and the purpose of Charter School. Recommended uses shall be submitted by resolution for approval of the Board.

No bequest or grant of funds shall be accepted if conditions associated with the grant would be antithetical to the mission of the Charter School.

No bequest or grant of funds shall be accepted for any purpose inconsistent with the ideals of a free and democratic society.

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

Book	Policy Manual
Section	Finance
Title	Credit Card/Debit Card Policy
Code	407
Adopted	October 15, 2020

Board of Trustees Policy

CREDIT CARD/DEBIT CARD POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the value of an efficient method of payment and recordkeeping for certain expenses. The Board, therefore, authorizes the use of credit cards and debit cards (referred to collectively as "Credit Cards"). The authorization, handling, and use of credit cards have been established to provide a convenient and efficient means to purchase goods and services from vendors.

Credit cards shall not be used in order to circumvent the general purchasing procedures established by Pennsylvania State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the Charter School and serve a valid and proper purpose shall be paid for by credit card.

Under no circumstances shall credit cards be used for personal purchases.

The card is held in the name of Chester Community Charter School. The Chief Financial Officer of the Charter School (CFO) holds the school's credit card in his/her possession. Improper use of the card can be considered a misappropriation of Charter School funds. Inappropriate or illegal use of the credit card may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution.

All charges are billed directly to and paid directly by the Charter School. Therefore, any personal charges on the credit card could be considered misappropriation of Charter School funds since the cardholder cannot pay the bank directly.

Individuals requesting to use the credit card must first be approved by the Chief Executive Office of the Charter School (CEO) or his designee. The individual must retain all receipts, forward the receipts to the CFO and provide explanation of all charter school credit card purchases. Reviewing and authorizing payment of the credit card invoice on a timely basis, in order to avoid late payment charges, is the responsibility of the CEO or his designee.

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

Book	Policy Manual
Section	Finance
Title	Gifts, Grants, Donations Policy
Code	408
Adopted	October 15, 2020

Board of Trustees Policy

GIFTS, GRANTS, DONATIONS POLICY

The Board of Trustees (the "Board") of the Chester Community Charter School ("Charter School") recognizes that individuals and organizations in the community may wish to contribute money, supplies or equipment to enhance or extend the instructional program. This policy is intended to establish guidelines and procedures for such gifts.

The Board has the authority to accept such gifts and donations as may be made to the Charter School. The Board may authorize that the Chief Executive Officer of the Charter School ("CEO") or his/her designee be authorized to accept gifts of cash or property valued up to $5,000.00. Gifts exceeding $5,000.00 shall be accepted by the Board.

The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of the Charter School.

Any gift accepted by the Board, or its designee, shall become the property of the Charter School, and may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the Charter School.

In the case of gifts, or donations by or through the Parent Teacher Association, the Board is authorized to approve receipt upon certification by the CEO that the property is appropriate to the Charter School's purposes and needs. At the close of each school term, the CEO shall submit to the Board a detailed statement of these gifts and donations.

The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

The Board will make every effort to honor the intent of the donor in its use of the gift so long as the intent of the gift if consistent with the purpose of the Charter School, but reserves the right to utilize any gift it accepts in the best interest of the educational program of the Charter School.

In no case shall acceptance of a gift be considered to be an endorsement by the Charter School of a commercial product or business enterprise or institution of learning.

The CEO and the Board shall provide potential donors with a description of acceptable gifts/donations to the Charter School. All such gifts/donations shall be recorded in the appropriate inventory listing and property records.

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

Book	Policy Manual
Section	Finance
Title	Payment of Claims Policy
Code	409
Adopted	October 15, 2020

Board of Trustees Policy

PAYMENT OF CLAIMS POLICY

It is the purpose of the Board of Trustees (the "Board") of the Chester Community Charter School ("Charter School"), to affect the prompt payment of bills but, at the same time, to ensure that due care has been taken in the review of such bills.

Each bill or obligation of the Charter School must be fully itemized and verified by the Chief Financial Officer of the Charter School (CFO) before a check can be drawn for its payment.

It shall be the responsibility of the CFO upon receipt of an invoice to verify that the purchase invoice is in order, the goods were received in acceptable condition or services were satisfactorily rendered, funds are available to cover the payment, the item is in a classification for which the Board budgeted, and the invoice is for the amount contracted.

Procedures shall be followed to ensure that the school has actually received the services/goods that were invoiced by vendors.

Upon the approval of an invoice, the CFO shall prepare a check for payment and cancel the commitment placed against the appropriate account and ensure that the Internal Controls Policy is being followed.

No check shall be made out to cash and all checks shall be executed in accordance with Internal Controls Policy.

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

Book	Policy Manual
Section	Finance
Title	Payroll Authorization Policy
Code	410
Adopted	October 15, 2020

Board of Trustees Policy

PAYROLL AUTHORIZATION POLICY

Employment of all permanent, temporary, and part-time Chester Community Charter School ("Charter School") personnel must be approved by the Board of Trustees (the "Board"). Authorization to pay follows therefrom.

Actions by the Board to employ temporary or part-time personnel (i.e., by the hour or day) shall include the name of the individual, the position title and the rate of pay.

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 Board policy by the Chief Executive Officer of the Charter School (CEO) and/or his/her designee to the extent permitted by applicable law and as authorized by the Charter School Solicitor.

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

Book	Policy Manual
Section	Finance
Title	Per Pupil Allotment Policy
Code	411
Adopted	October 15, 2020

Board of Trustees Policy

PER PUPIL ALLOTMENT POLICY

The Chester Community Charter School ("Charter School"), receiving pupils who are residents of a school district other than the Charter School's chartering school district, shall assess the per pupil allotment in accordance with the Pennsylvania Charter School Law.

It shall be the responsibility of the Chief Executive Officer of the Charter School ("CEO") or his/her designee to invoice the per pupil allotment for approved students. Such rates shall be determined annually. Billings based upon such rates will be made immediately following the billing period.

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

Book	Policy Manual
Section	Finance
Title	Petty Cash Policy
Code	412
Adopted	October 15, 2020

Board of Trustees Policy

PETTY CASH POLICY

Petty cash funds may be used for designated purposes so long as such funds are subject to adequate controls and safeguards.

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") authorizes the establishment of petty cash funds in the care of the Chief Executive Officer of the Charter School (CEO) or other administrators charged with the responsibility for the management and administration of budgetary allocations/ appropriations or to those serving in acting capacities.

Each responsible person shall ensure that petty cash funds are spent only for designated purposes for which the fund was established.

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

Book	Policy Manual
Section	Finance
Title	Special Purpose Funds Policy
Code	413
Adopted	October 15, 2020

Board of Trustees Policy

SPECIAL PURPOSE FUNDS POLICY

It is the purpose of this policy to establish financial supervision and controls for the administration of the various activities that involve the Chester Community Charter School ("Charter School") Special Purpose Funds.

Special Purpose Funds are not part of the Charter School funds but shall be supervised by the Chief Executive Officer of the Charter School ("CEO"), approved by the Board of Trustees (the "Board"), and the CEO and or his/her designee shall countersign all checks drawn upon them.

Such Special Purpose Funds may include any Charter School student body organization. Such funds may be deposited or invested in banks whose accounts are insured by FDIC and approved by the Board.

Funds collected by a Student Body Organization shall be turned in to the student organization's custodian of the fund or to the CEO before the end of each school day to be safeguarded until they are deposited as soon thereafter as possible.

The custodian of such funds shall furnish a bond in such amount and with surety as the Board may approve conditioned upon the faithful performance of the duties as custodian.

Records shall be maintained of the receipts and disbursements of all such funds in designated accounts according to the activity involved.

Disbursements from such funds shall be made by check only upon the request of the authorized advisor and the approval of the custodian of the fund.

All checks shall be signed by the person authorized to approve such disbursements.

All funds should be of an exchange nature and large balances should not be permitted to accumulate. Money should not be raised or collected unless there is a definite purpose for doing so and only the CEO may authorize the collection of monies by a student organization.

No funds shall be expended without the approval of the faculty advisor of the organizations, a student representative of the organization and the CEO.

A financial report of the condition of each Special Purpose Fund organization shall be submitted to the Board, no less than every other month.

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

Book	Policy Manual
Section	Finance
Title	Uniform Grant Guidance (UGG) Policy
Code	414
Adopted	October 15, 2020
Revised	November 21, 2024

Board of Trustees Policy

UNIFORM GRANT GUIDANCE (UGG) POLICY

The Board of Trustees (the "Board") of Chester Community Charter School ("Charter School") acknowledges that a portion of financial support for the Charter School comes from the federal government. This funding is in the form of direct support for Charter School programs and often includes reimbursement for indirect costs. The Uniform Grant Guidance Policy identifies the criteria that must be met in order to properly charge these costs to federally funded projects. Individual non-federal awards may also include special terms and conditions that must be met before costs can be charged or reimbursed, which must also be considered before allocating certain costs to the award.

The Charter School shall adhere to all applicable cost principles governing the use of federal and non-federal grants and contracts. This policy addresses the importance of properly classifying costs, both direct and indirect, charged to grant funded projects and that proposed and actual expenditures are consistent with the grant agreement and all applicable federal rules embodied in the Uniform Grant Guidance at 2 CFR 200[1] (UGG).

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

UNIFORM GRANT GUIDANCE POLICIES

Allowable Use of Funds and Adherence to Uniform Grant Guidance

Drawdowns and Reimbursement Requests

Allowability of Cost

Cash Management

Conflict of Interest

Policy:	Category:	
Allowable Use of Funds and Adherence to Uniform Grant Guidance	**Expenditures & Disbursements**	
	( ) Complete Revision **( )** Partial Revision **(x)** New	

Policy Statement

The Chester Community Charter School shall adhere to all applicable cost principles governing the use of federal and non-federal grants and contracts. This policy addresses the importance of properly classifying costs, both direct and indirect, charged to grant funded projects and that proposed and actual expenditures are consistent with the grant agreement and all applicable federal rules embodied in the Uniform Grant Guidance at 2 CFR 200[1] (UGG). CCCS personnel who are responsible for administering, expending or monitoring grant funded programs should be well versed with the categories of costs that are generally allowable and unallowable.

Reason for Policy

A portion of financial support for the Chester Community Charter School comes from the federal government. This funding is in the form of direct support for CCCS programs and often includes reimbursement for indirect costs. The federal Uniform Grant Guidance identifies the criteria that must be met in order to properly charge these costs to federally funded projects. Individual non-federal awards may also include special terms and conditions that must be met before costs can be charged or reimbursed, which must also be considered before allocating certain costs to the award.

Policy Requirements

All costs expended using federal funds must meet the following general criteria laid forth in the UGG at 2 CFR 200, Subpart E[1]:

- Be **necessary and reasonable** for the proper and efficient performance and administration of the grant program.
- Be **allocable** to federal awards under the provisions of the federal circular.
- Be authorized and not prohibited under state or local laws or regulations.
- Conform to any limitations or exclusions set forth in the principles, federal laws, terms and conditions of the federal award, or other governing regulations as to types or amounts of cost items.
- Be consistent with policies, regulations, and procedures that apply uniformly to both federal awards and other activities of CCCS.
- Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost.
- Except as otherwise provided for in the federal circular, be determined in accordance with generally accepted accounting principles.
- Not included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior period.
- Be net of all applicable credits.
- Be adequately documented.

The cost guidelines of the UGG must be considered any time federal award funds are to be expended. CCCS may apply federal UGG requirements to non-federal projects as well.

Federal regulations also require that any other CCCS policies related to specific types of expenditures must also be followed, for example student incentives, travel, meals or equipment.

Direct and indirect costs

Allowable and allocable costs must be appropriately classified as direct or indirect. In general, direct costs are those that can be identified specifically with a particular cost objective while indirect costs are those (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. It is essential that each item of cost be treated consistently in like circumstances either as a direct or an indirect cost.

If an indirect cost rate is going to be utilized for charging indirect rates, the rate must first be approved by the applicable approving authority.

Cost transfers

Any costs charged to a federal or non-federal award that do not meet the allowable cost criteria must be removed from the award account and charged to an account that does not require adherence to federal UGG or other applicable guidelines. Cost transfers must be performed in accordance with the Internal Control policy.

Failure to adequately follow this policy and related procedures could result in questioned costs, audit findings, potential repayment of disallowed costs and discontinuance of funding. Grant Program Directors (GPD), grant and school personnel, and any other individuals responsible for expending grant funds are held responsible for compliance with UGG and must understand that severe penalties and funding disallowances could result from instances of non-compliance.

Responsibilities

Designated program, office and school personnel are responsible for creating encumbering and purchasing documents using grant funds at the request of a Director. They should be familiar with the general cost principals embodied in the federal UGG and summarized above, and the cost principles applicable to the specific program funds they expend. Personnel must notify the Director if they recognize a request is for an unallowable cost.

Grant Program Directors (GPDs) and other grants and school personnel must ensure that any costs charged to their award are aligned with applicable cost principles, are computed correctly, and would not create a compliance violation.

GPDs should collect, maintain and where applicable, submit copies of adequate documentation to support the expenditures. See this procedure and CCCS's **Documentation and Record Retention** policy.

Grant Management and Executive Management monitor, review, and approve (or disapprove) grant funded personnel plans and requests at both the school and central office level. They are also responsible for providing training and guidance to GPDs, Designated Program Office personnel, and any other CCCS staff seeking clarification of cost allowability requirements.

Grant management, coordinator and GPD's are responsible for preparing financial reports and reviewing grant transactions. They should be familiar with the cost principles applicable to the program funds they oversee and should notify the GPD if they recognize a transaction for an unallowable cost. Grant Coordinator and CFO have responsibility for processing journal entries needed to transfer unallowable costs from grant awards.

Grant Accounting will compile the necessary information, calculate the unrestricted and/or restricted indirect cost rate and submit for approval.

Definitions

Direct costs are expenses that are specifically associated with a particular grant program that can be directly assigned to such activities relatively easily with a high degree of accuracy. Common examples of direct costs include the GPD's salary and fringe benefits, equipment and supplies for the program, subcontracted service provider, or other materials consumed or expended in the performance of the grant.

Indirect costs are incurred for common or joint objectives and, therefore, cannot be readily and specifically identified with a particular program. They are expenses that benefit more than one grant. Common examples of indirect costs include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

Policy:	Category: **Revenue and Receipts**	
Drawdowns and Reimbursement Requests	**( )** Complete Revision ( ) Partial Revision **(X)** New	

Policy Statement

It is the policy of the Chester Community Charter School to request funds from funding agencies only for immediate needs, minimizing the time between receipt of funds and disbursement.

Reason for Policy

CCCS receives grant funds in multiple ways. Some grant programs provide all of the funds up-front via a lump sum check or wire transfer, some grants are disbursed in regularly scheduled payments, and some grants require CCCS to request reimbursement after program expenses have been incurred through the use of invoices or cash draw downs. Most funding agencies, federal and non-federal, specify the particular method required for requesting grant funds. In order to avoid funding delays (or potential penalties or funding withdrawal), CCCS must abide by the grantor's rules and regulations.

Policy Requirements

For all funding methods, CCCS will follow the grantor's preferred method of requesting funds while attempting to minimize the time between fund receipt and the disbursement of grant funds for program-related expenditures.

Regardless of the method of grant fund receipt, all program expenditures that will be paid for with grant funds must be allowable and meet any applicable cost restrictions.

Grant fund receipts will be deposited and coded to the correct account promptly and will be reported accurately to the grantor.

Responsibilities

Grant Program Managers and Directors (GPDs) are responsible to ensure compliance with grant fund receipt requirements. GPDs are responsible for ensuring that grant funds received are expended in accordance with all grantor regulations. GPDs are expected to have a full understanding of: (1) grant requirements and regulations pertaining to cash management, (2) monitoring expended disbursements and forecasting cash flow needs, and (3) executing cash draw-downs using invoices or the grantor-preferred method (this may include grantor operated web-based systems). GBDs will retain all documentation related to requested draw downs, reimbursements and any scheduled pay based requests according. Any funds received directly by the GPDs should be forwarded to the CFO.

Grant Accounting (CFO) is responsible for executing draw-downs using the appropriate and grantor designated methodology.

Grant Coordinator and Grant Management monitors program accounts to ensure that receipts are recorded accurately and promptly. If errors are identified, errors are corrected by the Grant Coordinator or Director of Accounting via journal entry or transaction adjustment.

CFO is responsible for notifying GPDs when grant funds are received and is responsible for processing any grant funds received by other offices or staff and forwarded to them. CFO and Grant Coordinator will ensure that deposited funds are coded to the proper grant accounts and will seek guidance from the GPDs if the proper account is unknown.

Policy:	Category: **Division of Federal Programs —PDE**	
Allowability of Costs	**( )** Complete Revision ( ) Partial Revision **(X)** New	

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

When determining how CCCS will spend its grant funds, Grant Management and CFO 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. Grant Management and CFO must consider these factors when making an allowability determination.

Be Necessary and Reasonable for the performance of the federal award. Grant staff must consider these elements when determining the reasonableness of a cost. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices.

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

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of CCCS or the proper and efficient performance of the federal award.
- The restrains or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
- Market prices for comparable goods or services for the geographic area.
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to CCCS, its employees, its students, the public at large, and the federal government.
- Whether CCCS significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award's cost as per 2 C.F.R. §200.404[2]. While 2 C.F.R. §200.404[2] does not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, necessary is 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 CCCS can demonstrate that the cost addresses an existing need, and can prove it.

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

- Whether the cost is needed for the proper and efficient performance of the grant program.
- Whether the cost is identified in the approved budget or application.
- Whether there is an educational benefit associated with the cost.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment. Whether the cost addresses program goals and objectives and is based on program data.

Allocable to the federal award. A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award 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 C.F.R. §200.405[3]. For example, if 50% of a teacher's salary is paid with grant funds, then that teacher must spend at least 50% of his or her time on the grant program.

Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of CCCS.

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

Consistent treatment. A cost 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 a cost under another award.

Adequately documented. All expenditures must be properly documented.

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

Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such. Some federal program statutes require the non-federal entity to contribute a certain amount of non-federal resources to be eligible for the federal program.

Be the net of all applicable credits. The term "applicable credits" refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. 2 C.F.R. §200.406[4].

Part 200 examines the allowability of 55 specific cost items (commonly referred to as Selected Items of Cost) at 2 C.F.R. §§ 200.420-200.475[5]. These cost items are listed in the chart below along with the citation where it is discussed whether the item is allowable. Please do not assume that an item is allowable because it is specifically listed in the regulation as it may be unallowable despite its inclusion in the selected items of cost section. The expenditure may be unallowable for a number of reasons, including: the express language of the regulation states the item is unallowable; the terms and conditions of the grant deem the item unallowable; or State/local restrictions dictate that the item is unallowable. The item may also be unallowable because it does not meet one of the cost principles, such as being reasonable because it is considered too expensive. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

CCCS personnel responsible for spending federal grant funds and for determining allowability must be familiar with the Part 200 selected items of cost section. CCCS personnel must follow these rules when charging these specific expenditures to a federal grant. When applicable, Staff must check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, local and program specific rules may deem a cost as unallowable and CCCS personnel must follow those non-federal rules as well.

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[6]
Advisory councils	2 CFR § 200.422[7]
Audit services	2 CFR § 200.425[8]
Bad debts	2 CFR § 200.426[9]
Bonding costs	2 CFR § 200.427[10]
Collection of improper payments	2 CFR § 200.428[11]
Commencement and convocation costs	2 CFR § 200.429[12]
Compensation - personal services	2 CFR § 200.430[13]
Compensation - fringe benefits	2 CFR § 200.431[14]
Conferences	2 CFR § 200.432[15]
Contingency provisions	2 CFR § 200.433[16]
Contributions and donations	2 CFR § 200.434[17]

Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435[18]
Depreciation	2 CFR § 200.436[19]
Employee health and welfare costs	2 CFR § 200.437[20]
Entertainment costs	2 CFR § 200.438[21]
Equipment and other capital expenditures	2 CFR § 200.439[22]
Exchange rates	2 CFR § 200.440[23]
Fines, penalties, damages and other settlements	2 CFR § 200.441[24]
Fund raising and investment management costs	2 CFR § 200.442[25]
Gains and losses on disposition of depreciable assets	2 CFR § 200.443[26]
General costs of government	2 CFR § 200.444[27]
Goods and services for personal use	2 CFR § 200.445[28]
Insurance and indemnification	2 CFR § 200.447[29]
Interest	2 CFR § 200.449[30]
Losses on other awards or contracts	2 CFR § 200.451[31]
Maintenance and repair costs	2 CFR § 200.452[32]
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453[33]
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454[34]
Organization costs	2 CFR § 200.455[35]
Participant support costs	2 CFR § 200.456[36]
Plant and security costs	2 CFR § 200.457[37]
Pre-award costs	2 CFR § 200.458[38]
Professional services costs	2 CFR § 200.459[39]
proposal costs	2 CFR § 200.460[40]
Publication and printing costs	2 CFR § 200.461[41]
Rearrangement and reconversion costs	2 CFR § 200.462[42]
Recruiting costs	2 CFR § 200.463[43]
Relocation costs of employees	2 CFR § 200.464[44]
Rental costs of real property and equipment	2 CFR § 200.465[45]
Scholarships and student aid costs	2 CFR § 200.466[46]
Selling and marketing costs	2 CFR § 200.467[47]
Specialized service facilities	2 CFR § 200.468[48]
Student activity costs	2 CFR § 200.469[49]
Termination costs	2 CFR § 200.471[50]
Training and education costs	2 CFR § 200.472[51]
Transportation costs	2 CFR § 200.473[52]
Travel costs	2 CFR § 200.474[53]

Helpful Questions for Determining Whether a Cost is Allowable

In addition to the cost principles and standards described above, Grant Management can refer to this section for a useful framework when performing an allowability analysis. In order to determine whether federal funds may be used to purchase a specific cost, it is helpful to ask the following questions:

- Is the proposed cost allowable under the relevant program?
- Is the proposed cost consistent with an approved program plan and budget?
- Is the proposed cost consistent with program specific fiscal rules?
- Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

Policy:	Category: **Division of Federal Programs -PDE**	
Cash Management	**( )** Complete Revision ( ) Partial Revision **(X)** New	

CCCS will comply with applicable methods and procedures for payment that minimize the time between the transfer of funds and disbursement, in accordance with the Cash Management Improvement Act at 31 CFR Part 205[54]. Generally, CCCS receives payment from the Pennsylvania Department of Education on a reimbursement basis. 2 C.F.R. § 200.305[55]. However, if CCCS receives an advance in federal grant funds, CCCS will remit interest earned on the advanced payment quarterly to the federal agency consistent with 2 C.F.R. § 200.305(b)(9)[55].

According to guidance from the U.S. Department of Education (ED), when calculating the interest earned on ED grant funds, regardless of the date of obligation, interest is 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 LEA.

The CFO processes a journal entry if the interest is greater than the standard federal threshold of $500 based on the above calculations.

Interest would not accrue if the LEA uses nonfederal funds to pay the vendor and/or employees prior to the funds being drawn down from the G5 system, commonly known as a reimbursement.

Payment Methods

Reimbursements: CCCS will initially charge federal grant expenditures to federal grant funds. Grant Coordinator, CFO and Grant Managers will request reimbursement for actual expenditures incurred under the federal grants as they occur**.** All reimbursements are based on actual disbursements, not on obligations.

Consistent with state and federal requirements, CCCS will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make

such documentation available for the Pennsylvania Department of Education review upon request.

Reimbursements of actual expenditures do not require interest calculations.

Advances: To the extent CCCS receives advance payments of federal grant funds, CCCS will strive to expend the federal funds on allowable expenditures as expeditiously as possible. Specifically, CCCS attempts to expend all drawn downs of federal funds within 72 hours of receipt. CCCS will hold federal advance payments in interest-bearing accounts, unless an allowable exception applies and will begin to calculate interest earned on cash balances once funds are deposited into CCCS operating account.

Interest will be calculated on cash balances per grant by applying CCCS actual average interest rate. CCCS will remit interest earned on grant funds annually to the U.S. Department of Health and Human Services Payment Management System (regardless of the federal awarding agency for the grant) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. 2 C.F.R. § 200.305(b)(9)[55]. CCCS may retain up to $500 of interest earned per year.

Policy: **Conflict of Interest**	Category: **Ethics**	
	( ) Complete Revision ( ) Partial Revision **(X)** New	

Standards of Conduct

In accordance with 2 C.F.R. §200.18(c)(1)[56], CCCS maintains the following standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of CCCS 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 as defined by IRS regulations. An example would be a holiday basket received by the vendor with a value of $25 that the employee puts into the break room to share with other employees.

The following definitions apply to this document:

- **Immediate family** is defined as a spouse, child, parent, brother, sister, grandparent, grandchild, step-parent, step-child, step-brother, or step-sister of the individual.

- **Partnership** is the relationship existing between two or more persons who join to carry on a trade or business.
- **Interested Person** is any employee, director, principal officer, or member of a committee who has a direct or indirect financial interest as defined below.
- **Confidential information** shall mean information not obtainable from reviewing a public document or from making inquiry to a publicly available source of information.
- **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.
- **De minimis economic impact** shall mean an economic consequence which has an insignificant effect.
- **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.
- **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.

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family: a) ownership or investment interest in any entity with which CCS has a transaction or arrangement; b) compensation arrangement with CCCS or with any entity or individual with which CCCS has a transaction arrangement, or c) potential ownership or investment interest in, or compensation arrangement with any entity or individual with which CCCS is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial as defined by IRS regulations.

Organizational Conflicts Disciplinary Actions

Unauthorized Use of CCCS Facilities, Equipment, Supplies, and Mailing Lists. A School CCCS employee shall not use nor allow others to use for non-CCCS purposes, CCCS equipment, supplies, or mailing lists nor engage in or allow conduct resulting in the unauthorized use of any CCCS resource. Except for occasional and limited personal use that does not interfere with the performance of official duties or create an appearance of impropriety, a CCCS employee shall not use nor allow others to use CCCS facilities, equipment, supplies or mailing lists for personal purposes.

Misuse of Time. The time and services of all CCCS employees during working hours are assets of CCCS that should be used only for School CCCS business. A CCCS employee shall avoid conducting personal business on CCCS time.

Misuse of Personnel. A CCCS employee shall not direct, cause, induce, or permit another CCCS employee to perform personal services or confer a private benefit on CCCS time. Employees who are asked or instructed to perform improper personal services shall refuse to do so and report the request or

instruction to any supervisor with whom the employee feels comfortable or to the Senior Human Resources Manager. Supervisors who receive such reports shall report the matter to the Senior Human Resources Manager.

Misuse of Technology Resources. A CCCS employee shall not make improper use of computer and internet technology. Unacceptable uses of technology are detailed in CCCS's Handbook.

Examination of Records. CCCS reserves the right to review records to determine abuse of privileges relating to the use of CCCS-owned telephones (including cellular phones), pagers, computers (including internet access), copy machines, automobiles, and/or transportation vehicles.

CONFLICTS OF INTEREST

CCCS employees shall employ independent objective judgment in performing their duties deciding all matters on their merits-alone free of partiality or prejudice and unimpeded by conflicts of interest or other improper influences. No CCCS employee shall engage in conduct that constitutes a Conflict of Interest, which shall be defined by an officer or employee of authority of his/her office or the use of any confidential information received through his/her employment for the private pecuniary benefit of the employee or a member of the employee's immediate family.

A CCCS employee shall neither engage nor have any interest, financial or otherwise, direct or indirect, in any business transaction or professional entity, either as a director, officer. partner; trustee, employee or manager in that entity which conflicts with the employee's official duties or which could bring disfavor or disrespect upon the employee or CCCS.

Contracting Decisions. A CCCS employee shall not participate in the decision to make any contract valued at $1,000 or more between CCCS, including student activity funds, and any business or entity in which the employee has a personal or financial conflict of interest. CCCS employee shall be deemed to have a financial conflict of interest in a decision:

- If it is reasonably foreseeable that the decision will have a material financial effect on the employee or employee's immediate family.
- Any business entity in which the employee or a member of the employee's immediate family has a direct or indirect investment worth $1,000 or more; or in which the employee or a member of the employee's family holds any position of management or is a director, officer, partner, trustee, or employee;
- Any real property in which the employee or a member of the employee's immediate family has a direct or indirect interest worth $1,000.or more; or
- Any source of income for the employee or the employee's immediate family of $1,000 or more.

A CCCS employee who has a financial conflict of interest because of his/her relationship with a business must remove him/herself from any decision concerning that entity including any decision to contract or not to contract with the entity and the administration of the contract.

Honoraria. A CCCS employee shall not accept an honorarium that represents, a payment in recognition of published works, appearances, speeches, and presentations and that is not intended as

consideration of the value of such services which are non-public, occupational, or professional in nature.

Tutoring. A CCCS employee shall not tutor or counsel as a private enterprise, for compensation, pupils assigned to any class of the officer's or employee's school. Officers or employees may tutor or counsel pupils enrolled in other schools unless such private enterprise conflicts with or impairs the proper discharge of official duties.

Personal Advertisements. A CCCS employee shall not advertise business or professional activities on CCCS property or use CCCS work hours, property, or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.

Employee Publications. A CCCS employee shall not participate in the review and approval of publications or materials for CCCS purchase if the officer or employee is the author/editor of or has any financial interest in the sale of such publications or materials.

Referrals. A CCCS employee shall not refer a parent or student to a service, service provider or product in return for anything of value. Officers or employees making referrals as part of their official duties shall make referrals to more than one provider of the service or product. For example, school counselors shall refer parents or students to more than one counselor or provider of medical services.

Outside Income. CCCS employees shall not accept any outside earned income in any situation where a reasonable person in the community could conclude that the receipt of the income would be inconsistent, incompatible, or in conflict with their official duties.

General Limitation on Solicitation. A CCCS employee shall not solicit, directly or indirectly, any payments or other benefits under circumstances that would create in the mind of a fair-minded, reasonable person the belief that such payments or benefits were provided with the intent to improperly influence the employee's actions.

Gifts and Gratuities. The acceptance of gifts, payments, or other benefits from those with whom CCCS does business can be improper. A gift is defined as anything of value which is provided to the extent that payment or consideration of equal or greater value is not received in return including but not limited to tickets to sporting or cultural events; items of food; meals; use of facilities; forgiveness of debts; interests in real property, investments, or merchandise; or a rebate or discount (unless the rebate or discount is normally given to any member of the public). CCCS employees who are in the position to make or influence a decision to spend CCCS funds shall not solicit or accept any personal gifts, favors, or benefits of more than nominal value during a calendar year from any single person or organization that might benefit from the employee's decision. This provision does not apply to travel expenses and meals provided at an event at which the employee participates in a seminar or similar activity.

Statement of Financial Interest. In accordance with Pennsylvania law, CCCS requires each member of the Board and employee at the level of Director and above to file a Statement of Financial Interest with the Office of Human Resources by May 1 of each year for the immediate prior year. The Senior Human Resources Manager may require any employee whose duties require the exercise of discretion or judgment to file a Statement of Financial Interest.

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.

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:

- The organizational relationship shall be disclosed as part of any notices to potential contractors;
- Any district employees or officials directly involved in the activities of the related organization are excluded from the selection and award process;
- A competitive bid, quote or other basis of valuation is considered; and
- The Chief Executive Officer has determined that contracting with the related organization is in the best interests of the program involved.
- 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.

Conflict of Interest Resolution. In the event that a question of Conflict of Interest or the appearance of

Conflict of Interest arises, the matter shall be referred to and investigated by the Executive Vice President of Human Resources who will report the results of the investigation to the Chief Executive Officer. Where appropriate, the Chief Executive Officer shall call all instances involving Conflict of Interest to the attention of the supervisor and employee with a recommendation as to how the conflict situation might best be resolved.

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.

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 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.

CHESTER COMMUNITY CHARTER SCHOOL (CCCS)

Employee Conflict of Interest Statement

1. Name: _____ Date: _____

2. Position: _____

Are you an Officer or Administrator? Yes No

3. I affirm the following:

I have received a copy of the Chester Community Charter School's Conflict of Interest Policy. _____ (initial)

I have read and understand the policy. _____ (initial) I agree to comply with the policy. _____ (initial)

I understand that CCCS is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of tax-exempt purposes. _____ (initial)

4. Disclosures:

a. Do you have a financial interest (current or potential) as defined in the Conflict of Interest policy with CCCS? Yes No

    i. If yes, please describe it:
    _____

    ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

b. In the past, have you had a financial interest as defined in the Conflict of Interest policy with CCCS? Yes No

    i. If yes, please describe it, including when (approximately):
    _____

    ii. If yes, has the financial interest been disclosed, as provided in the Conflict of Interest policy? Yes No

Signature of Employee_____ Date: _____

Name of Human Resource Representative Reviewer: _____

Initials and Date of Review by Human Resources Representative: _____ Date_____

Legal References:

1. 2 CFR 200
2. 2 C.F.R. §200.404
3. 2 C.F.R. §200.405
4. 2 C.F.R. §200.406
5. 2 C.F.R. §§ 200.420-200.475
6. 2 CFR § 200.421
7. 2 CFR § 200.422
8. 2 CFR § 200.425
9. 2 CFR § 200.426
10. 2 CFR § 200.427
11. 2 CFR § 200.428
12. 2 CFR § 200.429
13. 2 CFR § 200.430
14. 2 CFR § 200.431
15. 2 CFR § 200.432
16. 2 CFR § 200.433
17. 2 CFR § 200.434
18. 2 CFR § 200.435
19. 2 CFR § 200.436
20. 2 CFR § 200.437
21. 2 CFR § 200.438
22. 2 CFR § 200.439
23. 2 CFR § 200.440
24. 2 CFR § 200.441
25. 2 CFR § 200.442
26. 2 CFR § 200.443
27. 2 CFR § 200.444
28. 2 CFR § 200.445
29. 2 CFR § 200.447
30. 2 CFR § 200.449
31. 2 CFR § 200.451
32. 2 CFR § 200.452
33. 2 CFR § 200.453
34. 2 CFR § 200.454
35. 2 CFR § 200.455
36. 2 CFR § 200.456
37. 2 CFR § 200.457
38. 2 CFR § 200.458
39. 2 CFR § 200.459
40. 2 CFR § 200.460
41. 2 CFR § 200.461
42. 2 CFR § 200.462
43. 2 CFR § 200.463
44. 2 CFR § 200.464
45. 2 CFR § 200.465
46. 2 CFR § 200.466
47. 2 CFR § 200.467
48. 2 CFR § 200.468
49. 2 CFR § 200.469
50. 2 CFR § 200.471
51. 2 CFR § 200.472
52. 2 CFR § 200.473
53. 2 CFR § 200.474
54. Cash Management Improvement Act at 31 CFR Part 205
55. 2 C.F.R. § 200.305
56. 2 C.F.R. §200.18(c)(1)

Book	Policy Manual
Section	Finance
Title	Internal Control Policy
Code	415
Adopted	October 15, 2020

Board of Trustees Policy

INTERNAL CONTROL POLICY

The Board of Trustees (the "Board") of Chester Community Charter School ("Charter School") understands the importance of having an internal control policy in order to encourage sound management practices as CCCS works to achieve its mission of empowering students as learners and accomplish its goals and objectives.

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

TABLE OF CONTENTS

Part I: Introduction

- Purpose of Guide
- What Are Internal Controls?
- Why Do We Need Internal Controls?
- Organizational Roles
- Limitations of Internal Control

Part II: Five Standards of Internal Control

- Control Environment
- Risk Assessment
- Control Activities
- Communication & Information
- Monitoring

Glossary

Internal Control Reference Sources

Appendix I – Evaluating Risk

Appendix II – Examples of Internal Control Standards

Part I: Introduction

The four basic functions of management are usually described as planning, organizing, leading, and controlling. Internal control is what is meant when discussing the fourth function, controlling. Adequate internal controls allow managers to delegate responsibilities to staff and contractors with reasonable assurance that what they expect to happen, actually does. Internal control is an integral part of managing an organization. It comprises the plans, methods, and procedures used to meet missions, goals, and objectives and, in doing so, support performance-based management systems. Internal control also serves as the first line of defense in safeguarding assets and preventing and detecting errors and fraud. In short, internal control, which is synonymous with management control, helps government managers achieve desired results through effective stewardship of public resources.

Purpose of Guide

Everyone experiences internal control in their daily business activities as well as in their personal lives. Yet it is a subject that is very often misunderstood, ignored or undervalued. Internal control helps bring order, direction and consistency to our lives and organizations. This publication is intended to explain how internal control plays an important part in the daily activities of every department in CCCS.

Although an internal control system can vary widely among organizations, the standards for a good system are generally the same. These standards are not new ideas; many of the concepts are currently part of existing operations. We have prepared this publication to assist employees in managerial roles in fulfilling their responsibilities relating to internal controls. We do not suggest, however, that this publication is all-inclusive.

Administrators and directors should view this guide as a framework for developing and evaluating their internal control systems, consistent with their department's operations.

What Are Internal Controls?

Definition

The current official definition of internal control was developed by the Committee of Sponsoring Organization (COSO) of the Treadway Commission. In its influential report, **Internal Control - Integrated Framework**, the Commission defines internal control as:

Internal control is a process, affected by an entity's board of directors, management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations.
- Reliability of financial reporting.
- Compliance with applicable laws and regulations.

A less technical definition might state that:

> Internal control is the integration of the activities, plans, attitudes, policies, and efforts of the people of a department working together to provide reasonable assurance that the department will achieve its mission.

Fundamental Concepts

These definitions denote certain fundamental concepts that internal controls:

- Affect every aspect of a department: all of its people, processes and infrastructure.
- Are not stand-alone practices. They are woven into the day-to-day responsibilities directors and their staff.
- Incorporate the qualities of good management.
- Are dependent upon people and will succeed or fail depending on the attention people give to it.
- Must make sense within each department's operating environment and are effective when people work together.
- Provide a level of assurance to a department, but does not guarantee success.
- Help a department achieve its goals.
- Should be cost effective.

Why Do We Need Internal Controls?

Encourage Sound Management Practices

CCCS works to achieve our mission, Empowering Students as Learners, and accomplish its goals and objectives. The overall purpose of internal control is to help each department achieve its objectives

An effective internal control system helps a department to:

- Promote orderly, economical, efficient and effective operations.
- Produce quality services consistent with the mission.
- Safeguard resources against loss due to waste, abuse, mismanagement, errors and fraud.
- Promote adherence to statutes, regulations, bulletins and procedures.

- Develop and maintain reliable financial and management data, and accurately report that data in a timely manner.

Accountability

The CEO, principals and directors are responsible for managing the resources entrusted to them to carry out government programs. A major factor in fulfilling this responsibility is ensuring that adequate controls exist. Employees who manage programs must be accountable.

Facilitate Preparation for Audits

CCCS is subject to annual audits by independent auditors (e.g. the single audit, federal auditors, and government/grant monitors). These audits are conducted to ensure the following:

- Funds are administered and expended in compliance with applicable statutes, regulations and contracts.
- Programs are achieving the purpose for which they were authorized and intended.
- Financial statements accurately represent the operating results and financial position of the school.
- Programs are managed efficiently; and
- Internal controls exist and provide a basis for planning the audit and planning the timing, nature, and extent of testing.

Auditors' reports will include an evaluation of the adequacy of the department's internal controls. When it appears warranted, auditors will make recommendations for improvements. Management is accountable for the adequacy of the internal control systems in their department. Weak or insufficient internal controls will result in audit findings and, more importantly, could lead to theft, shortages, operational inefficiency, or a breakdown in the internal control structure. Strong, effective, well-documented internal controls that have been made a part of the entity's operations allow audits to be performed more cost effectively.

Organizational Roles

An organization is a group of individuals working together to achieve a common purpose. Every member of CCCS has a role in the system of internal control. Most importantly, internal control is people-dependent. It is developed by people; it guides people; it provides people with a means of accountability; and people carry it out. Individual roles in the system of internal control vary greatly throughout an organization. Very often, an individual's position in the organization determines the extent of that person's involvement in internal control.

The strength of the system of internal control is dependent on people's attitude toward internal control and their attention to it. Executive management needs to set the organization's direction regarding internal control (i.e.: "tone at the top"). If executive management does not establish strong, clearly stated support for internal control, the organization as a whole will most likely not

practice good internal control. Similarly, if control activities are not integrated with staff duties and responsibilities, the system of internal control will not be effective.

While everyone in an organization has responsibility for ensuring the system of internal control is effective, the greatest amount of responsibility rests with the executives and directors of the organization. Internal controls are the structure, policies, and procedures used to ensure that management accomplishes its objectives and meets its responsibilities.

Limitations of Internal Control

Internal controls, no matter how well designed and operated, provide only reasonable assurance to management regarding the achievement of a department's objectives. Certain limitations are inherent in all internal control systems. Despite these limitations, the reasonable assurance that internal control does provide enables focus on reaching its objectives while minimizing undesirable events.

Costs versus Benefits

Prohibitive cost can prevent management from installing the ideal internal control system. Management will occasionally accept certain risks because the cost of preventing such risks cannot be justified. Furthermore, **more** control activities are not necessarily **better** in an effective internal control system. Not only can the cost of excessive or redundant controls exceed the benefits, but this may also affect staff's perceptions on controls.

Judgment

The effectiveness of an internal control system is limited by the realities of human frailty in making decisions. Decisions must often be made under the pressures of time constraints, based on limited information at hand, and relying on human judgment. Additionally, management may fail to anticipate certain risks, and thus fail to design and implement appropriate controls.

Breakdowns

Well-designed internal control systems can break down. Personnel may misunderstand instructions or they may make errors in judgment or they may commit errors due to carelessness, distraction, or fatigue. CCCS has training classes at the beginning and throughout the school year that educate its employees on proper internal controls.

Collusion

The collusive activities of two or more individuals can result in internal control failures. Individuals acting collectively to perpetrate and conceal an action from detection often can alter financial data or other management information in a manner that circumvents control activities and cannot be identified by the system of internal control.

Management Override

An internal control system can only be as effective as the people who are responsible for its functioning. Management has the capability to override the system. "Management override" means overruling or circumventing prescribed policies or procedures for illegitimate purposes – such as personal gain or an enhanced presentation of a department's financial condition or compliance status.

Management override should not be confused with "management intervention", which represents management's actions to depart from prescribed policies or procedures for legitimate purposes. Management intervention is necessary to deal with non-recurring and non-standard transactions or events that otherwise might be handled inappropriately.

CCCS has several policies in place to prevent collusion and management override. Examples are segregation of duties within their finance department and purchasing network; executive authorization by the CFO and CEO; and board oversight.

Part II: Five Standards of Internal Control

The **COSO Report** describes the internal control process as consisting of five interrelated components that are derived from and integrated with management processes. These components define the standards for internal control and provide the basis against which internal control is to be evaluated. These standards apply to all aspects of a department's operations: administrative, financial, and programmatic. These standards provide a general framework. Management is responsible for developing the detailed policies, procedures, and practices to fit their department's operations and mission.

Control Environment

Management and employees should establish and maintain an environment throughout the organization that sets a positive and supportive attitude toward internal control and conscientious management.

The **control environment** sets the tone of the department and influences the effectiveness of internal controls within the department. The control environment is the foundation for all other components of internal control, providing discipline and structure and encompassing both technical competence and ethical commitment. If this foundation is not strong, if the control environment is not positive, the overall system of internal control will not be as effective as it should be. Many factors affect the control environment, including the following:

Ethical Values and Integrity

Ethical values and integrity are key factors contributing to a positive control environment. Ethical values are the standards of behavior that form the framework for employee conduct and guide employees when making decisions. People in a department have personal and professional integrity when they adhere to ethical values. While it is management's responsibility to establish and communicate the ethical values of the department, it is everyone's responsibility to demonstrate integrity. Management provides leadership in setting and maintaining the department's ethical tone ("tone at the top") by:

- Providing guidance for proper behavior through policy statements, codes of conduct and by behavioral example.
- Removing or reducing temptations for unethical behavior.
- Establishing methods for reporting ethical violations and consistently enforcing disciplinary practices when appropriate (refer to employee handbook regarding infractions of policies).

Management's Philosophy and Operating Style

This factor reflects management's basic beliefs regarding how the people and activities of a department should be managed. This factor determines the degree of risk the department is willing to take and management's philosophy towards performance-based management. Management's philosophy and style can be demonstrated in such areas as:
acceptance of regulatory control imposed by others; management's attitude toward internal and external reporting; the use of aggressive or conservative accounting principles; the attitude of management toward information technology and accounting functions; and management's support for and responsiveness to internal and external audits and evaluations.

CCCS philosophy and operating style adhere specifically to the terms laid forth within the terms of a contract or grant. Monthly meetings are held to ensure compliance of the funding documents.

Commitment to Competence

Competence is a characteristic of people who possess and maintain the skill, knowledge and ability to perform their assigned duties. Management's commitment to competence includes hiring staff with the necessary skills and knowledge and ensuring that current staff receives adequate on-going training and supervision, as well as candid and constructive performance evaluations.

CCCS administrators periodically evaluate the employees' qualifications and continuing education requirements in order to ensure their certifications are current.

Structure

Structure refers to management's framework for planning, leading and controlling operations to achieve the department's objectives. The organizational structure should clearly define key areas of authority and responsibility and establish appropriate lines of reporting. An organizational chart can provide a clear picture of the functional sub-units of a department and the relationships among them.

CCCS administrators and directors provide policies and direct communications to ensure that employees are aware of their duties and responsibilities, understand how their individual actions interrelate and contribute to the department's objectives, and recognize how and for what they will be held accountable (refer to handbook and policy book online).

Risk Assessment

Internal control should provide for an assessment of the risks that an organization faces from both external and internal sources.

A precondition to risk assessment is the establishment of clear and consistent objectives at both the organization level and at the activity (program or function) level. Risk assessment is the identification, analysis, and management of risks relevant to the achievement of the department's goals and objectives. Risks include internal and external events or circumstances that may occur and adversely affect operations. Once risks are identified, management should consider their impact (or significance), the likelihood of their occurrence, and how to manage them.

Risk Identification

Administrators and directors start by analyzing the two circumstances most likely to threaten the achievement of objectives, **change** and **inherent risk**. The examples listed below are not all-inclusive, nor will every item apply to every department.

The risk to accomplishing objectives increases dramatically during a time of **change**. Because any change increases risk, administrators and directors must diligently monitor and assess all significant changes within their departments. Some examples of change that expose a department to increased risk are:

- Changes in personnel.
- Changes in the regulatory environment.
- New or updated information systems and technology.
- Rapid growth or expansion of operations.
- New programs or services.

Risk Analysis

After risks are identified, they need to be evaluated in terms of:

Likelihood - The probability that the unfavorable event would occur if there were no (or limited) internal controls to prevent or reduce the risk.

Impact (or Significance) - A measure of the magnitude of the effect to a department if the unfavorable event were to occur.

The specific risk analysis methodology used by departments can vary because of differences in missions and the difficulty in qualitatively and quantitatively assigning risk levels. (Refer to Appendix I.)

Risk Management

Administrators and directors communicate guidelines throughout their departments to help them determine the level and the kinds of risk that are acceptable and not acceptable. Performing risk assessments assists employees in prioritizing the activities where controls are most needed.

CCCS administrators and directors use risk assessments to determine the relative potential for loss in programs and functions and to design the most cost-effective and productive internal controls. Using these guidelines and the risk assessment information, managers should determine whether to:

- **Accept the risk:** Do not establish control activities
- **Prevent or reduce the risk:** Establish control activities
- **Avoid the risk (if possible):** Do not carry out the function

The acknowledgement and acceptance of certain levels and kinds of risk may be justified. When preventing risk or reducing it to an acceptable level, administrators and directors should identify the most effective and efficient control activities available for managing the risk. Specifically, they should answer the following questions:

What is the cause of the risk? Consider the reason the risk exists to help identify all the possible control activities that could prevent or reduce the risk, unless it violates a condition mandated by law or a regulatory agency.

What is the cost of control vs. the cost of the unfavorable event? Compare the cost of the risk's effect with the cost of carrying out various control activities, and select the most cost-effective choice.

What is the priority of this risk? Prioritize the list of risks to help decide how to allocate resources among the various control activities used to reduce the risks. The higher the

priority, the greater the resources allocated to the control activities intended to reduce the risk.

CCCS administrators and directors should maintain its analysis and interpretation as part of its documentation of the rationale that supports its risk management decisions. They review these decisions periodically to determine whether changes in conditions warrant a different approach to managing, preventing and reducing risk.

Control Activities

Internal control activities help ensure that management's directives are carried out. The control activities should be effective and efficient in accomplishing the organization's control objectives.

Internal control activities are tools - policies, procedures, techniques, and mechanisms - that help identify, prevent or reduce the risks that can impede accomplishment of the department's objectives. They are essential for proper stewardship and accountability of government resources and for achieving effective and efficient program results.

Control activities occur at all levels and functions of the department. Management should establish control activities that are effective and efficient. In order to design and implement control activities, management should get the maximum benefit at the lowest possible cost. Here are a few simple rules to follow:

- The cost of the control activity should not exceed the cost that would be incurred by the department if the undesirable event occurred.

- Build control activities into business processes and systems as the processes and systems are being designed. Adding control activities after the development of a process or system is generally more costly.

- The allocation of resources among control activities should be based on the significance and likelihood of the risk they are preventing or reducing.

Many different control activities can be used to counter the risks that threaten a department's success. Most control activities, however, can be grouped into two categories:

- **Prevention** activities are designed to deter the occurrence of an undesirable event. The development of these controls involves predicting potential problems before they occur and implementing ways to avoid them.

- **Detection** activities are designed to identify undesirable events that do occur, and alert management about what has happened. This enables management to take corrective action promptly.

Costs and benefits should be assessed before control activities are implemented. No one control activity provides all of the answers to risk management problems; a combination of control activities may be used. The following are descriptions of some of the more commonly used control activities. Reference would be the GASB reporting (incomplete sentence)

Documentation

Documentation involves preserving evidence to substantiate a decision, event, transaction or system. All documentation should be complete, accurate and recorded timely. Documentation should have a clear purpose and be in a usable format that will add to the efficiency and effectiveness of the department. Examples of areas where documentation is important include:

Are examples supposed to be listed here?

Critical decisions and significant events usually involve administrators and directors. These decisions and events usually result in the use, commitment, exchange or transfer of resources, such as in strategic plans, budgets and executive policies. Recording the information related to such events creates an organizational history that can serve as justification for subsequent actions and decisions that will be of value during self-evaluations and audits.

Documentation of **transactions** should trace each transaction from its inception through its completion. This means the entire life cycle of the transaction should be recorded, including: (1) its initiation and authorization; (2) its progress through all stages of processing; and (3) its final classification in summary records.

Documentation of **policies and procedures** is critical to the daily operations of a department. These documents set forth the fundamental framework and the underlying methods and processes all employees rely on to do their jobs. They provide specific direction to and help form the basis for decisions made every day by employees. Without this framework of understanding by employees, conflict can occur, poor decisions can be made and serious harm can be done to the department's reputation. Further, the efficiency and effectiveness of operations can be adversely affected.

CCCS maintains documentation of policies on a secured network server that may be accessed by all employees. Procedures for day-to-day operations in addition to the employee handbook references internal control and adherence to rules and regulations.

Approval and Authorization

Approval and authorization is the confirmation or sanction of employee decisions, events or transactions based on a review. Determine which items require approval based on the level of risk to the department without such approval and clearly document its approval requirements and ensure that employees obtain approvals in all situations where necessary.

CCCS requires approvals for purchasing, grants, financial transactions, administration policies and changes. Approvals are determined by function; the CEO and/or CFO, in conjunction with

the management company and/or oversight board has final approval of executive decisions. An example is purchasing for federal grant compliance. Approvals are necessary for purchasing requisitions by the grants director, grant coordinator, grant specialist and CFO.

Authorization is the power to carry out certain duties, based on approval received from directors. CCCS accounting and finance department requires approval by the CFO for purchasing, journal entries, receivables and other transactions.

Verification/Reconciliation

Verification (reconciliation) is the determination of the completeness, accuracy, authenticity and/or validity of transactions, events or information. It is a control activity that ensures activities are being performed in accordance with directives. Directors and Administrators determine what needs to be verified and should clearly communicate and document these decisions to those responsible for conducting the verifications. The list below offers some examples of verification and reconciliation.

- Reviewing vendor invoices for accuracy by comparing to purchase orders and contracts.
- Comparing cash receipts transactions to a cash receipts log and tracing to bank deposit records.
- Reviewing and verifying students' eligibility for program services (i.e.: Special Education).
- Reviewing and verifying students' eligibility for billing within a particular school district.
- Reconciling a department's cash records to bank statements.

The CFO at CCCS is responsible for verifying that the accounting and finance staff has performed reconciliations and verifications necessary to be evaluated at its annual audit.

Separation of Duties

Separation of duties is the division or segregation of key duties and responsibilities among different people to reduce the opportunities for any individual to be in a position to commit and conceal errors (intentional or unintentional), or perpetrate fraud in the normal course of their duties. The fundamental premise of segregated duties is that different personnel should perform the functions of initiation, authorization, record keeping, and custody. No one individual should control or perform all key aspects of a transaction or event. These are called incompatible duties when performed by the same individual. The list below offers some examples of incompatible duties:

- Individuals responsible for data entry of payment vouchers should not be responsible for approving these documents.

- Individuals responsible for acknowledging the receipt of goods or services should not also be responsible for purchasing or payment activities.

- Directors and administrators should review and approve payroll expenses and time sheets before data entry, but should not be involved in preparing payroll transactions.

- Individuals performing physical inventory counts should not be involved in maintaining inventory records nor authorize withdrawals of items maintained in inventory.

- Individuals receiving cash into the office should not be involved in authorizing and recording bank deposits in the accounting records.

- Individuals receiving revenue or making deposits should not be involved in reconciling the bank accounts.

CCCS directors and administrators are involved in documenting, reviewing, and approving transactions, reports, and reconciliations. They make sure that the duties above are segregated as indicated below:

- The CFO is responsible to approve all transactions referenced in the list below in addition to the Treasury functions of the organization, cutting checks, scanning deposits to the bank and compliance with regulatory agencies.

- Directors/Principals approve financial documents, expense reports, reimbursement reports, requisitions and non-financial documents submitted by their staff. The CEO and/or CFO give final approval to these transactions.

- The Director of Accounting reconciles accounts, bank accounts, accounts receivable transactions, and other financial transactions.

- The Grants Coordinator is responsible for analyzing, reporting and ensuring compliance with federal, state, and local government, corporate and private grants, closing entries, and capital expenditures.

- The Senior Accountant is responsible for in-house payroll processing.

- The Accountant is responsible for accounts receivable billings for out of district school districts.

- The AP Coordinator and Intern is responsible for inputting accounts payable transactions compliant with matching expenses to the period.

Safeguarding of Assets

Safeguarding of assets involves restricting access to resources and information to help reduce the risk of unauthorized use or loss. To protect the equipment, information, documents and other

resources that could be wrongfully used, damaged or stolen. CCCS limits access to authorized individuals only. Access can be limited by various means such as locks, passwords, electronic firewalls and encryption.

The list below offers some examples of the safeguarding of assets.

- Securing mobile items within locked facilities. Locked storage closets are used with specialized racks for electronic equipment.
- Reviewing insurance coverage limits for reasonableness and adequacy.
- Performing periodic physical inventories of assets for verification of values, location, and appropriate utilization.

CCCS uses IT and accounting personnel to purchase, install and inventory assets. The CFO assures compliance with capital asset purchasing and recording as indicated by federal, state, local government or accounting standards. Additionally, an inventory is completed annually in compliance with government standards.

Supervision

Supervision is the ongoing oversight, management and guidance of an activity by designated employees to help ensure the results of the activity achieve the established objectives. Those with the responsibility for supervision should:

- Assign tasks and establish written procedures for completing assignments.
- Systematically review each staff member's work.
- Approve work at critical points to ensure quality and accuracy.
- Provide guidance and training when necessary.
- Provide documentation of supervision and review (for example, initialing examined work).

Reporting

Effective and accurate reporting is a means of conveying information. It serves as a control when it provides information on issues such as timely achievement of goals, financial position and employee concerns. Reporting also helps to promote accountability for actions and decisions. The list below offers some examples of effective and accurate reporting.

- Grant status reports to alert directors to budget variances.
- Board financial statement to inform oversight board of budget variances.

- The Annual Financial Report (AFR) issued for the public's review of financial performance and position.

Communication & Information

Information should be recorded and communicated to administrators within the organization who need it and in a form and within a time frame that enables them to carry out their internal control activities and other responsibilities.

For a department to run and control its operations, it must have relevant, valid, reliable, and timely communications relating to internal and external events. Administrators and directors must be able to obtain reliable information to determine their risks and communicate policies and other information to those who need it.

Information

Operational and financial data is made available to determine whether they are meeting their department's strategic and annual performance plans and if they are meeting their goals of accountability for effective and efficient use of resources. Operating information is also needed to determine whether the department is achieving its compliance requirements under various statutes and regulations. Financial information is needed for both external and internal uses. It is required to develop financial statements for periodic external reporting, and, on a day-to-day basis, to make operating decisions, monitor performance, and allocate resources. Pertinent information should be identified, captured, and distributed in a form and time frame that permits people to perform their duties efficiently. Moreover, effective management of information technology is critical to achieving useful, reliable, and accurate recording and communication of information.
Communication

Effective communications should occur in a broad sense with information flowing down, across, and up the department. Internal communications are made available to external stakeholders (e.g. recipients, vendors, other organizations and departments) that may have a significant impact on the department achieving its goals.

Clear communication channels are established at CCCS and available in the employee handbook and policy handbook online that:

- Provides timely information.
- Informs employees of their duties and responsibilities.
- Enables the reporting of sensitive matters including fraudulent or unethical behaviors.

- Enables employees to provide suggestions for improvement.
- Provides the information necessary for all employees to carry out their responsibilities effectively.
- Conveys internal control responsibilities are important and should be taken seriously; and
- Conveys and enable communication with external parties.

Communication is not an isolated internal control component. It affects every aspect of a department's operations and helps support its system of internal control. The feedback from this communication network can help management evaluate how well the various components of the system of internal control are working.

Monitoring

Monitoring is a basic management duty included in routine financial and program activities like ongoing supervision, reconciliations, comparisons, performance

Monitoring is the review of the organization's activities and transactions to assess the quality of performance over time and to determine whether controls are effective.

evaluations, and status reports. Internal control systems are designed to ensure that ongoing monitoring occurs in the course of normal operations. Proper monitoring ensures that controls continue to be adequate and function properly. Employees are monitored by their supervisor/director/principal; supervisors/directors/principals are monitored by the administrators who are monitored by the CFO and/or CEO. The entire organization is monitored by the management company and the oversight board.

Focus Areas

The monitoring performed by a department should focus on the following major areas:

Control Activities - Control activities are established to prevent or reduce the risk of problems occurring by establishing procedures which monitor the effectiveness of control activities and the use of control overrides. Effective monitoring gives the opportunity to identify and correct any control activity deficiencies or problems and to minimize the impact of unfavorable events.

Mission - Monitoring activities should include the development and review of operational data that would allow management to determine whether the department is achieving its mission. This can be achieved by periodic comparison of operational data to the department's strategic plan.

Control Environment - Administrators/directors monitor the control environment to ensure all levels are maintaining established ethical standards of behavior and that staff morale is at an appropriate level. In addition they ensure that the staff is competent, that adequate training is provided and that management styles and philosophies foster accomplishment of the department's mission.

Communication - Periodically verify that employees are receiving and sharing information appropriately, and that this information is timely, sufficient and appropriate for the users. They ensure that there are open lines of communication, which encourages reporting of both positive and negative results.

Risks and Opportunities - Monitor the department's internal and external environment to identify any changes in risks or the development of opportunities for improvement. If changes are identified, appropriate action is taken to address these new conditions and recognize that delays in responding to risks could result in damage to the department or a missed opportunity may result in lost revenue or unattained cost savings.

Internal Evaluation

Controls need to be monitored for effectiveness ("Are they operating as intended?") and to ensure they have not become obsolete. Separate evaluations of control activities can also be useful by focusing directly on the controls' effectiveness at a specific time. The scope and frequency of separate evaluations should depend primarily on the assessment of risks and the effectiveness of ongoing monitoring procedures. Separate evaluations may take the form of self-assessments or the direct testing of internal controls. Deficiencies found during ongoing monitoring or through separate evaluations or testing should be communicated to those responsible for the function and to at least one higher level of management. Serious matters should be reported to top management.

CCCS evaluates: the performance of employees; quality of continuing professional education; quality of professional and nonprofessional staff; adherence with legal regulatory authorities and other financial and nonfinancial reporting requirements. References to the AICPA, GASB, government green book and documentation provided by other regulatory agencies should be used when determining compliance.

Audit Resolution

Monitoring of internal control should include policies and procedures for ensuring that the findings of audits and other reviews are promptly resolved. The CFO and the accounting and finance department (1) promptly evaluates findings from audits and other reviews, including those showing deficiencies and recommendations reported by auditors and others who evaluate the department's operations, (2) determines proper actions in response to findings and recommendations from audits and reviews, and (3) completes, within established timeframes, all actions that correct or otherwise resolve the matters brought to management's attention. The resolution process begins when audit or other review results are reported, and is completed only after action has been taken that

corrects identified deficiencies, produces improvements, or demonstrates the findings and recommendations do not warrant management action.

Glossary

Accountability: The recognition and acceptance that one is answerable for whatever happens within a particular area of activity of assigned responsibility regardless of the cause.

Component: One of five standards of internal control. The internal control components are the control environment, risk assessment, control activities, communication and information, and monitoring.

Communication and Information: The fourth component of internal control; an organization must have relevant, reliable, and timely communications relating to internal and external events.

Control Activities: The third component of internal controls; the structure, policies, and procedures, which an organization establishes so that identified risks do not prevent the organization from reaching its objectives.

Control Environment: The first component of internal controls; it sets the tone of the organization influencing the effectiveness of internal controls and is the foundation for all other components of internal control, providing discipline and structure and encompassing both technical competence and ethical commitment.

Control Objectives: The objectives of an internal control system: (1) reliable financial reporting, (2) effective and efficient operations, and (3) compliance with applicable laws and regulations.

COSO: The Committee of Sponsoring Organizations of the Treadway Commission. It consists of the following organizations: the American Institute of Certified Public Accountants, the American Accounting Association, the Institute of Internal Auditors, the Institute of Management Accountants, and the Financial Executives Institute.

Effectiveness: The degree to which an organization or program is successful at meeting goals, objectives, and statutory mandates.

Efficiency: The degree to which an organization or program is successful at meeting goals and objectives with the least use of resources.

Goal: An elaboration of the mission statement, developed with greater specificity of how an organization will carry out its mission. The goal may be of a programmatic, policy, or fiscal nature, and is expressed in a manner that allows a future assessment to be made of whether the goal was or is being achieved.

Inherent Limitations: Those limitations of all internal control systems. The limitations relate to the limits of human judgment, resource constraints and the need to consider the cost of controls in relation to expected benefits, the reality that breakdowns can occur, the possibility of management overrides, and collusion.

Internal Control: A process, affected by an entity's board of directors, management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations.
- Reliability of financial reporting.
- Compliance with applicable laws and regulations.

A less technical definition might define Internal Control as...

The integration of the activities, plans, attitudes, policies, and efforts of the people of an organization to provide reasonable assurance the organization achieves its mission.

Internal Control System: A synonym for **Internal Control**

Management Intervention: Management's actions to override prescribed policies or procedures for legitimate purposes; management intervention is usually necessary to deal with non-recurring and non-standard transactions or events that otherwise might be handled inappropriately by the system. (Contrast this term with Management Override.)

Management Override: Management's overruling of prescribed policies or procedures for illegitimate purposes with the intent of personal gain or an enhanced presentation of an entity's financial condition or compliance status. (Contrast this term with Management Intervention.)

Mission: The fundamental purpose for which an organization exists. A mission statement establishes the basis for the goals of the organization by describing in broad terms what the organization intends to accomplish.

Monitoring: The fifth component of internal control, it ensures that controls are adequate and function properly.

Objective: A sub-goal identified in specific, well-defined, and measurable terms that contributes to the achievement of an organization’s goal.

Organization: An entity of any size, established for a particular purpose. An organization may be, for example, an agency, a department, an office, a commission or a board.

Policy: Management's directive of what is required to effect control. A policy serves as the basis for the implementation of management directives.

Procedure: An action that implements a policy.

Process: A series of activities that are linked to perform a specific objective.

Reasonable Assurance: The concept that internal control, no matter how well designed and operated, cannot guarantee an organization’s objectives will be met. This is because of inherent limitations in all internal control systems.

Reliable: A high degree of certainty and predictability for a desired outcome.

Risk: Anything that endangers the achievement of an objective.

Risk Assessment: The second internal control component; the process used to identify, analyze, and manage the potential risks that could hinder or prevent an organization from achieving its objectives.

Separation of Duties: An internal control activity to detect errors and prevent wrongful acts; it requires that different personnel perform the functions of initiation, authorization, record keeping, and custody.

Valid: Produces or relates to the intended results or goal.

Internal Control Reference Sources

Committee of Sponsoring Organizations of the Treadway Commission (COSO)
http://www.coso.org/
Internal Control – Integrated Framework

Massachusetts Office of the
Comptroller
http://www.mass.gov/osc/overview.htm Internal
Control Guide for Managers

New York State Internal Control Association http://www.nysica.com/

New York State Office of the State Comptroller http://www.osc.state.ny.us/
Standards for Internal Control in New York State Government

Vermont Department of Finance and Management
http://finance.vermont.gov/sites/finance/files/pdf/IC/IC_Standards_Gui de_Managers.pdf
Internal Control Standards, A Guide for Managers

U.S. Government Accountability Office (formerly General Accounting Office)
http://www.gao.gov/
Standards for Internal Control in the Federal Government

Appendix I Evaluating Risk

To assist departments in evaluating risk (Risk Assessment), below are examples of "likelihood" and "impact" scales that a department might use to measure each risk that it identifies:

Likelihood - Simple Scale

1	Low	Very unlikely (practically impossible) to remotely possible
5	Moderate	Somewhat possible to quite possible
10	High	Very likely to virtually certain

Impact - Simple Scale

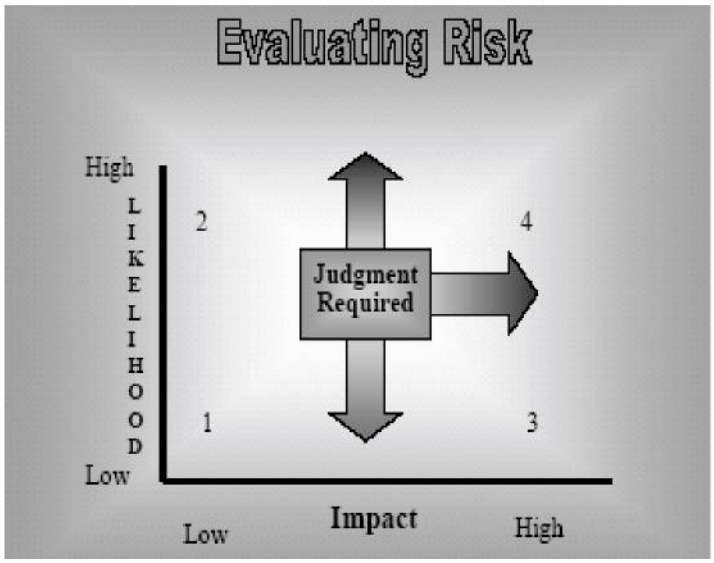
1	Low	Very small (inconsequential) to small (insignificant)
5	Moderate	Important (material) to serious (very material)
10	High	Pervasive (extremely material) to extraordinary (may threaten department's existence)

To help evaluate the risk's potential impact consider the following list: **Impact Rating (Highest to Lowest)**

- Threat to health and safety
- Long-term disruption to operations
- Significant loss of revenue or assets, public distrust
- Significant disruption to operations
- Large loss of revenue or assets
- Minor disruption to operations
- Procedural Issues (objectives met but could be more effective or efficient)
- Small loss of revenue or assets
- Minor errors/mistakes
- No impact

The following chart graphically depicts a reasonable approach to evaluating risks, with quadrant 1 representing the lowest priority and quadrant 4 representing the highest priority risk. Administrators/directors should use judgment to establish priorities for risks based on their impact and their likelihood of occurrence. Risks should be ranked in a logical manner, from the most significant (high impact) and most likely to occur (high likelihood) - as indicated in quadrant 4 -

to the least significant (low impact) and least likely to occur (low likelihood), as indicated in quadrant 1 of the graph.



Appendix II Examples of Internal Control Standards

To assist in understanding how the five standards of internal control are applied to your workplace, presented below are some representative examples specific to the Chester Community Charter School. These processes and procedures are followed by the associated internal control standard(s).

- User Identification and password to log into your department's computer network. [Control Activity – Safeguarding Assets]

- System Operator Access Request.
  [Control Activity – Approval/Authorization and Safeguarding Assets]

- Accounts payable requisitions (1) entered into SunGard by the originating department, (2) check warrants generated by Finance & Administration, and (3) checks issued by the CFO (3).
  [Control Activity – Separation of Duties]
  (Note: Appropriate separation of duties and approvals must also exist within each department in this example.)

- Performing professional, educational reference, background and security checks prior to hiring a new employee.
  [Control Environment – Commitment to Competence]

- CCCS Personnel Policy and Procedures maintained online for employees (e.g. "Employee Conduct").
  [Control Environment – Ethical Values and Integrity]

- Employees prepare & certify time sheets, supervisors review & approve, and the payroll personnel process the paychecks. [Control Activity – Separation of Duties]

- Use of a safe or locking cabinet etc. to secure cash receipts, checks or other financial assets.

  [Control Activity – Safeguarding Assets]

- Reconciling federal funds drawn/received to funds expended per SunGard to "SEFA" (Schedule of Expenditures of Federal Awards) reports.
  [Control Activity – Reconciliation]

- Departmental staff meetings, strategic planning sessions, etc. [Control Environment and Communication & Information]

- Use of checklists (or similar) to identify and manage the status of critical activities such as monthly and annual financial closings.
  [Risk Assessment and Control Activity - Supervision]

- Dept. of Finance Internal Control Audit.
  [Monitoring – Internal Evaluations]

- Annual employee performance evaluations.

  [Control Environment – Commitment to Competence]

- SunGard budget-checking warns departments from expending funds in excess of appropriated and authorized amounts.
  [Control Activity – Authorization]
- Reconciling a checking account to the monthly bank statement
  [Control Activity – Reconciliation]
- Human Resources providing employees badges (e.g. proof of identify). [Control Activity – Verification]

Book	Policy Manual
Section	Finance
Title	Electronic Funds Transfers
Code	416
Adopted	May 19, 2022

Board of Trustees Policy

ELECTRONIC FUNDS TRANSFERS

Policy Purpose:

The primary goal of this policy is to ensure that Electronic Funds Transfers (EFTs) are initiated, executed and approved in a secure manner. The policy establishes requirements with respect to payments via EFTs to school vendors and employees.

EFTs, when executed properly, are a safe and efficient method to provide payments to vendors and employees. The two most commonly used EFT methods are:

Automated Clearing House (ACH):
This is an electronic payment delivery system that processes electronic credit and debit transactions, including direct deposits, within the United States using the American Bankers Association (ABA) number. The ABA number is also known as the "check routing number" or "routing transit number" and should be used as the first identifying number for ACH transactions. The bank account number and name assigned to the account are also required before an ACH transaction can be created and the exchange of funds processed between two parties

Fedwire
The costliest EFT to process and uses a Real Time Gross Settlement Funds Transfer system operated by the Federal Reserve Banks.

Policy Statement:

Paper check or ACH payments are the preferred method of payment. A wire transfer of funds by the school should only be used when the situation requires immediate funds to settle a payment as determined by the Chief Financial Officer (CFO).

General Requirements:

1. All EFT payments will be coordinated and submitted through the Chief Financial Officer's office. The CFO or his/her designee will approve all new requests in order to ensure that the EFT payment is appropriate, all required documentation is provided, appropriately approved and that the request and vendor banking information is accurate and valid.

2. Accounts Payable is responsible for ensuring that proper documentation, authorization and accounting information are provided and accompany any EFT payment request.

3. The Executive Director of Accounting is responsible for reviewing all EFT requests to ensure the information is complete, accurate and in accordance with this policy.

4. The CFO is responsible for final authorization of EFT payments and review of all accompanying information supporting the payment.

Procedures:

1. To promote the safety of school funds in the EFT environment, the following procedures will be adhered to by all employees requesting payment via EFT and all employees involved in processing payments via EFT.

2. The procedure to initiate an EFT is subject to the same financial policies, procedures and controls that govern disbursement by any other payment mechanism.

3. All EFT transactions will require proper authorization as outlined herein. Generally, EFT transactions will be in the form of an ACH unless circumstances require the use of a Fedwire as determined by the CFO.

Vendor EFT Payments

Attached as Exhibit A is the Authorization for Debit and Credit Electronic Funds Transfers (AEFT) form. This form is required to be completed by the vendor at the initiation of its business relationship with the school if it elects to be paid by AEFT or upon a request to make changes to existing authorization or cancel an existing authorization. When initiating a new business relationship with the school, the vendor shall submit a complete and signed authorization form along with other required new vendor information (i.e. signed contract, W-9 form, new vendor form, etc.). Upon receipt of an AEFT, the Executive Director of Accounting shall perform the following tasks:

1. Confirm all information on the AEFT is in order by comparing the information provided to the information in the contract, W-9 and new vendor form (eg. address, phone numbers, fax #'s, etc.). Sign off on the AEFT form that this step was completed.

2. Initiate a call to the authorized ACH signor on the AEFT to verbally confirm the details on the AEFT. If the contact information on the AEFT does not agree to information in the contractor or other vendor forms, the Executive Director of Accounting will call the main corporate office for the vendor and ask to be transferred to the authorized signer. The Executive Director of Accounting will sign off on the AEFT form that this step was completed.

Once the information on the AEFT is confirmed by the Executive Director of Accounting, the form and all supporting vendor information will be provided to the CFO for review and final approval. Once approved, the vendor EFT information will be entered into the school's financial system, PowerSchool eFinance, or other applicable software and be available for use to make vendor payments. The above steps will be repeated for any updated AEFT forms received from a vendor.

For AEFT's equal to or greater than $25,000, the Executive Director of Accounting or their assignee will verbally confirm vendor's AEFT information on file by calling the vendor's corporate office. Such verbal confirmation will be noted in the accounts payable file accompanying the payment.

Note: Standard operating procedures at the school include the approval of all payment requests by the applicable lower level approvers and final approval by the CFO prior to processing. This includes payments by check as well as scheduled ACH payments.

Employee EFT Payments

Attached as Exhibit B is the Direct Deposit Authorization Form (DDAF). This form is required to be completed by the employee at the initiation of their request to receive payment via direct deposit or upon a request to make changes to existing authorization or cancel an existing authorization. Upon hiring, an employee shall submit a complete and signed DDAF along with other required new hire documentation (signed contract, W-4, etc.). Upon receipt of a DDAF, the Executive Director of Accounting, or their assignee, shall perform the following tasks:

1. Confirm all information on the DDAF is in order by comparing the information provided to the information in the employee new hire paperwork (contract, W-4 form, etc.) The Executive Director of Accounting will sign off on the DDAF that this step was completed.

Once the information on the DDAF is confirmed by the Executive Director of Accounting, the form and all supporting employee information will be provided to the CFO for review and final approval. Once approved, the employee EFT information will be entered into the school's financial system, PowerSchool eFinance, or other applicable software and be available for use to make employee payments. The above steps will be repeated for any updated DDAF received from an employee.

Fedwires

Wire transfers will be processed by the school's CFO using Fulton Bank's online banking system, BOSS or in the event that Fulton Bank is replaced with a different bank, that Bank's online banking system will be used. The BOSS system has the following safeguards in place:

1. The use of a unique login ID and password combination to access wire-transfer software.

2. The use of a bank token key to confirm wire being processed. The bank token key is provided to the CFO via an authentication application on his/her cell phone. The authentication app provides a one-time unique bank token key for each transaction processed.

3. The daily limit for wires is $1.5 million.

All Fedwires will require dual authorization. Fedwires will be initiated by the CFO and subject to bank confirmation by the school's Director of Finance or Executive Director of Accounting.

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

Exhibit A

Chester Community Charter School

302 East 5th Street • Chester, Pennsylvania 19013

Authorization for Debit and Credit Electronic Funds Transfers

SECTION I – VENDOR INFORMATION

Vendor Name:_____

Address:_____

City:_____ State:_____ Zip: _____

Contact Name:_____
(If different from vendor name)

Phone:_____ Email:_____

SECTION II – AUTHORIZATION AGREEMENT

I hereby authorize Chester Community Charter School (CCCS), to initiate electronic fund transfer (EFT) entries to the bank account shown below. I understand that adjustment and/or reversing entries may be made to this account to insure an accurate and balanced accounting of all transactions.

I understand that the origination of EFT transactions to my account must comply with the provisions of U.S. law. This authorization will remain in effect until I notify CCCS in writing to terminate this agreement and give the Bank and CCCS reasonable time to terminate this agreement. I understand that any cancellation in writing will become effective no earlier than five (5) business days after the day the last transaction has cleared and there are no outstanding balances to the account.

Chester Community Charter School will not be responsible for any loss that may arise by reason of error, mistake, or fraud regarding information provided on this Authorization for Debit and Credit Electronic Funds Transfer Form.

****Please return this form with a voided check, preprinted savings deposit ticket or bank authorization form.**
Please remember to sign this form!**

Bank Name:_____

Address:_____

City:_____ State:_____ Zip: _____

Routing Number:_____

Account Number:_____

Account Type: ☐ Checking ☐ Savings

_____ _____
Signature Date

Initial Approval: _____
Executive Director of Accounting Date

Final Approval: _____
Chief Financial Officer Date

Revised 04/27/2022

Exhibit B

Chester Community Charter School

Direct Deposit Authorization Form Instructions

Chester Community Charter School (CCCS) is pleased to offer you a new payday convenience – Direct Deposit. Now you can have your paycheck automatically deposited in your checking or savings account on payday. And you don't have to change your present banking relationship to take advantage of this service.

Direct Deposit will help you in many ways:

- It saves you trips to your financial institution.
- It saves you time in depositing checks – no long payday lines to wait in.
- It eliminates the possibility of lost, stolen or forged checks.
- Your money is deposited faster – reduces the possibility of overdrafts.
- You get your money deposited into your account even if you're on vacation or away from the office on business or illness.

Here's how the Direct Deposit works:

On payday you will receive an earnings statement (paystub) showing gross salary, taxes, other deductions, and net pay. Your money will already have been deposited in your account. The amount of the deposit will appear on your bank statement, paper and online.

We believe you will like the added convenience of having your net pay automatically deposited for you.

Direct Deposit is safe, convenient and easy. To take advantage of this service, complete the attached authorization form and return it to the CCCS accounting department in Admin I.

The authorization form gives CCCS the authority to deposit your pay to your account. Simply complete the form in order to take advantage of Direct Deposit.

All you need to do is:

1) Fill in your name and contact information.
2) Fill in your financial institution name, location, routing number and bank account. Indicate whether your payment will be deposited in your checking or savings account by marking the box to the left of the account type.
3) Sign and date the authorization form.
4) Attach a voided check or bank authorization form for verification of all financial institution information. If you are using a savings account, attach a preprinted savings deposit voucher or bank authorization form.
5) **New Hires** must return this form to Human Resources.
   Current Employees must return this form to the Admin I Building/Accounting Department located at 302 East 5th Street, Chester PA 19013.

Optional split deposit:

Deposit money into a second checking or savings account right from your paycheck. Simply complete the Direct Deposit #2 bank account information and provide the dollar amount you would like taken from your net pay.
If you prefer to use a percentage of your net pay, please contact the CCCS accounting/payroll department.

Be sure to sign the form!

rev 04/27/2022

Chester Community Charter School
302 East 5th Street • Chester, Pennsylvania 19013

Direct Deposit Authorization Form

SECTION I – EMPLOYEE INFORMATION

Name:_____

Address:_____

City:_____ State:_____ Zip: _____

Phone:_____ Email:_____

SECTION II – AUTHORIZATION AGREEMENT

I hereby authorize Chester Community Charter School (CCCS), to initiate Direct Deposit entries to the bank account shown below. I understand that adjustment and/or reversing entries may be made to this account to insure an accurate and balanced accounting of all transactions.

I understand that the origination of Direct Deposit transactions to my account must comply with the provisions of U.S. law. This authorization will remain in effect until I notify CCCS in writing to terminate this agreement and give the Bank and CCCS reasonable time to terminate this agreement. I understand that any cancellation in writing will become effective no earlier than five (5) business days after the day the last transaction has cleared and there are no outstanding balances to the account.

Chester Community Charter School will not be responsible for any loss that may arise by reason of error, mistake, or fraud regarding information provided on this Direct Deposit Authorization Form.

***Please return this form with a voided check, preprinted savings deposit ticket or bank authorization form.**
Please remember to sign this form!

Bank Name:_____

Address:_____

City:_____ State:_____ Zip: _____

Direct Deposit #1 Account Type: ☐ Checking ☐ Savings

Direct Deposit #1 - Routing Number:_____

Direct Deposit #1 - Account Number:_____

This section is optional for split deposit:

Optional Direct Deposit #2 Account Type: ☐ Checking ☐ Savings

Bank Name:_____ Amount: $_____

Direct Deposit #2 - Routing Number:_____

Direct Deposit #2 - Account Number:_____

_____ _____
Signature (Required) **Date**

Initial Approval: _____ _____
Executive Director of Accounting Date

Final Approval: _____
Chief Financial Officer Date

rev 04/27/2022

Book	Policy Manual
Section	Medical
Title	Administration of Medication/Medical Equipment Policy
Code	500
Adopted	October 15, 2020
Revised	January 20, 2022

Board of Trustees Policy

ADMINISTRATION OF MEDICATION/MEDICAL EQUIPMENT POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that a number of students have medically certified conditions requiring medication, and/or equipment or machinery to be administered during school hours in order to maintain health and to function in the school setting.

The administration of medication, in accordance with the consent of a parent/guardian and the direction of a physician to a student during school hours will be permitted only in the event that:

1. Failure to take such medicine would jeopardize the health of the student or would prevent the student from attending school if the medication were not made available during school hours, or

2. It is a necessary component of a student's accommodation plan or service agreement, as defined by state and federal law or a component of a student's individualized education plan as defined by state and federal law.

The PA Public School Code and the Department of Health of the Commonwealth of Pennsylvania have developed, and periodically updates, certain guidelines for the administration of medicine in school facilities, all of which are incorporated herein.

For purposes of this policy:

Medication shall mean any drug prescribed by a physician, including drugs for injection, any patent drug, or any nonprescription medication.

Possession shall include carrying, storing, or controlling medication or equipment necessary for administration of medication by students on their way to or from school or while on school property or at any school-sponsored activity.

School Nurse: School nurses are Registered Nurses with a Bachelor of Nursing ("BSN") licensed by the Department of State, Board of Nursing and certified by the Department of Education. School nurses work under the same Nurse Practice Act and rules as Registered Nurses in any other practice setting. School nurses are regulated by the State Board of Education, with the advice of the Professional Standards and Practices Commission (PSPC) as "educational specialists" under the Professional Educator Discipline Act. An education specialist is a person whose primary responsibility is to render professional service other than classroom teaching. The service is to be directly related to the personal welfare of the students and may include services to other professionals working with the students.

Nurse services shall be provided to every child of school age in Pennsylvania. The number of pupils under the care of each nurse shall not exceed 1,500.

No Delegation of Responsibility

Regulations promulgated pursuant to the Professional Nursing Law permit a licensed registered nurse ("RN") to administer a drug ordered for a patient in the dosage and manner prescribed. (49 Pa Code §21.14 (a)[1].)

A licensed practical nurse ("LPN") may not function independently in the school setting. The Certified School Nurse ("CSN") must provide medical oversight to the LPN. Medical oversight does not necessarily mean direct, line-of-sight supervision, but should include, at a minimum, periodic and regular communication. State Board of Nursing regulations at 49 Pa. Code § 21.145 (a)[2] further define the scope of practical nursing and state that: [t]he LPN is prepared to function as a member of the health care team… and participates in the planning, implementation, and evaluation of nursing care in settings where nursing takes place. An LPN may administer medications as prescribed by law or regulation. 49 Pa Code §21.145 (b)[2] states: The LPN administers medication and carries out therapeutic treatment ordered for the patient.

Neither the Professional Nursing Law nor the Practical Nurse Law permits delegation of nursing functions. When the State Board of Nursing attempted to promulgate a regulation allowing a registered nurse to delegate certain nursing functions, including administration of medications, the proposed regulation was disapproved on the basis that the Board was exceeding its statutory authority. Accordingly, a certified school nurse or other licensed personnel such as a RN or LPN cannot lawfully delegate the nursing function of medication administration to the principal, teacher, or administrative personnel.

Pertinent Department of Education Certification and Staffing Policy Guidelines (CSPGs) conform to state law. CSPGs clarify how schools are expected to comply with certification and staffing laws, regulations, court decisions, opinions of the Attorney General, administrative agency policy, and administrative decisions of appeals taken from local education agency hearings. CSPG No. 95[3], applicable to a K-12 Principal, states that a principal holding a valid certificate is qualified to perform, "…supervision and direction of certified and non-certified staff persons required for school operation *exclusive of directing health services controlled by the Nurse Practice Act.* "(emphasis added).

Therefore, all medication shall be maintained by the nurse and administered by the nurse and at no time may an unlicensed school employee administer medication to a student.

In the best interest of safe and quality health care for students, the ideal situation is a full-time CSN in every school building. Short of the ideal, best practice would be to have a licensed professional (CSN, RN, LPN) in every building and where an RN or LPN is utilized, oversight by a CSN is necessary.

Guidelines

For a student who, because of a special medical condition, must carry medication on his/her person, the student's parent/guardian shall provide physician's recommendation evidencing this need, and give consent for school staff to confer with the physician regarding this medical condition. The school nurse will provide written approval for a student to carry medication on his/her person in the event of a bona fide request.

Please see Board approved Asthma Medication, Equipment and Self-Administration Policy, Diabetes Medication, Equipment, and Self-Administration Policy and Epi- Pen Policy for guidance with regard to students transporting medication on their person and self-administering such medication.

Criteria

1) If a student requires medication (prescription or over-the-counter) during school or any school outing when the student is under the care and supervision of the faculty or staff of the Charter School, the medication must be given to the licensed school health personnel (CSN, RN, LPN) by the parent/guardian. The medication must be in its original container from the pharmacy and accompanied by a note from the parent/guardian and a doctor indicating the name of the drug, the dose, the timing of the dose, and the reason the medication is required. The licensed school health personnel (CSN, RN, LPN) receiving any medication should document the quantity of the medication delivered. This documentation should include the date, time, amount of medication, and the signatures of the parent/guardian or designated adult delivering the medication and the school health personnel receiving the medication. The parent/guardian shall also give written consent for the nurse to confer with the physician regarding the administration of the medication.

   Students should not be in possession of any types of medication at any time in School or at any school sponsored event or activity. Students may not keep any medications on their persons or in their school bags or lockers. All medications are to be kept in the nurse's office and are to be administered by the nurse. For exceptions, see aforementioned Board approved Asthma Medication, Equipment and Self-Administration Policy, Diabetes Medication, Equipment, and Self-Administration Policy and Epi- Pen Policy.

2) Parents who wish to give medication to their child(ren) during the school day must administer it in the office of the school nurse.

3) Medication in baggies or foil wrappings will not be accepted or administered. Vitamins, over the counter medication such as antacids, acetaminophen or ibuprofen, and lactose products (ex, Dairy Ease) and Complementary and Alternative Medicine (CAM), which includes Homeopathic Remedies, Herbal Preparations, Enzymes, Vitamins and Minerals, must also be accompanied by written permission from a physician and parents/guardian with clear instructions for dosage and administration times. Such medication is to be administered by the nurse.

4) Parents whose child(ren) may require an EpiPen or EZ Pen for severe allergy reactions, must provide a supply to be kept in the nurse's office for use by their child. The use of such medication must follow the EpiPen Policy.

5) Only the exact amount of prescription medication for the treatment period should be kept in the nurse's office. Pharmacists will provide extra labeled containers if asked.

6) No medication will be administered if the date on the medication is more than one (1) year old or if the expiration date on the package indicates that it has expired.

7) The CSN is charged with the final determination of what over-the-counter items fall under the category of medication and for developing procedures to carry out this policy.

8) Only in a true first aid/emergency situation, where a student is determined to be in immediate and serious danger, such as critical illness, serious accident, or threatened homicide or suicide, may certain designated Charter School Administration administer medication. (See Board's Emergency/First Aid Policy for further guidance).

Students with Diabetes

If the school building attended by a student with diabetes does not have a school nurse assigned to carry the caseload full-time, the chief school administrator may consult with the school nurse to identify a school employee ("Identified Employee"). The Identified Employee should not be the school nurse and does not need to be a licensed health care practitioner. The Identified Employee may decline the responsibility and related directives. An Identified Employee is required to complete annual education in specifically-identified areas through educational modules developed by the Pennsylvania Department of Health (DOH) in consultation with the Pennsylvania Department of Education (PDE), annual education offered by a licensed health care practitioner with expertise in the care and treatment of diabetes that includes information substantially similar to that in the educational modules, or both.

A school employee who is not a licensed health care practitioner and who has successfully completed the education modules or annual education may be designated in a student's service agreement or IEP. School employees who are not licensed health care practitioners shall only be authorized to administer diabetes medications via injection or infusion following annual education by a licensed health care practitioner with expertise in the care and treatment of diabetes and following the school entity's receipt of written authorization from both the student's health care practitioner and parent or guardian that an educated school employee, who is not a licensed health care practitioner, may administer specified medications.

Confidentiality

Parents and students have an expectation of privacy where the students' health information is concerned that is supported by ethical and legal considerations. Legal sources of privacy and confidentiality protections include the U.S. and State Constitutions, federal and state laws, and case law. The Public School Code, at 24 P.S. § 14 – 1409[4], states that all health records shall be confidential, and their contents may be divulged only when necessary for the health of the child or at the request of the parent or guardian to a physician. Regulations promulgated pursuant to the Nurse Practice Act, addressing standards of nursing conduct, require a registered nurse to safeguard the patient's dignity, the right to privacy and the confidentiality of patient information. 49 Pa. Code § 21.18[5].

Additionally, the Family Educational Rights and Privacy Act (FERPA)[6] is a federal law that protects privacy interests of parents in their children's education records, defined to include school health records, and prevents an educational institution from having a policy or practice of disclosing the education records of students, or personally identifiable information contained in education records, without the written consent of the parent. Under FERPA, there are a number of specific statutory exceptions to the

general rule against nonconsensual disclosure that are set forth at U.S.C. § 1232g (b) - (j)[7] and 34 C.F.R. § 99.31[8]. FERPA provides for disclosure of confidential information about individual students in health and safety emergencies. In general, health and safety emergencies refer to situations of immediate and serious danger, such as critical illness, serious accident, or threatened homicide or suicide. If the situation is serious enough to telephone for emergency services (e.g. call 9-1-1), release of sufficient student information to assist in emergency treatment is appropriate. Such release may be made only to appropriate parties, and may be made only if knowledge of the specific information is necessary to protect the health or safety of the student or other individuals.

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

Legal References:

1. 49 Pa Code §21.14 (a)
2. 49 Pa. Code § 21.145 (a)
3. CSPG No. 95
4. 24 P.S. § 14 - 1409
5. 49 Pa. Code § 21.18
6. Family Educational Rights and Privacy Act
7. U.S.C. § 1232g (b) - (j)
8. 34 C.F.R. § 99.31

Book	Policy Manual
Section	Medical
Title	Administration of Medication/Medical Equipment Off-Site Policy
Code	501
Adopted	October 15, 2020

Board of Trustees Policy

ADMINISTRATION OF MEDICATION/ MEDICAL EQUIPMENT OFF-SITE POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that field trips, before/after school and summer programs and testing site activities present challenges to the Charter School health program. The Charter School is cognizant of the fact that regardless of setting or time of the year, all federal and state laws and regulations, and clinical standards that govern the practice of safe medication administration continue to apply. For example, taking medication from the original container and placing it in another container or envelope and re-labeling it for administration by Charter School personnel could be considered dispensing. Dispensing medications is not within the scope of nursing practice.

Section 504 of the Rehabilitation Act of 1973[1] has been interpreted to require that students with disabilities have access to non-academic services such as field trips and cannot be denied access to school programs and activities based on that disability. When participating in school-sponsored programs and activities, students are eligible to receive the same needed service that they receive during the regular school day. This requires planning in advance, especially if the program/activity includes overnight stays or travel out of state. The Charter School may not request that a parent/guardian sign a waiver of liability as a condition to administer medication during these events. In the case of a Charter School trip, the Parent may be asked to accompany his or her child but the Charter School cannot require the parent to do so. Administration of medications is a support service that must be provided.

Given the significant increase in students with special health care needs, including medication administration, Charter School policy requires that planning for school-sponsored activities is:

1) Initiated before school starts or early in the year; and

2) The product of collaboration between school administrators, teachers and nurses, as well as families, school medical advisors, and community health care providers, as appropriate.

Schools need to use professional judgment and creativity in finding the proper balance between requirements for safety and the personal risk-taking that is reasonable in order for the student to participate. Some considerations when planning for medication administration during school-sponsored programs and activities include the following:

- Consider assigning school health staff to be available, for example a licensed supplemental staff person (RN, LPN). (If the activity occurs during school hours, plans need to be in place to provide coverage for the staff person's regular duties.)

- Contact the Intermediate Unit for a licensed person from a substitute list.

- Contract with a credible agency that provides temporary nursing services.

- Utilize licensed volunteers (with all current criminal and child abuse clearances) via formal agreement that delineates responsibilities of both the Charter School and the individual volunteer.

- Address with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of dose.

- Arrange for medications to be provided in an original, labeled container and given according to Charter School policy. Have parent/guardian ask the pharmacist to provide a properly labeled, original container with only the amount of medication that will be needed for that specific test site date, field trip, event, etc.

- Ensure security procedures are in place for the handling of all medications.

Students with Diabetes

Act 86 of 2016 added Sections 1414.3 – 1414.8[2] to the Public School Code and is a voluntary option (not mandated) for schools. If schools choose to opt into Act 86 they must be sure to **read Act 86** and the Diabetes in School Children, Recommendations and for School Personnel Resource Guide**.** Act 86 permits school nurses, in consultation with their chief school administrator or a designee, to identify at least one school employee ("Identified Employee") in each school building attended by a student with diabetes to be designated in a student's service agreement or Individualized Education Program (IEP), to administer diabetes medications, use diabetes monitoring equipment, and provide other diabetes care. If the school building attended by a student with diabetes does not have a school nurse assigned to carry the caseload full-time, the chief school administrator may consult with the school nurse to identify a school employee.

The Identified Employee should not be the school nurse and does not need to be a licensed health care practitioner. The Identified Employee may decline the responsibility and related directives. An Identified Employee is required to complete annual education in specifically-identified areas through educational modules developed by the Pennsylvania Department of Health (DOH) in consultation with the Pennsylvania Department of Education (PDE), annual education offered by a licensed health care practitioner with expertise in the care and treatment of diabetes that includes information substantially similar to that in the educational modules, or both.

A school employee who is not a licensed health care practitioner and who has successfully completed the education modules or annual education may be designated in a student's service agreement or IEP. School employees who are not licensed health care practitioners shall only be authorized to administer diabetes medications via injection or infusion following annual education by a licensed health care practitioner with expertise in the care and treatment of diabetes and following the school entity's receipt

of written authorization from both the student's health care practitioner and parent or guardian that an educated school employee, who is not a licensed health care practitioner, may administer specified medications.

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

Legal References:

1. Section 504 of the Rehabilitation Act of 1973
2. Act 86 of 2016 added Sections 1414.3 – 1414.8

Book	Policy Manual
Section	Medical
Title	Student Immunization Policy
Code	502
Adopted	October 15, 2020

BOARD OF TRUSTEES POLICY

STUDENT IMMUNIZATION POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes the necessity that school children be immunized against diseases which spread easily in schools and interrupt school life and learning for individuals and groups. Due to changes in the Pennsylvania Department of Health Regulations effective August 1, 2017, this Policy supersedes and replaces all prior policies regarding student immunizations and is in effect beginning August 1, 2017.

In accordance with applicable Pennsylvania regulations, a student shall not be admitted to or permitted to attend school unless the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C[1] (relating to immunization), have been met or the student has received from the Chief Executive Officer of the Charter School ("CEO") or his/her designee a medical or religious exemption from immunization under 28 Pa. Code § 23.84[2] (relating to exemption from immunization). 22 Pa. Code. Chapter 11.20[3].

In accordance with Title 28, Chapter 23.83[4] of the Pennsylvania Code, as of August 1, 2017, the Board of Trustees directs the CEO or his/her designee to ascertain that each student has been immunized in accordance with the regulations set forth in Title 28 Pa. Code Chapter 23.81-87[5] and further directs the CEO or his/her designee, in conjunction with the school nurse, to oversee the school's adherence to the requirements set forth in the applicable regulations and this Immunization Policy as well as any additional applicable immunization requirements mandated by the Pennsylvania Department of Health:

The below are the immunizations that will be required as a condition of attendance at school as of **August 1, 2017**. The CEO, in conjunction with the school nurse, is directed to monitor changes in state regulations regarding immunization requirements and to ensure that the school complies with applicable immunization requirements:

All Grades for New School Year

- 4 doses of tetanus, diphtheria and acellular pertussis* (1 dose on or after the 4th birthday)
- 4 doses of polio (4th dose on or after 4th birthday and at least 6 months after previous dose given) **
- 2 doses of measles, mumps, rubella ***
- 3 doses of hepatitis B
- 2 doses of varicella (chickenpox) or evidence of immunity

* Usually given as DTP or DTaP or DT or Td if pertussis is not medically advisable.

**A 4th dose not necessary if the 3rd dose was administered at age 4 years or older and at least 6 months after the previous dose

*** Usually given as MMR

In addition, should the Commonwealth of Pennsylvania require any additional vaccinations, the school shall adhere to the immunization requirements.

In addition to the immunizations listed above, the following immunizations are going to be required as a **condition of entry for students entering the 7th grade; or, in an ungraded class, for students in the school year that the student is 12 years of age**:

- 1 dose of tetanus, diphtheria, acellular pertussis (Tdap) on the first day of 7th grade
- 1 dose of meningococcal conjugate vaccine (MCV) on the first day of 7th grade

Additionally, as a condition of entry for students entering the 12th grade:

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

"Attendance at school" is defined, in pertinent part, as attendance at a grade, or special classes, kindergarten through 12th grade, including public, private, parochial, vocational, intermediate unit and home education students and students of cyber and charter schools. Attendance at a pre-kindergarten program operated by a school district, an early intervention program operated by a contractor or subcontractor including intermediate units, school districts and private vendors, or at private academic preschools is conditional upon the child's satisfaction of the immunization requirements specifically set forth in another section: Pa 28 § 27.77[6]. If the CEO has any questions regarding the applicability of the revised regulations to students attending the Charter School at any grade or level, the CEO is directed to contact the Charter School's solicitor for clarification.

Day 1 of New School Year:

- A child is required to have any single dose vaccine upon school entry, or risk exclusion.
  - Tdap (1) 7th grade Day 1
- In the case of a multi-dose vaccine, regulations require that the child have at least one dose of the vaccine upon school entry or risk exclusion.
  - DTaP (4) kindergarten
  - Polio (4) kindergarten
  - HepB (3) kindergarten
  - MMR (2) kindergarten
  - Varicella (2) kindergarten
  - MCV (1) 7th - 11th grades, (2) 12th grade

Days 1-5 of New School Year:

If additional doses are required and are medically appropriate within the first five days of school: the child shall have either the final dose during that five-day period; or the child shall have the next scheduled dose and shall also provide a medical certificate setting out the schedule for the remaining doses.

Medical Plan/Certificate

If the child has at least one dose, but needs additional doses, and those doses are not medically appropriate during the first five days of school, the child may provide a medical certificate on or before the fifth school day showing the doses are scheduled to be administered.

The medical certificate shall be signed by a physician, certified registered nurse practitioner (CRNP) or physician assistant (PA). If the child will be receiving the immunizations from the department or a public health department, a public health official may sign the medical certificate.

A child who meets these requirements may continue to attend school even if the child does not have all the required vaccinations, so long as the child complies with the vaccination schedule in the medical plan/certificate. School administrators or their designees are required to review that medical plan/certificate every 30 days to ensure that the child is in compliance.

Exemptions:

The only permitted exemptions from the immunization requirements listed above are pursuant to the Pennsylvania Code:

- Medical reasons;
- Religious beliefs; or
- Philosophical/strong moral or ethical conviction.

The Charter School must adhere to these requirements. For the medical reasons, children need not be immunized if a physician or the physician's designee provides a written statement that immunization may be detrimental to the health of the child. 28 Pa. Code 23.84(a)[7]. When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to Chapter 23. Regarding the other two exemptions, children need not be immunized if the parent, guardian or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief. 28 Pa. Code 23.84(b)[8].

Waiver

The following circumstances warrant waiver of the Immunization requirements:

- If the child is homeless;
- If the child is unable to locate his records due to a disaster;
- If a child transfers into the school in this Commonwealth and is unable to provide immunization records immediately upon enrollment into the school. The child's parent or guardian shall have 30 days to provide immunization records to the school, a medical certificate, or to satisfy the

requirements for an exemption. Otherwise, the child may be excluded at the end of the 30-day period and in subsequent school years until the requirements are met.

- If the child is in foster care, the child's foster parent shall have 30 days to provide immunization records, a medical certificate or to satisfy the requirements for an exemption. Otherwise, the child may be excluded at the end of the 30-day period and in subsequent school years until the requirements are met.

Temporary Waiver

- If there is a national vaccine shortage

Foreign exchange students or those visiting Pennsylvania schools:

Foreign exchange students or foreign students visiting Pennsylvania schools need at least one dose of each antigen and are then granted a provisional enrollment, same as any student enrolling in a Pennsylvania schools.

Homeless students:

Per the Waiver section above, the Charter School shall immediately enroll the student in school, even if the student lacks records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation. (See the Pennsylvania Department of Education's Basic Education Circulars for “Education for Homeless Youth" or "Enrollment of Students.")

Responsibilities of Schools and Administrators:

The CEO or his/her designee is directed to appoint a knowledgeable person (i.e. school nurse, director of school health services) to perform the following:

(1) Inform the parent, guardian or emancipated child at registration or prior to registration, if possible, of the requirements of Chapter 23.

(2) Ascertain the immunization status of a child prior to admission to school or continued attendance at school.

The parent or guardian of a child or the emancipated child who has not received the immunizations required under 28 Pa. Code 23.83[9] shall be **informed** of the specific immunizations required and **advised** to go to the child’s usual source of care or nearest public clinic to obtain the required immunizations.

The school shall maintain **on file** a certificate of immunization for a child enrolled. An alternative to maintaining a certificate on file is to transfer the immunization information from the certificate to a **computer database**. The certificate of immunization or a facsimile thereof generated by computer shall be returned to the parent, guardian or emancipated child or the school shall transfer the certificate of immunization (or facsimile) with the child’s record to the new school when a child withdraws, transfers, is promoted, graduates or otherwise leaves the school.

The Charter School may remove a student from school during an outbreak if in Charter School health records, the student is exempt from immunizations.

School Reporting to the Department of Health:

Below are school reporting requirements with which the Charter School **must** comply:

- The Charter School shall report immunization data to the Department by December 31st of each year, using forms provided by the Department.

Department of Health Forms/Monitoring:

The Department of Health is to provide the certificates of immunization to schools. If the Charter School does not receive same, the CEO or his/her designee shall direct that the appropriate request be made to obtain the certificates and shall consult with the Charter School's solicitor as may be necessary.

The Department will monitor for compliance and will have access to school immunization records whether the records are maintained as certificates or whether the records are contained in a school's computer database. The CEO or his/her designee, in conjunction with the school nurse, must maintain immunization records in accordance with Department of Health regulations and facilitate appropriate monitoring and access procedures.

Vaccine Acronyms:

Vaccine names	Abbreviations
Tetanus, diphtheria and acellular pertussis	DTaP (<7 years)/Tdap)
Tetanus, diphtheria	DT, Td
Polio	IPV
Measles, mumps, rubella	MMR
Hepatitis B	HepB
Varicella	Var
Meningococcal Conjugate	MCV

Confidentiality

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.

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

Legal References:

1. 28 Pa. Code Chapter 23, Subchapter C
2. 28 Pa. Code § 23.84
3. 22 Pa. Code. Chapter 11.20
4. Title 28, Chapter 23.83
5. Title 28 Pa. Code Chapter 23.81-87
6. Pa 28 § 27.77
7. 28 Pa. Code 23.84(a)
8. 28 Pa. Code 23.84(b)
9. 28 Pa. Code 23.83

Book	Policy Manual
Section	Medical
Title	Health, Safety and Physical Education Policy
Code	503
Adopted	October 15, 2020

Board of Trustees Policy

HEALTH, SAFETY AND PHYSICAL EDUCATION POLICY

The Board of Trustees ("Board") reaffirms its policy to provide comprehensive human growth and development instruction to Chester Community Charter School ("Charter School") students. In accordance with Charter School policy and state law, such instruction should be part of the public school program and should be shared by the public schools, home, and community. The primary purposes of such instruction are to promote more wholesome family and interpersonal relationships; to help young people understand growth and development changes that occur between childhood and adolescence, including their sexuality at all levels of development and healthy physical health and safety habits.

The Board recognizes that the expression of human sexual behavior can be the source of many of life's most meaningful experiences as well as its most painful problems and the Board firmly asserts that abstinence from sexual activity during adolescence promotes good health and a healthy lifestyle. Such teachings will be conducted age appropriately in accordance with the standards set forth by the Pennsylvania's Department of Education's Academic Standards for Health, Safety and Physical Education and Chapter 4 of Title 22 of the Pennsylvania Code[1].

The Board firmly believes that successful pursuit of the mission of promoting a healthy lifestyle for all adolescents depends upon the cooperation of a broad spectrum of the community, including schools, families, religious institutions, health care providers, social service agencies, businesses, government, and media.

In accordance with these Standards, the Board adopts the following policy objectives in order to promote a healthy lifestyle for all children:

> Primary: The primary program shall ordinarily be completed by children who are approximately 8 years of age. Charter Schools, shall provide opportunities for individualized rates of learning and social and emotional development that reflect differing rates of development and learning styles of young children.
>
> Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, the prevention of alcohol, chemical and tobacco abuse, knowledge and practice of lifetime physical activities, personal fitness, basic movement skills and concepts, motor skill development, principles and strategies of movement, and safety practices in physical activity settings.
>
> Intermediate: The intermediate level program shall ordinarily be completed by children who are approximately 11 years of age.

Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, the prevention of alcohol, chemical and tobacco abuse, knowledge and practice of lifetime physical activities, personal fitness, basic movement skills and concepts, motor skill development, principles and strategies of movement and safety practices in physical activity settings.

Middle School: The middle level planned instruction aligned with academic standards serves children who are approximately 11—14 years of age. School entities may modify the grouping of students based upon student needs identified by the school entity.

Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

Instruction regarding prevention of human immunodeficiency virus (HIV) infection/acquired immunodeficiency syndrome (AIDS) and other life-threatening and communicable diseases shall be given for primary, intermediate, middle school and high school education and shall follow the requirements of the subsections below.

Educational materials and instruction shall be determined by the Charter School and be appropriate to the age group being taught. The program of instruction must include information about the nature of the diseases, treatments, and cures, methods of transmission and how infection can be prevented. The Charter School may omit instruction in the elementary grades on transmission of disease through sexual activity. Programs discussing transmission through sexual activity must stress that abstinence from sexual activity is the only completely reliable means of preventing sexual transmission. Programs must stress that avoidance of illegal drug use is the only completely reliable means of preventing transmission of disease through shared drug paraphernalia.

A Charter School entity shall excuse a pupil from HIV/AIDS instruction when the instruction conflicts with the religious beliefs or principles of the pupil or parent or guardian of the pupil and when excusal is requested in writing. Prior to the commencement of instruction, a Charter School shall publicize that detailed curriculum outlines and curricular materials used in conjunction with the instruction are available to parents and guardians during normal school hours or at teacher-parent conferences. Curricular materials, if practical, shall be made available by the school entity for home instructional use by a parent or guardian if the student has been excused from the Charter School entity's HIV/AIDS instruction.

The Chief Executive Officer of the Charter School (CEO) shall direct the development and acquisition of curricula which comprehensively promote healthy behavior and which shall be taught in all grade levels, in an age appropriate manner. Such curricula shall focus on behavioral outcomes and will also utilize more innovative and effective methods to convey the message that abstinence is the most effective way of preventing pregnancy, sexually transmitted diseases and HIV infection; a voluntary parental education component, designed to enhance the frequency and effectiveness of parents' communication with their children; and, a mechanism for monitoring the efficacy of the curricula.

All Charter School staff share in the responsibility for understanding and promoting healthy adolescent behavior; therefore, Charter School Administration will develop and maintain a comprehensive plan for staff education on adolescent health.

The CEO is empowered to develop additional partnerships with health care providers that expand and maximize access to in-school comprehensive health care for all children, which will have a positive and lasting effect on the lives of the children.

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

Legal References:

1. Title 22, Chapter 4

Book	Policy Manual
Section	Medical
Title	Education and Training of Staff for Diabetes, Asthma and Allergic Reactions
Code	504
Adopted	October 15, 2020

Board of Trustees Policy

EDUCATION AND TRAINING OF STAFF FOR DIABETES, ASTHMA AND ALLERGIC REACTIONS

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that a number of students have medically certified diabetes and/or asthma and/or allergic conditions requiring medication, equipment or testing to be administered during school hours in order to maintain health, treat emergency situations and to function in the school setting.

Managing diabetes is of critical importance as a lack of management or mismanagement can lead to serious health problems and or a life-threatening event, as well as serious obstacles to a student's accessing and benefiting from the Charter School's education program.

As teachers and faculty members are with students throughout the day, all staff members should be trained on the signs and symptoms of changes in the insulin levels that may require notification of the school nurse or what interventions to provide when the school nurse is not available.

Asthma and allergies can be life-threatening conditions. Therefore, training of teachers and faculty members is essential to the safety of the student. Teachers should be trained on the signs and symptoms of asthma and allergic reactions, as well as the administration of the appropriate medications.

Delegation of Responsibility

The Chief Executive Officer of the Charter School ("CEO") will require that all school personnel are provided with training on an annual basis on diabetes, asthma and allergic reactions, as well as monitoring students who self-administer medication and equipment for diabetes and/or asthma and reviewing students' ability to self-administer same.

Training will be provided by a Registered Nurse or physician licensed to practice in the Commonwealth of Pennsylvania. As consented to in the Medical Management Plan, teachers and other faculty will be provided with information on students with diabetes, asthma and/or severe allergies, as well as training for understanding, knowledge and emergency interventions.

Guidelines for Training:

Training for Diabetes will include:

1. Recognition and treatment of hypoglycemia and hyperglycemia;

2. Actions to be taken when blood glucose levels are outside the target ranges;

3. Understanding physician instructions concerning diabetes medication drug dosage, frequency and the manner of administration, as well as emergency interventions;

4. Performance of finger stick blood glucose checking, keystone checking and recording the results;

5. Administration of glucagon and insulin and the recording of results;

6. Recommended schedules and food intake for meals and snacks;

7. Diabetic and asthmatic students of school age may possess on their persons, including bookbags and handbags, all necessary supplies, equipment and prescribed medication to perform self-monitoring and treatment.

Training for Asthma will include:

1. Recognition and treatment of asthma and acute event;

2. Actions to be taken when student is wheezing, has shortness of breath or reports tightness in chest;

3. Understanding physician instructions concerning asthma medication drug dosage, frequency and the manner of administration, as well as emergency interventions;

4. Performance of airflow testing;

5. Administration of inhaler and recording of results;

6. Recommended schedules and activities;

7. Asthmatic students of school age may possess on their persons, including book bags and handbags, all necessary supplies, equipment and prescribed medication to perform self-monitoring and treatment.

Training for allergies will include:

1. Recognition and treatment of allergic reactions and acute event;

2. Actions to be taken when student has come in contact with the allergen (bee stings, peanuts, etc.) and/or student is having severe reaction causing wheezing, shortness of breath, tightness in chest, hives, unconsciousness;

3. Understanding physician instructions concerning the use of an epinephrine auto-injector (Epipen), frequency and the manner of administration, as well as emergency interventions;

4. Administration of an Epipen and recording of results;

5. Recommended schedules and activities;

6. Students with severe allergies may possess on their persons, including bookbags and handbags, all necessary supplies, equipment and prescribed medication to administer the Epipen or other prescribed treatment as documented by the physician.

All training on medical conditions should also include the following:

1. Procedures to be followed when the school nurse is not available;

2. Location of any health related plans;

3. Notice to teachers and faculty of students with severe allergies, diabetes or asthma;

4. Confidentiality of information on student medical conditions;

5. Location of medications for students who either by age or lack of demonstrated competence cannot self-administer or carry the necessary medical equipment or medications. These medications must be readily available to Charter School staff to obtain in an emergency situation when the school nurse is not available.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Medical
Title	Diabetes Medication, Equipment, and Self-Administration Policy
Code	505
Adopted	October 15, 2020

Board of Trustees Policy

DIABETES MEDICATION, EQUIPMENT, AND SELF-ADMINISTRATION POLICY

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

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

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

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

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

Written plans for effective diabetes management may include:

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

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

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

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

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

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

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

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

School Nurse Duties:

Under the Pennsylvania Nurse Practice Act[1], there is no provision for a registered nurse (RN) to delegate nursing tasks, such as assessing blood glucose or administering insulin or glucagon to an unlicensed individual. Supplemental licensed nurses who are not certified school nurses must work under the direction of the school nurse and cannot be assigned a caseload. A licensed nurse must have an order for medications. Without an order, licensed nurses administering medication are diagnosing and prescribing treatment, which is outside of nursing practice parameters and is within the practice of medicine defined by the Medical Practice Act of 1985[2].

Section 504/IEP Considerations:

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

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

Pursuant to IDEA, the category of "other health impairment" includes diabetes as one of the health conditions listed to qualify under IDEA. The student's diabetes must adversely affect educational performance to the point that the student requires special education and related services, as defined by state law. Under IDEA, FAPE means special education and related services that meet state standards and are provided in conformity with an Individualized Education Program (IEP). Typically, an IEP is more specific than a Section 504 Plan with regard to the student's academic needs. Ideally, these documents are developed because of a cooperative effort involving the family, the child's health care team and the school/school district.

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

- Where and when blood glucose monitoring and treatment will take place;
- Consent for administration of insulin, blood glucose monitoring, contact with health care providers and the release of information to health care providers and school personnel;

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

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

CEO Responsibilities:

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

- Participate in developing and implementing school policy related to diabetes management at school;
- Ensure sufficient allocation of resources to manage students with diabetes in the Charter School;
- Ensure the development & implementation of a system that keeps Charter School health services informed of the pending enrollment of students with diabetes and any related enrollment changes that may occur throughout the school year and from year to year;
- Promote a supportive learning environment for students with diabetes;
- Promotes a school environment and treats students with diabetes the same as other students, except to be responsive to medical needs as outlined in the student's written IHP, IEP, or other education plan;
- Identify all staff members who have responsibility for students with diabetes;
- Meet at least annually with the Charter School health team;
- Arrange and attend a meeting of the Charter School health team members (student, family, school nurse, 504/IEP coordinator, teacher(s), and other staff members who have primary responsibility for the student) before the
school year starts, or when the child is newly diagnosed, to discuss medical accommodations, educational aids and services related to the student's needs;

- Support diabetes management training for the Charter School Nurse and other staff responsible for students with diabetes;
- Provide for practices that alert all Charter School-related staff members who teach or supervise a student with diabetes. Ensure that these staff members, including the bus driver, are familiar with the accommodations and emergency procedures outlined in the student's DMMP, ECP, 504 Plan, IEP or other education plan;
- Provide for practices that alert all substitute personnel. Ensure that they are aware of the needs and emergency procedures for students with diabetes;
- Work with the Charter School health team to ensure the implementation of the student's written plans, including the Diabetes Medical Management Plan and education plans. Monitor plan compliance through the Charter School health team, school nurse and IEP Team, if applicable;
- Ensure that the student's confidentiality & right to privacy is respected;
- Help establish on-campus and off-campus (for field trips and school-sponsored activities) emergency protocols;
- Include diabetes awareness as part of the Charter School health or cultural education;
- Facilitate & support ongoing communication between parents/guardians of students with diabetes and the Charter School staff;

Nursing Implications for Diabetes Mellitus:

- Obtain a complete health history on the student from the parent(s)/guardian(s). Request that the parent(s)/guardian(s) provide information regarding the student's past medical history, the name of the primary care provider/licensed prescriber and medications.

- Develop an IHP and an ECP for students with diabetes. The School Nurse should also be involved in the development of a 504 Plan.

- Manage the diabetic student with a balance of nutrition, exercise and hyperglycemic agents (oral or injectable), monitoring of blood glucose levels and good general hygienic care. Strict adherence to the medical regimen is essential for health maintenance and prevention of secondary complications.

- Ensure that insulin is stored and handled properly.

- Follow Standard Precautions during glucose monitoring and when disposing of insulin syringes and testing equipment.

- Anticipate concerns that may affect the student's participation in the school program. Educate the parent(s)/guardian(s) regarding school practices and policies.

- Invite community resources to participate in the education of school personnel regarding diabetes in the classroom.

- Educate parent(s)/guardian(s), school personnel and students about diabetes including signs and symptoms of hyperglycemia and hypoglycemia and how to respond to them.

Guidelines for Self-Administration:

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

- Verbally explain the reason for use of the insulin pump and glucose checking equipment to the school doctor or school nurse;
- Identify the appropriate dosage of the individual medication(s);
- Identify the effects and the side effects of medication to the school doctor or school nurse;
- Demonstrate to the school doctor or school nurse the ability to check and write down blood glucose levels, figure out right insulin doses, and how to dispose of needles, lancets, and other supplies you have used in approved containers;
- Behave responsibly when monitoring glucose levels and/or administering insulin or medication;
- Acknowledge the danger of seeking help or treatment alone if having symptoms of low or high glucose or not feeling well.
- Identify placement of glucose monitoring equipment to be kept on his/her person at all times;
- Acknowledge the need to notify the school doctor or school nurse immediately following glucose monitoring and/or use of insulin pump or medication;
- Demonstrate knowledge of how to access assistance for help regarding use of or side effects from use of diabetes equipment/medications;
- Notify the school nurse immediately following each use of insulin pump or medication;
- Understand and acknowledge that the student is restricted from making their inhaler available to other students. The student's privilege to self-administer medication or equipment may be revoked or restricted if the student abuses or ignores Charter School policies. This prohibition must be set forth in the Student Code of Conduct that is distributed to all Charter School families on an annual basis.

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

FERPA[3] generally prohibits schools from disclosing personally identifiable information in a student's education record, unless the school obtains the consent of the student's parent or the eligible student (a student who is 18 years old or older or who attends an institution of postsecondary education). FERPA does allow schools to disclose this information, without obtaining consent, to school officials, including teachers, who have legitimate educational interests in the information and in the educational interests of the child. Charter schools that do this must include in their annual notification to parents and eligible students the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest. Additionally, under FERPA, Charter Schools may not prevent the parents of students, or eligible students themselves, from inspecting and reviewing the student's education records.

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

Legal References:

1. Pennsylvania Nurse Practice Act
2. Medical Practice Act of 1985
3. Family Education Rights and Privacy Act

Book	Policy Manual
Section	Medical
Title	Asthma Medication, Equipment, and Self-Administration Policy
Code	506
Adopted	October 15, 2020

Board of Trustees Policy

ASTHMA MEDICATION, EQUIPMENT, AND SELF-ADMINISTRATION POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that a number of students have a medically certified asthmatic condition requiring medication, equipment or machinery to be administered during school hours in order to maintain health and to function in the school setting. A student with asthma shall be permitted to use an asthma inhaler and otherwise attend to the care and management of his or her asthma in the classroom in any area of the school or school grounds and at any school-related activity if requested by the parent or guardian in accordance with this Policy and Charter School procedures.

Additionally, the Board acknowledges that effective asthma management produces the following positive outcomes:

- Promote a healthy, productive learning environment for students with asthma;
- Reduce absences of students with asthma;
- Reduce classroom disruption;
- Help assure effective response in case of asthma-related emergency;
- Promote full participation in all areas of school curriculum and extra-curricular activities.

Definition:

Asthma is a chronic lung disease. For people who have asthma, certain "triggers" cause the airways and lungs to become inflamed. The airways through which a person breathes begin to narrow and excess mucus forms in them. This means that very little air can pass through the airways into the lungs and it becomes difficult to breathe. Wheezing, breathlessness, chest tightness, and coughing occur. This is what is called an "asthma attack" or an "asthma episode." Attacks can be mild, or they can become very severe, serious and life threatening. Common "triggers" of asthma attacks are:

- Outdoor Air Pollution
- Tobacco smoke (including secondhand smoke)
- Dust mites
- Cockroaches
- Pets
- Mold and Mildew
- Strenuous physical activity
- Extreme weather conditions such as high humidity and cold

- Strong emotions
- Viruses, certain drugs, some foods and food additives

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.

Self-administration shall mean a student's use of medication in accordance with a prescription or written instructions from a physician, certified registered nurse practitioner or physician assistant.

Common Categories of Asthma Medication: Asthma medications are usually divided into two types: long-term control medications and quick relief medications. Most individuals use a combination of long-term control medications and quick-relief medications to manage their asthma.

- Long-term control medicines (also called controller, maintenance, or anti-inflammatory medicines) help prevent asthma symptoms by controlling the swelling in your lungs and decreasing mucus production. These medicines work slowly but help control your asthma for hours. They must be taken regularly (even when you don't have asthma symptoms) in order to work.
- Quick-relief medicines (also called rescue medicines) relieve or stop asthma symptoms once they have started. They are inhaled and work quickly to relax the muscles that tighten around your airways. When the muscles relax, your airways open up and you breathe easier. Quick-relief medicines can be used before you exercise to avoid asthma symptoms.

Nursing Implications for Rescue Inhalers:

Assess the student for signs of an asthma attack such as coughing, wheezing, difficulty breathing, chest tightness. Assess the student for inadequate asthma control such as increase use of short-acting beta2-agonists, use of >1 canister / month, or lack of expected effect and know the *Rule of Twos*: Does the student:

- Use rescue inhaler more than 2 times / week?
- Wake up more than 2 times / month due to asthma?
- Refill his or her rescue inhaler more than 2 times / year?

If any of these occur, the School Nurse should suggest to the parent/guardian that the student be seen by his or her primary care provider for reevaluation. Communicate instructions calmly to the student. Document the date, time, medication, dose, route of administration and signature of the licensed personnel administering the medication on the student's medication record. Notify emergency services (911) if there is no improvement or condition worsens after initial treatment. Notify parent(s)/guardian(s) of incident.

Guidelines for Self-Administration:

In order to ensure that a student has his or her asthma medication immediately available when an asthma attack occurs, Pennsylvania has enacted a law, Act 187[1], which requires schools to develop a written policy that allows school aged children to carry (possess) and use (self-administer) their asthma medication.

The Charter School's decision to allow a student to possess and self-administer asthma medication will be based on the maturity of the student, the severity of the asthma, and the likelihood of misuse. In order for a student to be allowed to possess and self-administer asthma medication, this Charter School's policy requires the following responsible behavior from the student:

- Verbally explain the reason for use of the asthma inhaler to the school doctor or school nurse;
- Identify, to the school doctor or school nurse, the signs and symptoms which indicate the need for which the inhaler is to be used;
- Identify the individual medication(s) by name;
- Identify the appropriate dosage of the individual medication(s);
- Identify the effects and the side effects of medication to the school doctor or school nurse;
- Demonstrate to the school doctor or school nurse the ability for self-administration of the inhaler using the return demonstration technique;
- Behave responsibly when using the inhaler;
- Identify placement of inhaler to be kept on his/her person at all times;
- Acknowledge the need to notify the school doctor or school nurse immediately following each use of the inhaler;
- Demonstrate knowledge of how to access assistance for help regarding use of or side effects from use of asthma medications;
- Notify the school nurse immediately following each use of an asthma inhaler;
- Understand and acknowledge that the student is restricted from making inhaler available to other students. The student's privilege to self-administer medication or equipment may be revoked or restricted if the student abuses or ignores Charter School policies. This prohibition must be set forth in the Student Code of Conduct that is distributed to all Charter School families on an annual basis.
-

Required Documentation:

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

Emergency Care Plan – This plan is based on the information provided in the student's Individualized Healthcare Plan and specifically describes how to recognize and what to do when signs or symptoms of these conditions are observed in students with asthma. The school nurse usually coordinates the development of the Emergency Plan, and the plan should be distributed to all school personnel who have responsibility for students with asthma.

Asthma Medical Management Plan

This plan should be part of the Individualized Healthcare Plan (IHP) and Emergency Care Plan (ECP). The following information must be provided through a written individual Asthma Medical Management Plan ("AMMP") by the parent(s)/guardian(s) of a student with asthma. This Plan is filled out with the Student's health care provider's assistance and provides critical information to the Charter School if a life-threatening asthma attack occurs or worsens at school or at a school sponsored activity. If Parent is asking that the Student be permitted to self-administer medication or use medical equipment, the AMMP must contain information from the medical provider that the student has successfully demonstrated capability of independent monitoring and responsible behavior in self-administering treatment or prescribed medication. If the Charter School is not provided with an AMMP by student's parent(s), the Charter School must contact the parent(s) and inform them of the need to have an AMMP developed with their child's healthcare provider and to provide a copy of this plan to the Charter School Nurse as soon as possible.

The following information must be provided in the AMMP to the Charter School's Nurse:

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

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

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

The Charter School has the right to require a statement from the health care provider for continued use of any medication beyond a specified time period. The Charter School may also require updated

prescriptions and parental approvals on an annual basis.

Section 504/IEP Considerations:

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

If a student's asthma condition worsens to the point that it interferes with the student's ability to access his/her education at the Charter School, the student may be eligible for a Section 504 Plan or IEP. The Section 504 regulations define a person with a disability as any person who (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

Pursuant to IDEA, the category of "other health impairment" includes asthma as one of the health conditions listed to qualify under IDEA. The student's asthma must adversely affect educational performance to the point that the student requires special education and related services, as defined by state law.

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

CEO Responsibilities:

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

- Participate in developing and implementing school policy related to asthma management at school;
- Ensure sufficient allocation of resources to manage students with asthma in the Charter School;
- Ensure the development & implementation of a system that keeps Charter School health services informed of the pending enrollment of students with asthma and any related enrollment changes that may occur throughout the school year and from year to year;
- Promote a supportive learning environment for students with asthma;
- Promotes a school environment and treats students with asthma the same as other students, except to be responsive to medical needs as outlined in the student's written IHP, IEP, or other education plan;
- Identify all staff members who have responsibility for students with asthma;
- Meet at least annually with the Charter School health team;

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

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

Legal References:

1. Act 187

Book	Policy Manual
Section	Medical
Title	ADHD/ADD Medication and Self-Administration Policy
Code	507
Adopted	October 15, 2020

Board of Trustees Policy

ADHD/ADD MEDICATION AND SELF-ADMINISTRATION POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School"), recognizes that a number of students have a medically certified Attention Deficit Disorder ("ADD")/Attention Deficit Hyperactivity Disorder ("ADHD") condition requiring medication to be administered during school hours in order to maintain health and to function in the school setting. A student with ADD/ADHD shall be permitted to self-administer medication for his/her ADD/ADHD in the School Nurse's Office and in the presence of the School Nurse at any school-related activity if requested by the parent or guardian in accordance with this Policy and Charter School procedures.

Definition: a ―persistent pattern of inattention and/or hyperactivity-impulsivity that is more frequent and severe than is typically observed in individuals at a comparable level of development. (American Psychiatric Association, 1994).

Goal of medication therapy: To allow the student to access a free and appropriate education and to maximize the student's ability to learn.

Common Categories of ADD/ADHD Medication:

1. Stimulant*s* are believed to be effective due to their ability to increase the student's dopaminergic and noradrenergic activity. Stimulants can increase attention span and short-term memory, reduce distractibility, reduce motor activity and improve cognitive performance.

2. There are alternatives to stimulants. They are not FDA approved for the treatment of ADHD, but useful in controlling the hyperactivity of ADHD. One mechanism of action is to inhibit the release of norepinephrine that enhances excitatory inputs and increases alertness.

3. Antidepressants are another category of drugs used to treat ADHD. Tricyclic antidepressants (TCA) are effective in reducing hyperactivity, improving mood, and enhancing sleep, but do not appear to positively affect concentration.

4. Antipsychotic medications have been used with limited success. They are less effective and have significant side effects.

Nursing Implications for ADD/ADHD:

1. Obtain a complete health history on the student from the parent(s)/guardian(s). Request that the parent(s)/guardian(s) provide information regarding the student's past medical history, the name of the primary care provider/licensed prescriber and medications if applicable.

2. Develop an Individual Health Plan if appropriate. Assessment of the effectiveness of the medication through school behavior and academic performance is important. The Certified School Nurse should also be involved in the development of an IEP if appropriate.

3. Keep stimulants used to treat ADD/ADHD that are Class II controlled substances in a locked cabinet. These medications must also be counted when brought to school.

4. Administration timing is very important with ADD/ADHD students. Rebound effects may be seen if doses are not given at appropriate times.

Policy Implications for ADD/ADHD:

1. Develop protocols regarding management of students with ADD/ADHD behaviors. For example, procedures may be needed to assist students in completing assignments, reporting for medication and maintaining communication between home and school.

2. The policy should address the security of drugs that may be prescribed for students to take in school. Many of these drugs are scheduled drugs that require special attention. Methylphenidate has become increasingly abused by teenagers. The tablets are often crushed and snorted like cocaine. Methylphenidate can be addictive when abused (U.S. Dept. of Justice, 2005).

3. Education of parent(s)/guardian(s), students, and teachers is important in the treatment of ADD/ADHD.

4. The policy needs to address the method for dealing with behaviors that may or may not be previously identified as ADD or ADHD. Behavior modification and appropriate structure is as important as medication for effective treatment of ADD/ADHD.

Written plans for effective ADHD/ADD management include:

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

Emergency Care Plan – This plan is based on the information provided in the student's Individualized Healthcare Plan and specifically describes how and when to administer the medication. The School Nurse usually coordinates the development of the Emergency Plan, and the plan should be distributed to all school personnel who have responsibility for students with ADD/ADHD including administrators, teachers, counselors, bus drivers, food service managers, and lunchroom personnel, once the student's parent(s)/guardian(s) have signed any necessary consent form(s) allowing such disclosure.

ADD/ADHD Medical Management Plan – This plan should be part of the Individualized Healthcare Plan (IHP) and Emergency Care Plan (ECP). This plan is developed by a student's personal healthcare team and family. It outlines the prescribed healthcare regimen and should be signed by the student's physician or another member of the student's personal healthcare team. The Medical Management Plan

may include information such as the student's date of diagnosis, current health status, list of ADD/ADHD medication, specific medical orders, and emergency contact information.

The following information must be provided in the ADD/ADHD Medical Management Plan to the Charter School's Nurse:

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

The Charter School will require a written statement in the ADD/ADHD Medical Management Plan from the parent or guardian that states:

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

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

School Nurse Duties:

Under the Pennsylvania Nurse Practice Act, there is no provision for a registered nurse (RN) to delegate nursing tasks, such as administering medication. Supplemental licensed nurses who are not certified school nurses must work under the direction of the school nurse and cannot be assigned a caseload. A licensed nurse must have an order for medications. Without an order, licensed nurses administering medication are diagnosing and prescribing treatment, which is outside of nursing practice parameters and is within the practice of medicine defined by the Medical Practice Act of 1985[1].

Section 504/IEP Considerations:

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

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

Pursuant to IDEA, the category of "other health impairment" includes ADHD/ADD as one of the health conditions listed to qualify under IDEA. The student's ADHD/ADD must adversely affect educational performance to the point that the student requires special education and related services, as defined by state law. Under IDEA, FAPE means special education and related services that meet state standards and are provided in conformity with an individualized education program (IEP). Typically an IEP is more specific than a Section 504 Plan with regard to the student's academic needs. Ideally, these documents are developed as a result of a cooperative effort involving the family, the child's health care team and the school/school district.

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

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

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

CEO Responsibilities:

The Board delegates the following responsibilities to the CEO or his/her designee(s) for implementation:

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

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

Legal References:

1. Medical Practice Act of 1985

Book	Policy Manual
Section	Medical
Title	Emergency/First Aid Care Policy
Code	508
Adopted	October 15, 2020

Board of Trustees Policy

EMERGENCY/FIRST AID CARE POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that schools should develop and have policies in place that address student health emergencies.

Definition

Emergency Care: For purposes of this policy, this means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such procedures or intervention, faces a risk of imminent death.

First Aid: For purposes of this policy, Nurses may administer first aid, including administration of an epinephrine auto-injector, to a student without the express written permission of a parent/guardian, where deemed necessary by a nurse pursuant to his/her professional judgment.

Guidelines

In order to be prepared for health emergencies that can be reasonably anticipated in the student population, first aid policies and emergency management practices are recommended. These policies and procedures may reflect staff responsibilities and Charter School administrative expectations for staff actions in an emergency situation, including identifying specially trained and designated individuals who, in addition to the School Nurse, will render first aid. For students who are identified with a potential to experience a health emergency, the following plans are recommended:

- **Individual Health Plan**: It is the position of the National Association of School Nurses that the school nurse, in collaboration with the student, family and healthcare providers, shall meet nursing regulatory requirements and professional standards by developing an Individualized Healthcare Plan (IHP) for students whose healthcare needs affect or have the potential to affect safe and optimal school attendance and academic performance. Development of IHPs is a nursing responsibility, based on standards of care regulated by state nurse practice acts and cannot be delegated to unlicensed individuals.

  The term IHP refers to all care plans developed by the school nurse, especially those for students who require complex health services on a daily basis or have an illness that could result in a health crisis. These students may also have an Individualized Education Plan (IEP), a 504 Student Accommodation Plan to ensure school nursing services and access to the learning environment,

or an Emergency Care Plan (ECP) for staff caring for these students. It is the responsibility of the school nurse to implement and evaluate the IHP and as changes in health status occur to determine the need for revision and evidence of desired student outcomes.

- **Emergency Care Plan** ("ECP"): The student Emergency Care Plan (ECP) is an emergency plan developed by the registered professional school nurse and is based on the IHP or is sometimes used instead of an IHP. The ECP is required by professional standards of practice and provides steps for school personnel in dealing with a life threatening or seriously harmful health situation for an individual student. The ECP is written in clear action steps using succinct terminology that can be understood by school faculty and staff who are charged with recognizing a health crisis and intervening appropriately. The ECP is distributed to these individuals with the expectation that the information will be treated with confidentiality. The names of the individuals who have a copy of the ECP should be listed at the bottom of the Plan.

Staff should be cognizant of those students whose health conditions may warrant emergency care and should be educated as to his/her role in caring for these students in the event of an emergency. The CEO shall provide instructions in obtaining emergency medical assistance for addressing emergency circumstances including obtaining medical assistance to cover the unavailability of the certified school nurse.

The Charter School will provide liability insurance coverage to protect Charter School employees who, in pursuit of their assigned duties, may have to administer first aid.

Students with Diabetes

Such emergency/first aid care shall include that which is required for students diagnosed with diabetes.

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

Book	Policy Manual
Section	Medical
Title	Automatic External Defibrillator & Cardiopulmonary Resuscitation Policy
Code	509
Adopted	October 15, 2020

Board of Trustees Policy

AUTOMATIC EXTERNAL DEFIBRILLATOR & CARDIOPULMONARY RESUSCITATION POLICY

In compliance with the Pennsylvania School Code, the Board of Trustees ("Board") shall require that Chester Community Charter School ("Charter School") participate in the Pennsylvania Department of Education ("PDE") program to purchase necessary automatic external defibrillators for the Charter School building(s). The PA Public School Code defines "Automatic external defibrillator" as a portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest. The Board shall also require training in cardiopulmonary resuscitation for the continued good health of the Charter School community.

To be eligible to obtain or purchase automatic external defibrillators under the PDE program a Charter School entity must:

- Assure that two (2) or more persons assigned to the Charter School location where the automatic external defibrillator will be primarily housed are trained by approved providers and will be provided opportunities for annual training and retraining in the use of the automatic external defibrillator in cardiopulmonary resuscitation provided by the American Heart Association, the American Red Cross or through an equivalent course of instruction approved by the PA Department of Health. This required training may be included in the Charter School's continuing professional education plan.
- Ensure that the device will be secured in a safe and readily accessible location and agree to properly maintain and test the device according to the manufacturer's operational guidelines.
- Submit a valid prescription for the device from a licensed medical practitioner in this Commonwealth.
- The provisions of 42 Pa.C.S. § 8331.2[1] (relating to good Samaritan civil immunity for use of automated external defibrillator) shall apply to school employees who render care with an automatic external defibrillator.
- Not later than June 30, 2014, and each year thereafter, each Charter School entity shall make a report to the department detailing the number, condition, age and placement of automatic external defibrillators in each school building. After the initial report is made, a Charter school entity may report this information as part of its annual report.

Cardiopulmonary Resuscitation ("CPR")

- The Charter School shall have, or in the case of a cyber charter school, at each Charter School building, except in extenuating circumstances, one person certified in the use of cardiopulmonary resuscitation during regular school hours when school is in session and students are present.

- CPR is defined by the National Institutes of Health, U.S. National Library of Medicine to mean: an emergency lifesaving procedure that is done when someone's breathing or heartbeat has stopped. This may happen after an electric shock, heart attack, or drowning. CPR combines rescue breathing and chest compressions. Rescue breathing provides oxygen to the person's lungs and chest compressions keep oxygen-rich blood flowing until the heartbeat and breathing can be restored. Permanent brain damage or death can occur within minutes if blood flow stops. Therefore, it is very important that blood flow and breathing be continued until trained medical help arrives.

- The provisions of 42 Pa.C.S. §§ 8332[2] (relating to nonmedical good Samaritan civil immunity) and 8337.1[3] (relating to civil immunity of school officers or employees relating to emergency care, first aid and rescue) shall apply to a person who renders cardiopulmonary resuscitation.

Delegation of Responsibility

- The Chief Executive Officer ("CEO")"or designee shall ensure that the aforementioned training is conducted annually in accordance with applicable state mandates

- 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.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 42 Pa.C.S. § 8331.2
2. 42 Pa.C.S. § 8332
3. 42 Pa. C.S. § 8337.1

Book	Policy Manual
Section	Medical
Title	EpiPen Policy
Code	510
Adopted	October 15, 2020

Board of Trustees Policy

EPI-PEN POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that a number of students with severe allergy(ies) experience allergic reactions which require the use of an epinephrine auto-injector to be administered during Charter School hours in order to maintain student health and in the Charter School setting.

Allergies can be described as an increased hypersensitivity to a particular substance. Antigens are substances that can cause an allergic reaction. Common antigens are tree and grass pollens, animal dander, mold spores, bee stings, latex, and certain foods. According to the Food Allergy and Anaphylaxis Network, a food allergy is —an immune system response to a food that the body mistakenly believes is harmful. Although an individual could be allergic to any food, such as fruits, vegetables, and meats, there are eight foods that account for 90% of all food-allergic reactions. These are: milk, egg, peanut, tree nut (walnut, cashew, etc.), fish, shellfish, soy, and wheat.

It is important to recognize the symptoms of an allergic reaction and respond quickly with treatment to prevent a severe reaction from happening. An allergic reaction can involve any or all of the following systems and the symptoms may include:

- Integumentary: Hives, edema, rash, pruritus, or eczema flare.
- Digestive: Cramps, nausea, vomiting, or diarrhea.
- Respiratory: Itchy and watery eyes, rhinitis, sneezing, coughing, itching or swelling of lips, tongue and throat, change in voice, difficulty swallowing, tightness of chest, wheezing, shortness of breath, or repetitive throat clearing.
- Cardiovascular: Reduced blood pressure, increased heart rate, or shock.
- Neurological: Weakness or a feeling of impending doom.
- Anaphylaxis: A severe, potentially life-threatening reaction that can be commonly caused by an allergy to food, latex, stinging insects, and medications. Anaphylaxis can involve all the systems.

Definitions:

Epinephrine is the definitive emergency treatment for severe allergic reactions. This medication reverses the allergic reaction, at least temporarily, to provide the life-saving time needed to get further treatment in a medical facility.

EpiPen and EpiPen Jr. shall mean a prescribed device for self- administration of emergency supportive therapy of epinephrine to treat anaphylaxis.

This policy shall apply only to the use of an epinephrine auto-injector necessary to maintain a student in the Charter School and which can be self-administered by the student with necessary documentation provided to the Charter School Nurse by student's healthcare provider and parent(s)/guardian(s) permitting such self-administration.

Delegation of Responsibility:

The Chief Executive Officer of the Charter School ("CEO") shall have authorization to determine procedures for staff development in monitoring students who self-administer equipment for severe allergic reactions and reviewing students' ability to self-administer same.

Criteria:

A student with medically certified severe and possibly life-threatening allergic reaction(s) and of school age may possess an epinephrine auto-injector on their persons, including book bags and handbags, to perform treatment for an allergic reaction.

A student shall be permitted to use an epinephrine auto-injector in the classroom, in any area of the Charter School or Charter School grounds and at any Charter School-related activity if requested by the parent or guardian.

For the possession and use of an epinephrine auto-injector, a student must demonstrate the capability for self-administration and responsible behavior. The student must verify with the Charter School Nurse that his/her ability to administer the medication and that he/she has permission to do so.

The Charter School's decision to allow a student to possess and self-administer epinephrine through an EpiPen or EpiPen Jr. will be based on the maturity of the student, the severity of the allergy, and the likelihood of misuse. In order for a student to be allowed to possess and self-administer allergy medication, the Charter School's policy requires that a student:

- Verbally explain the reason for use of the epinephrine to the Charter School Nurse;
- Identify, to the Charter School Nurse, the signs and symptoms which indicate the need for which the epinephrine is to be used;
- Identify the individual medication(s) by name;
- Identify the effects and the side effects of the medication to the Charter School Nurse;
- Demonstrate to the Charter School doctor or Charter School nurse the ability for self-administration of the epinephrine;

- Behave responsibly when using the epinephrine;
- Identify placement of the EpiPen or EpiPen Jr. to be kept on his/her person at all times;
- Acknowledge the need to notify the Charter School Nurse immediately following each use of the EpiPen or EpiPen Jr.;
- Demonstrate knowledge of how to access assistance for help regarding use of or side effects from use of epinephrine medication(s);
- Notify the Charter School nurse immediately following each use of an EpiPen or EpiPen Jr.;
- Understand and acknowledge the restriction of making the epinephrine auto-injector available to other students.

The student is restricted from making the epinephrine auto-injector available to other students. Permission to self-administer must be in the form of a written statement by a physician/certified healthcare provider indicating:

- The name of the drug;
- The dose, the timing of the dose;
- The diagnosis/reason the medication is required unless the reason should remain confidential; and
- Potential of a serious reaction that may occur in response to the medication.

In addition, the Charter School requires this written request from the student's parent/guardian shall contain statements that:

- The Charter School comply with the orders of the physician/certified healthcare provider;
- The Charter School is relieved of any responsibility for the benefits or consequences of the prescribed medication when parent-authorized;
- The Charter School bears no responsibility for ensuring that the medication is taken;
- Charter School may release information to the student's healthcare provider or emergency care provider and to all Charter School staff who have custodial care of the student and may need the information to maintain the student's health. Such Charter School staff includes the Charter School doctor, Charter School nurse, student's teachers, lunchroom staff, bus driver and any staff at Charter School sponsored activities or field trips.

The Charter School reserves the right to require the physician/certified healthcare provider to provide a statement justifying the continued use of the epinephrine auto-injector beyond a certain time period and may require updated prescriptions and parental approvals on an annual basis.

The student is restricted from making medication or any medical equipment available to other students. The student's privilege to self-administer medication or equipment may be revoked or restricted if the student abuses or ignores the Charter School policies. This policy shall be distributed with the Student Code of Conduct.

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

Book	Policy Manual
Section	Medical
Title	Self-Monitoring & Treatment for Various Medical Conditions Policy
Code	511
Adopted	October 15, 2020

Board of Trustees Policy

SELF-MONITORING & TREATMENT FOR VARIOUS MEDICAL CONDITIONS POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that a number of students have medically certified conditions such as diabetes, asthma, severe allergies and/or ADHD/ADD, which require medication, equipment or machinery to be administered during school hours in order to maintain health and to function in the school setting. *(See other individual policies for Administration of Medication/Equipment for each of these four respective medical conditions.)*

This policy shall apply only to medical measures necessary to maintain a student in school and which can be self-administered by the student with necessary documentation provided to the Charter School Certified School Nurse by student's healthcare provider and parent(s)/guardian(s) permitting such self-administration.

The Chief Executive Officer of the Charter School ("CEO") shall have authorization to determine procedures for staff development in monitoring students who self-administer medication and equipment for diabetes and/or asthma and reviewing students' ability to self-administer same.

School policy and procedures must clearly define the circumstances under which self-administration is permitted and the decision making process with the following:

- Specify that the School Nurse perform a baseline assessment of the student's health status;
- Require the School Nurse to ensure that the student is competent in self-care through demonstration of administration skills and responsible behavior;
- Provide for the periodic and ongoing assessment by the School Nurse of the student's self-management skills;
- Require notification of the School Nurse immediately following each use by student;
- Include provisions for the immediate confiscation of the medication and loss of self-administration privileges if the Charter School policies are abused or ignored. If privileges are revoked, the Emergency Care Plan would need to be revised to ensure availability of the medication to the student.
- In order to accommodate students who carry and self-administer emergency medications, the following should be in place:

- An order from a 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;

- Written parental/guardian consent;

- An Individualized Healthcare Plan (IHP), including an Emergency Care Plan component. As a result, students of school age may possess on their persons, including book bags and handbags, all necessary supplies, equipment and prescribed medication to perform self-monitoring and treatment.

- Medical Management Plan for specific Condition - This plan should be part of the IHP and ECP. This Medical Management Plan is filled out with the Student's health care provider's assistance and provides critical information to the Charter School if regarding Student's medical condition and maintenance measures, warning signs, treatment plans, and emergency measures that are medically necessary for occurrences at school or at a school sponsored activity.

Section 504/IEP Considerations:

Students with IHPs and ECPs may also have an Individualized Education Plan (IEP), or a 504 Student Accommodation Plan to ensure school nursing services and access to the learning environment. Reference should be made to the Board of Trustee's Section 504 Plan Policy and/or the Annual Notice of Special Education for guidance as to qualifying for an IEP and contact information for Charter School personnel.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Medical
Title	Naloxone Policy
Code	512
Adopted	June 15, 2023

Board of Trustees Policy

NALOXONE POLICY

Purpose

The Board of Trustees ("Board") is committed to making every school safe, welcoming, and healthy. The purpose of this policy is to permit an employee in a position to assist a person at risk of opioid overdose to obtain and administer Naloxone as a means of enhancing the health and safety of Chester Community Charter School ("CCCS") students, staff, and visitors.

Definitions

For purposes of this policy, terms are defined as follows:

Drug overdose: 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]

Naloxone: A medication that can reverse an overdose caused by an opioid drug. As a narcotic antagonist, Naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths.

Opioid: 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.

Authority

As authorized by the Pennsylvania Public School Code, the Board may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper regarding the management of its school affairs. As a means of enhancing the health and safety of its students, staff and visitors, CCCS may obtain, maintain, and administer doses of an opioid antagonist, specifically Naloxone for intranasal administration, for emergency use to assist a student, staff member or visitor believed to be experiencing an opioid overdose. [1][2]

Delegation of Responsibility

The Board directs the Chief Executive Officer or his/her designee, and in consultation with CCCS's school physician, to establish administrative procedures for the acquisition, stocking, and administration of

Naloxone and related emergency response procedures and to determine which schools will store Naloxone and ensure that personnel at these schools are trained to administer Naloxone.

CCCS school physician shall be the prescribing and supervising medical professional for CCCS' stocking and use of Naloxone. The Chief Executive Officer or his/her designee, shall obtain a standing order from the CCCS school physician for administration of Naloxone.

The lead certified school nurse shall be responsible for the training and building-level administration of Naloxone and management of the Naloxone stocks. The lead certified school nurse shall be responsible for maintaining a stock of Naloxone at his/her office to be used to refill supplies upon request of the other school nurses or principals.

Mandatory Regulatory Procedures

The Office of Student Services shall annually inform staff about this policy and specifically:

1. The availability of Naloxone 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 Naloxone in overdose emergencies. [1][2]

Administration of Naloxone shall not be required in circumstances of unavailability of Naloxone, unavailability of a qualified Naloxone administrator, and/or uncertainty as to whether an opioid overdose is occurring, among other reasons. This policy does not create a duty on the part of CCCS and/or its personnel to administer Naloxone.

Standing Order from the CCCS School Physician

The CCCS school physician shall provide and annually renew a standing order for administration of Naloxone 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 Naloxone (intranasal or auto-injector)
2. Date of issue,
3. Dosage, and
4. Signature of the school physician.

The original, signed standing order shall be maintained in the Chief Executive Officer's Office, and copies of the standing order shall be kept in each location where Naloxone is stored.

Training

Before any CCCS employee may have custody of Naloxone or administer Naloxone under this policy, the employee must successfully complete an online Pennsylvania Department of Health Training Program about recognizing opioid-related overdoses, administering Naloxone, and promptly seeking medical attention for a person experiencing a drug overdose.

CCCS shall provide training to all school nurses, and at least one other school employee at each school, during their regular work schedule.

A list of CCCS employees who successfully complete such training shall be maintained, updated, and kept in the relevant school nurse's office and with the Office of Student Services.

Acquisition, Storage, and Disposal

The school nurse shall ensure that two doses of Naloxone shall be safely stored in the Principal's office of each school identified in the administrative procedures in accordance with the drug manufacturer's instructions. The Office of Student Services at the Central Office and the school nurse or designee at each identified school shall regularly inventory and replenish Naloxone stocks either due to expiration or use, and maintain records thereof, in accordance with the established procedures, manufacturer recommendations, and Department of Health Guidelines.

Reports, Referral to Law Enforcement, and Parental Notification

Subsequent to administration of Naloxone, the school nurse or other trained personnel shall submit a Naloxone Administration form to the Office of Student Services.

The Chief Executive Officer 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 local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. [3][4][5][6][7][8][9]

The Chief Executive Officer 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 Chief Executive Officer or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Chief Executive Officer or designee shall document attempts made to reach the parent/ guardian. [3][8][9][10]

Referral to Mental Health Supports

Any student who experiences a drug overdose shall be referred to mental health support either internally through the social work referral process or to an external provider as is clinically appropriate.

Indemnification

CCCS shall indemnify and hold harmless any employee who administers Naloxone in good faith to another individual experiencing a suspected drug overdose, if all of these conditions apply: [2][12]

1. The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering Naloxone 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 Naloxone; and
4. The employee is administering Naloxone pursuant to this policy.

Legal References

1. 35 P.S. § 780-113.7
2. 35 P.S. § 780-113.8
3. 22 PA Code 10.2
4. 22 PA Code 10.21
5. 22 PA Code 10.22
6. 24 P.S. § 1302.1-A
7. 24 P.S. § 1303-A
8. Policy 931 – Student Assistance Program (SAP) - Controlled Substances (Drug and Alcohol) Abuse Policy
9. Memorandum of Understanding with Law Enforcement Agencies
10. 22 PA Code 10.25
11. 42 Pa. C.S.A. § 8547
12. 42 Pa. C.S.A. § 8548

Book	Policy Manual
Section	Operations
Title	Board Policy Manual Distribution Policy
Code	600
Adopted	October 15, 2020

Board of Trustees Policy

BOARD POLICY MANUAL DISTRIBUTION POLICY

The Board of Trustees (Board) of the Chester Community Charter School ("Charter School") desires to make this Manual of Policies and Procedures ("Manual") a useful guide for all members of the Board, the Administration of Charter School, all personnel employed by the Board of Trustees, and the students of Charter School and all members of the community.

Therefore, copies of this Manual shall be maintained at the Main Office of the Charter School for review as a public record during regular office hours. You must provide five days notice to the Charter School in order to review the Manual during regular office hours.

The Secretary of the Board shall ensure that employees have easy accessibility to up to date policies for all employees of the Charter School.

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

Book	Policy Manual
Section	Operations
Title	School Safety Policy
Code	601
Adopted	October 15, 2020

Board of Trustees Policy

SCHOOL SAFETY POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes its responsibility to safeguard the health and welfare of Charter School students and employees. Therefore, the Board shall provide the facilities, equipment, and training necessary to minimize the effects of all hazards and emergencies, including but not limited to natural disasters, hazardous chemicals, fires, weapons, bomb threats, terrorism, communicable diseases, and pandemics. Advance planning and comprehensive implementation are key components in ensuring the protection of the Charter School community.

The Charter School must have a comprehensive emergency preparedness plan as required by 35 Pa. C.S.A. § 7701[1], which includes:

a. The plan must be developed in cooperation with the local emergency management agency and Pennsylvania Emergency Management Agency (PEMA).

b. The plan must be reviewed annually by the school safety and security coordinator and/or school administrator and filed with or submitted to the local emergency management agency.

c. The plan must be submitted to each police department that has jurisdiction over the Charter School, county communications or dispatch and each local fire department having.

The Board shall instruct the Chief Executive Officer of the Charter School (CEO) to utilize the resources of and comply with the requirements of the Pennsylvania Department of Health and the Pennsylvania Department of Education for emergency preparedness.

The Charter School's system of emergency preparedness shall ensure that the health and safety of students and staff are protected, the time necessary for instructional purposes is not unduly diverted, minimum disruption to the educational program occurs, and students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

School Safety and Security Coordinator

Per 24 P.S. § 13-1309-B[2], the CEO shall appoint a school administrator as the school safety and security coordinator for the Charter School. The appointment shall be made not later than August 31, 2018. The school safety and security coordinator shall oversee all Charter School police officers, resource officers, security guards and Charter School policies and procedures, and report directly to the CEO.

The Charter School safety and security coordinator shall:

(1) Review the Charter School's policies and procedures relative to safety and security and compliance with Federal and State laws regarding safety and security.

(2) Coordinate training and resources for Charter School students and staff in matters relating to situational awareness, trauma-informed education awareness, behavioral health awareness, suicide and bullying awareness, substance abuse awareness and emergency procedures and training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat.

(3) Coordinate safety and security assessments as necessary.

(4) Serve as the Charter School liaison with committees, the Pennsylvania Department of Education, law enforcement and other relevant organizations on matters of Charter School safety and security.

(5) Make a report no later than June 30, 2019, and each June 30 thereafter, to the Charter School's Board of Trustees ("Board") on the Charter School's current safety and security practices that identify strategies to improve safety and security. The report shall be presented to the Board at an executive session of the Board. The report shall not be subject to the act of February 14, 2008 (P.L. 6, No. 3), known as the Right-to-Know Law.

(6) Coordinate a tour of the Charter School's buildings and grounds biennially or when a building is first occupied or reconfigured with the law enforcement agencies and first responders that are primarily responsible for protecting and securing the Charter School to discuss and coordinate safety and security matters.

The CEO and other administrators in charge of Charter School are required to develop plans to be used when the Charter School is closed for an emergency during the school day. A copy of each emergency plan is to be forwarded to the Board of Trustees and a copy is to be retained in the Charter School administrative office. The CEO shall consult with relevant stakeholders, such as the local police and fire departments, regarding the development and implementation of the emergency preparedness plan.

The CEO shall develop procedures for the handling of Charter School emergencies which include: a plan for the prompt and safe evacuation of Charter School and safe dispersal of students from Charter School property which shall be practiced monthly in fire drills conducted in accordance with law, the conduct of bus evacuation drills twice a year in accordance with law, a plan for the sequestration of students in a safe place other than the Charter School, design of a communications system to alert the whole Charter School community when necessary and to notify parents of the evacuation of students, instruction in emergency preparedness and survival techniques as a part of the regular curriculum of the Charter School, the immediate notification of appropriate administrative personnel whenever any employee becomes aware of an emergency or impending emergency, cooperation with local agencies such as police department or fire department or civil defense, instruction of staff members in the techniques of handling emergencies, the continual evaluation of the effectiveness of emergency planning in preparing the Charter School to cope with disaster, and the arrangement for an annual inspection by fire police officials.

If a developing storm leads to a decision by the CEO to close the Charter School at noon, every attempt shall be made to have that information on radio and television by 11:00 a.m. If the decision is to close the Charter School during the afternoon but before regular dismissal time, every attempt will be made to have that information broadcast by 1:00 p.m.

Prompt relays will be sent to all Board members.

On-Site Supervision:

- Pupils must not be left alone or unsupervised during emergency closings.
- Areas of the building to be used shall be easily accessible to entrances and to the office.
- All staff members must remain in the building until all pupils are dismissed. If the pupils are still in the building beyond one (1) hour after the official closing time, the procedures described below are to be followed. All other staff members may leave the building one hour after the official closing time.
- The Principal is to remain in the Charter School to supervise the pupils. Additional personnel shall be retained only if there is a need beyond the Principal. The Principal does not receive extra compensation during this time.
- The number and positions of persons needed during an emergency shall be determined by the CEO and listed in the Emergency Preparedness Manual.

The Principal shall list a minimum of ten (10) staff members in priority order who will assist with the supervision of pupils who may still be in the building one (1) hour after the official closing time.

The Principal shall be the last person to leave the building after all pupils are dismissed and no other emergencies exist. Just prior to leaving, the Principal shall notify the CEO that everyone has been dismissed.

Special Situations -- School closings because of problems relating to heating, air conditioning, plumbing, vandalism, etc. will be made by the CEO as determined necessary.

Effective infection control and prevention procedures, such as frequent hand washing and cough/sneeze etiquette, shall be encouraged throughout the school year to help limit the spread of germs at the Charter School in an effort to prevent any possible communicable disease emergency.

Safety Plan Drills - The Charter School shall conduct a disaster response or safety plan drills periodically.

Fire Drills -- The drill shall include the actual use thereof, and the complete removal of the pupils and teachers, in an expeditious and orderly manner, by means of fire-escapes and exits, from the building to a place of safety on the ground outside. Fire drills shall be held not less than once a month throughout the school year. A record of the dates and times of fire drills shall be maintained at Charter School. These drills shall be held at irregular intervals and at different times during the school day.

Advance notice of fire drill shall be given to persons in charge of the cafeteria, medical, and science area, administrative offices in the building, and to the custodian. This advance notice shall not be given more than one (1) hour prior to calling the drill. In the absence of an advance notice, it shall be assumed an emergency exists.

Fire drill procedures pertaining to each room and all other Charter School areas must be posted conspicuously.

The status of all fire drill plans shall be reported annually in September.

All guests in a facility must participate in a scheduled fire drill and may be requested by the CEO to assist, if necessary.

In the event of a fire near the Charter School, the CEO or designee shall consult with the Chester City Fire Department, Upland Fire Department and Chester Township Fire Department to determine the action to be taken to ensure the safety of Charter School personnel.

Bus Drills – If the Charter School uses or contracts for school buses for the transportation of its students, the Charter School shall conduct on Charter School grounds two emergency evacuation drills on buses during each school year. Each such drill shall include the practice and instruction concerning the location, use and operation of emergency exit doors and fire extinguishers and the proper evacuation of buses in the event of fires or accidents.

24 P.S. § 13-1303-B[3] requires the School Safety and Security Committee (Committee) within the Pennsylvania Commission on Crime and Delinquency (PCCD) to annually review the Charter School's physical site, as well as its policies and training regarding the Charter School's safety and security. The committee has established that this requires discussions with Charter School employees in order to conduct the assessment. Please see the Committee's Safety and Security Assessment Criteria, available here:
https://www.pccd.pa.gov/schoolsafety/Documents/School%20Safety%20and%20Security%20Assessment%20Criteria%20-%20adopted%20Sept%2026%202018.pdf

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 35 Pa. C.S.A. § 7701
2. 24 P.S. § 13-1309-B
3. 24 P.S. § 13-1303-B

Book	Policy Manual
Section	Operations
Title	Threat Assessment Policy
Code	602
Adopted	September 16, 2021

Board of Trustees Policy

THREAT ASSESSMENT POLICY

Purpose:

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School"), is committed to protecting its students, employees, and members of the community. It is essential that school wide violence prevention be in place to foster a learning environment that promotes a culture of safety, respect, trust, and social/emotional support, while also protecting students and staff from conduct that poses an actual or perceived threat to self or others. The threat assessment policy shall be interpreted and applied consistently with all applicable state and federal laws. The policy was developed in accordance with the legislation enacted by the Commonwealth of Pennsylvania (Act 18 of 2019, of the Public School Code of 1949, Article XIII-E, Threat Assessment)[1], established research, and recognized standards of practice regarding threat assessment and management in school settings.

DEFINITIONS

A. A threat is communication or behavior that indicates that an individual poses a danger to the safety of Charter School staff or students through acts of violence or other behavior that would cause harm to self or others.

a. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.

b. The communication and/or behavior is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat; observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat.

B. A threat assessment is a systematic process that is designed to identify situations/persons of concern, investigate and gather information, and assess and manage the situation in order to mitigate risk.

C. An aberrant behavior is that which is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves actions, statements, communications or responses that are unusual for the person or situation; or actions which could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person. These can include (but are not limited to):

a. Unusual social distancing or isolation of subjects from peers and family members;

b. Sullen or depressed behavior from an otherwise friendly and positive person;

c. Out of context outbursts of verbal or physical aggression;

d. Increased levels of agitation, frustration and anger;

e. Confrontational, accusatory, or blaming behavior;

f. An unusual interest in or fascination with weapons; and/or

g. Fixation on violence as means of addressing a grievance.

D. An imminent threat exists when the person's behavior/situation poses a clear and immediate threat of serious violence toward self or others that requires containment and action to protect identified or identifiable target(s); and may also exhibit behavior that requires intervention.

E. A threat assessment team should include persons with expertise in counseling, instruction, school administration, principal, when available, and law enforcement. Persons with expertise in counseling include school counselors, school psychologists, school social workers, and family counselors. Additional personnel with knowledge of the child or circumstances may also serve as members of the team.

PURPOSE

A. Each Charter School principal shall identify a school-based threat assessment team with the mandatory team members and alternate team members before students report to school each year.

B. All Charter School-based administrators and threat assessment team members must attend and complete mandatory district threat assessment trainings annually

C. All threats of violence or physical harm to self or others shall be taken seriously, since the primary goal of threat assessment is the safety of all persons involved.

D. Charter School-based threat assessment teams shall adhere to the rules and responsibilities within this policy with fidelity.

ROLES AND RESPONSIBILITIES

A. The Safety Coordinator (SC) shall ensure compliance with this policy.

B. Each Charter School principal shall identify members of a threat assessment team that includes persons with expertise in counseling, instruction, school administration, and law enforcement. Members will be trained on the roles and responsibilities of each team member.

C. All Charter school-based administrators and threat assessment team members must attend and complete mandatory district threat assessment trainings annually. Each mandatory team member shall report their completion of this requirement to their supervisor.

D. The team must provide annual training and guidance to students, staff, and parents on recognizing behaviors of concern, their roles and responsibilities in reporting the behavior, and the various options for submitting a report, including anonymous reporting.

E. Each Charter School principal must assign school-based staff members who can proactively monitor and respond to all incoming reports where safety is of concern.

F. Each threat assessment team must respond, within 24 hours when school is in session, to any report of a threat or any patterns of behavior that may pose a threat to self or others. If the Charter School is not in session, the Charter School principal must immediately refer the matter to law enforcement for evaluation, and the threat assessment team must meet no later than the end of the first day school is back

in session to consider the matter and ensure it is resolved. The team shall gather information regarding the specifics of the threat and/or behaviors that may pose a threat, including but not limited to: details of the incident or threat, witness statements, and relevant artifacts.

G. When assessing a potential threat or concerning behavior, the threat assessment team must determine not only whether a threat has been made or communicated, but also if a person poses a danger to self or others or if they are potentially on a pathway to violence.

a. For students deemed a threat to self, the threat assessment team must ensure the student's immediate safety, then refer the student to the school-based suicide designee. The suicide designee will meet with the student and assess the severity of the risk.

b. If the threat assessment team determines that a student poses a threat to others, the team is responsible for assessing the level of threat by conducting student/parent interviews, reviewing all pertinent records, and following the district's threat assessment procedures.

c. The threat assessment team must coordinate resources to provide intervention to individuals whose behavior may pose a threat to the safety of school staff or students.

d. The threat assessment team must plan for the implementation and monitoring of appropriate interventions in order to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.

e. Interventions should remain in place until the team assesses that the student is no longer in need of supports and does not pose a threat to self or others.

H. Threat assessment teams shall follow established procedures for referrals to school-based, community, and/or health care providers for mental health services, evaluation, or treatment.

I. All threat assessment outcomes and recommendations must be reported to the Charter School principal. The Charter School principal will review the documentation for all threat assessments to ensure completeness and fidelity. The Charter School principal will sign/acknowledge that the threat assessment documentation is complete and will forward the signed/acknowledged assessment to his/her supervisor. In addition, upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, the threat assessment team must immediately report its determination to Charter School principal or his/her administrative designee. The Charter School principal or his/her administrative designee shall immediately attempt to notify the student's parent or legal guardian.

a. Nothing in this policy shall preclude Charter School personnel from acting immediately to address an imminent threat. Where an immediate threat to life or physical safety exists, reports must result in an immediate notification to law enforcement.
b. Nothing in this policy shall preclude the threat assessment team from notifying the school principal, his/her administrative designee, or the Chief of any individual (other than a student) who poses a threat of violence or physical harm to self or others.

J. If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies to engage behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers, who have been trained in crisis intervention. These individuals shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Threat assessment teams shall contact other agencies involved with the student and any known

service providers to share information and coordinate necessary follow up. Any information from education records disclosed during this process shall be done in accordance with The Family Educational Rights and Privacy Act (FERPA) (34 CFR 99.31(10), 99.36)[2].

K. The threat assessment team shall identify members of the Charter School community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.

L. All CCCS employees, volunteers, and contractors are required to report to Charter School administration any expressed threat(s) or behavior(s) that may represent a threat to the community, school, or self.

M. Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur as required by law and Charter School board policies.

N. Upon a preliminary determination by the threat assessment team that an individual poses a threat, members of the threat assessment team may request and obtain criminal history record information.

a. No member of a threat assessment team shall re-disclose any criminal history record information or health information obtained or use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.
b. The threat assessment team may not maintain the criminal history record or place it in the student's educational file.

O. The threat assessment team must consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts, or the severity of an act, that would pose a threat to school safety.

P. If a student commits more than one misdemeanor, that is known to the Charter School, the threat assessment team must consult with law enforcement to determine if further action is warranted.

Q. If a student is facing possible expulsion or suspension as a consequence of certain actions, the Charter School should consider ways in which these can be safely enacted and identify resources that may assist the student during this time. In addition, a threat assessment team may use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to Charter School safety.

R. Threat assessment records are considered education records and shall be maintained and released in accordance with FERPA and state statute. The threat assessment, its determination, along with any interventions provided, will be recorded in the appropriate electronic data systems by the threat assessment team.

S. Attached to this Policy are the following documents: Safety and Threat Assessment Matrix, Threat Assessment General Information Forms, Follow-Up Forms, and a Flow Chart that guides Incident Responses.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

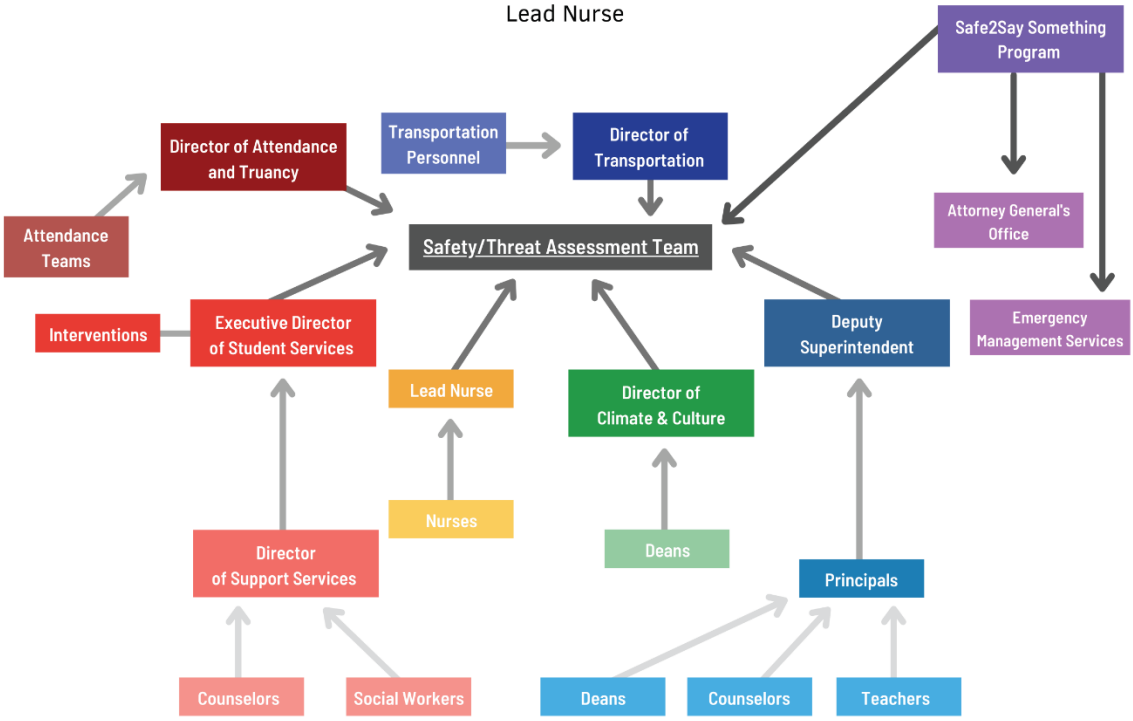
Legal References:

1. Act 18 of 2019, of the Public School Code of 1949, Article XIII-E, Threat Assessment
2. The Family Educational Rights and Privacy Act (FERPA) (34 CFR 99.31(10), 99.36)

Chester Community Charter School
Safety & Threat Assessment Matrix

Chester Community Charter School has a series of built-in processes and programs that create our dynamic Safety & Threat Assessment Matrix. Information flows freely from school counselors, teachers, deans, nurses, principals, and social workers through bi-weekly Student Support meetings where referrals are made to offer student supports through our Student Services Department. This information is then brought from the building level and shared on the district level during monthly safety/threat assessment meetings. Interventions are then put in place to help support the student. Some interventions include: Gang Resistance Education and Training, Check & Connect, PATHS, PATTS, and Bounce Back Counseling Program. Information can also come directly from the students through the Safe2Say Something Program which is an anonymous reporting application which allows children to connect directly with school personnel and emergency personnel regarding potentially dangerous or unsafe situations.

Chief Operating Officer/Safety Coordinator
Deputy Superintendent
Executive Director of Student Services
Director of Climate & Culture
Director of Transportation
Facilities Manager
Data Analysis
Director of Support Services
Director of Attendance and Truancy
Lead Nurse



Chester Community Charter School
Safety & Threat Assessment Programs

T.A.A.A.S. Emotional Support Program

The Team Approach to Achieving Academic Success (T.A.A.A.S.) Program is a school-based program utilized in CCCS's emotional support classrooms. The model includes the use of clear rules and expectations as well as a structured point and level system. Students in this program receive daily behavior point sheets monitored by the special education teacher, classroom assistant, and Positive Support Facilitator assigned to each classroom. These point sheets are used to track points earned for demonstrating expected academic and prosocial behaviors throughout the school day. As students meet designated point targets on their daily point sheets, they are able to advance through the levels of the system, earning higher degrees of privileges.

BOUNCE BACK – Counseling Program

Bounce Back is a school-based group intervention for elementary students exposed to stressful and traumatic events. Bounce Back teaches students ways to cope with and recover from traumatic experiences, so they can get back to doing what they want to do and need to do.

The Bounce Back program includes 10 group sessions, 1-3 group parent sessions, and 2-3 individual student sessions.

Group Sessions
The counselor meets with a group of 4-7 students for an hour once a week for 10 weeks. Session content includes coping skills, feelings identification, relaxation exercises, positive activities, social support, and problem solving.

Parent Sessions
The counselor reviews the skills the children are learning in Bounce Back, so parents can support the children practicing the skills at home.

Individual Sessions
The counselor helps each child develop a "My Story" trauma narrative. Near the end of the program, the clinician meets with the parent and child to share the child's story.

Alternative Education for Disruptive Youth (AEDY)

Pennsylvania's Alternative Education for Disruptive Youth Program (AEDY) provides a combination of intense, individual academic instruction and behavior modification counseling in an alternative setting to assist students in returning successfully to their regular classroom.

Program approval is required for any Local Education Agency (LEA) implementing an internal program or utilizing an approved private provider. Programs are required to meet minimum requirements in order to obtain approval.

SSET – Counseling Program

Support for Students Exposed to Trauma (SSET) is a school-based group intervention for students who have been exposed to traumatic events and are suffering from symptoms of post-traumatic stress disorder (PTSD).

Designed specifically for use by teachers and school counselors, SSET is a non-clinical adaptation of the Cognitive Behavioral Intervention for Trauma in Schools (CBITS) Program. SSET teaches many of the same cognitive and behavioral skills as CBITS, such as social problem solving, psychoeducation, and relaxation.

SSET is delivered in an easy-to-use lesson plan format that is ideal for educators. In 10 group lessons, students who participate in SSET learn a wide variety of skill-building techniques to reduce current problems with:
(Continued on page 3)

Chester Community Charter School

Safety & Threat Assessment Programs

- anxiety or nervousness
- withdrawal or isolation
- depressed mood
- acting out in school
- impulsive or risky behavior
-

SSET also helps students deal with real-life problems and stressors and increase levels of peer and parent support.

Promoting Alternative THinking Strategies (PATHS)

Counselors will provide the PATHS curriculum to small groups of primary grade (K-2) students whose risk is significantly higher than average.

The PATHS program promotes emotional and social competencies and reduces aggression and behavior problems in elementary school-aged children. Research has shown that the program increases protective factors, such as: students' ability to recognize and understand emotions; students' social problem-solving skills; pro-social behaviors in the domains of self-control, emotional understanding, and ability to tolerate frustration; planning skills when solving complex tasks; working memory; and decreased impulsivity.

The program also reduces maladaptive outcomes, including: teacher-rated aggressive and disruptive behaviors at post-test and one-year follow-up; student reported depression (among students who showed elevated levels at pre-test); and teachers-rated internalizing symptoms (sadness, anxiety, and withdrawal). Focused primarily on the school setting, information and activities are also included for use with parents. The proposed project will purchase the most recent version the PATHS curriculum that is organized into separate grade-specific classroom kits for Kindergarten, Grade 1, and Grade 2.

Peaceful Alternatives to Tough Situation (PATTS)

PATTS is a school-based aggression management program designed to help students increase positive conflict resolution skills, increase the ability to forgive transgressions, and reduce aggressive behavior. CCCS will adopt two PATTS curricula (one for grades 3 through 5 and one for middle school), each of which the counselors will deliver in nine weekly, 1-hour sessions. The program teaches cognitive skills, peer refusal skills, appropriate conflict resolution skills, identification and verbalization of emotions, recognition of anger cues, calming techniques, and forgiveness. Sessions are highly interactive and use group discussion, role-playing, games, and skills review. In addition, parents and teachers will receive training informing them about the skills taught to the students and encouraging them to support the use of the skills at home and in the classroom. PATTS groups are designed to encourage peer support and reinforcement of positive behaviors and choices.

Learning is encouraged through brainstorming, role plays and confidence-building activities. PATTS adopts the perspective that many aggressive children have exceptional leadership qualities that need to be redirected into more socially accepted behaviors. Aggressive children often have not had the guidance and support from families, community, or peers to utilize or choose nonviolent conflict resolution responses. Research further supports the need to involve families, teachers, and other support people to reinforce new conflict resolution skills in youth.

Check & Connect

Check & Connect is a model of sustained intervention for promoting students' engagement at school and with learning. The program has two main components: "Check" and "Connect."
(Continued on page 4)

Chester Community Charter School
Safety & Threat Assessment Programs

The Check component is designed to continually assess student engagement through close monitoring of student performance and progress indicators.

The Connect component involves program staff giving individualized attention to students, in partnership with school personnel, family members, and community service providers.

Students enrolled in Check & Connect are assigned a "monitor" who regularly reviews their performance (in particular, whether students are having attendance, behavior, or academic problems) and intervenes when problems are identified. The monitor also advocates for students, coordinates services, provides ongoing feedback and encouragement, and emphasizes the importance of staying in school.

The Core elements of the program are: (1) Relationships based on mutual trust and open communication in which the mentor monitors or "checks" a student's attendance, grades, behavior, etc.; "connects" a student to personalized, data-based interventions; mentors students for a minimum of two years; and facilitates student access to and participation in school. (2) Problem solving and capacity building to help students overcome obstacles. (3) Persistence Plus, a persistent source of motivation, familiarity with the youth and his/her family, and a consistent message that "education is important for your future."

Violence Free Zone

To reduce school violence and also to provide a cost-savings to the community by decreasing police and other emergency calls to the schools, and eventual court and incarceration costs as well! Moreover, it also promotes school attendance and academic achievement.

In Year 1, CCCS will work with New Vision Youth Services (NVYS) to plan for the successful implementation of the Violence Free Zone (VFZ) program. Activities will include training on VFZ Code of Conduct practices, development of VFZ Policy and Procedures, designing VFZ program operations, training in prevention and intervention techniques, development of VFZ data collection process and measures, developing approaches to address any problems that may arise within the VFZ program, assisting in the design of a locally based coalition of community-based services to complement the VFZ program, addressing any VFZ school-based issues that may develop, and VFZ youth advisor recruitment and screening. In Year 2, CCCS will hire the VFZ staff needed to implement the program within the culture of the CCCS Aston Campus grades 6-8. In Year 3, VFZ staff will receive online training as well as access to ongoing technical assistance and coaching from the New Vision Youth Services organization.

National Criminal Justice Training Center (NCJTC)

To train teachers and school personnel to respond to threats of violence and prevent violence on campus, the National Criminal Justice Training Center (NCJTC) will consult and provide training each year. Year 1: Two-day consultation to conduct on site assessments and create a responsive training/technical assistance plan and a 1-day training in Critical Issues in Campus Safety; Year 2: 1-day trainings in Emergency Management for Schools/Emergency Preparedness for School Staff & Their Families and 1-day Threat Assessments & Behavioral Intervention Team Training for Schools and an on-line training webinar/refresher course; Year 3: Two-day training in Psychology of School Threat Assessment, and an on-line training webinar/refresher course. NCJTC will also provide a legacy profile of online trainings for use by staff throughout the school year to reinforce learning and provide a foundation for new employees.

Chester Community Charter School

Safety & Threat Assessment Programs

PlayWorks

To engage students in education, awareness campaigns and leadership learning to help them prevent violence against others and themselves, especially through cooperative play during recess. PlayWorks will provide curriculum, PD, and activities that promote safety, engagement & empowerment through positive play. PD will include: Year 1: (a) A 1-day PlayWorks introduction course for the school's entire recess staff; and (b) the Power of Play & Group Management assessment and training day at each of the 8 elementary school buildings. Year 2: (a) For one week per month for ten months, two trainers will provide recess staff at each of the West Campus' 3 buildings with instruction in Team Up to assess recess, set goals, model, observe, and ensure fidelity of implementation of the PlayWorks recess model. Year 3: (a) Team Up will continue.

Gang Resistance Education and Training (G.R.E.A.T)

The program's primary goals are to prevent delinquency, reduce violence and criminal activity, to reduce gang membership and to help students develop a positive relationship with law enforcement. The G.R.E.A.T program consists of four components, (1) an elementary school curriculum, (2) a middle school curriculum, (3) a summer program and (4) A families training component. Elementary students in grades K-5 will receive six weeks of instruction. Middle school students, grades 6-8 will receive sixteen weeks of instruction. The summer months will build on the school day curriculum, during this time, G.R.E.A.T police officers will provide instruction to supplement the existing summer camp program; officers will also plan and implement or collaborate on a culminating "Community Day" event for youth participants, families and key members of the community. Lastly, officers will also lead six family sessions during the school year, once monthly, focused on increasing communication and enhancing family decision-making skills.

Safe 2 Say Something

The Safe2Say Something program was established within the Pennsylvania Office of Attorney General through Act 44 of 2018. Safe2Say Something is a system for anonymously reporting unsafe, potentially harmful, dangerous, violent or criminal activities in any school in Pennsylvania. The program teaches youth and adults how to recognize warning signs and signals, especially on social media, from individuals who may be a threat to themselves or others and to "say something" BEFORE it is too late. With Safe2Say Something, it's easy and confidential to report safety concerns to help prevent violence and tragedies.

Youth Court

Youth courts are student run alternatives to juvenile justice and school discipline. Students are trained by lawyers, law students, teachers, and other volunteers to perform all court functions (judge, bailiff, advocate, jurors, etc.). Through court imposed positive peer pressure, offenders reflect on their behavior, learn their actions have consequences, and accept responsibility.

Chester Community Charter School
Calendar of Events

July

- Staff Safety Trainings
- PSP Risk Assessment

August

- Staff Safety Trainings

September

- Safe 2 Say Something Training – Students, Staff, Parents
- Monthly District Leader Safety/Threat Assessment Meeting (4th Thursday of every month)
- Monthly Building Level Safety Meetings
- Monthly Building Level SAP/IST/Student Services meeting
- Bi-weekly Deans Meeting
- Bi-weekly Counselors/Social Workers Meeting

October – June

- Monthly District Leader Safety/Threat Assessment Meeting (4th Thursday of every month)
- Monthly Building Level Safety Meetings
- Monthly Building Level SAP/IST/Student Services meeting
- Bi-weekly Deans Meeting
- Bi-weekly Counselors/Social Workers Meeting

**Information gathered at these meetings will be circulated up and down the organizational chart with referrals being issued for at risk students.*

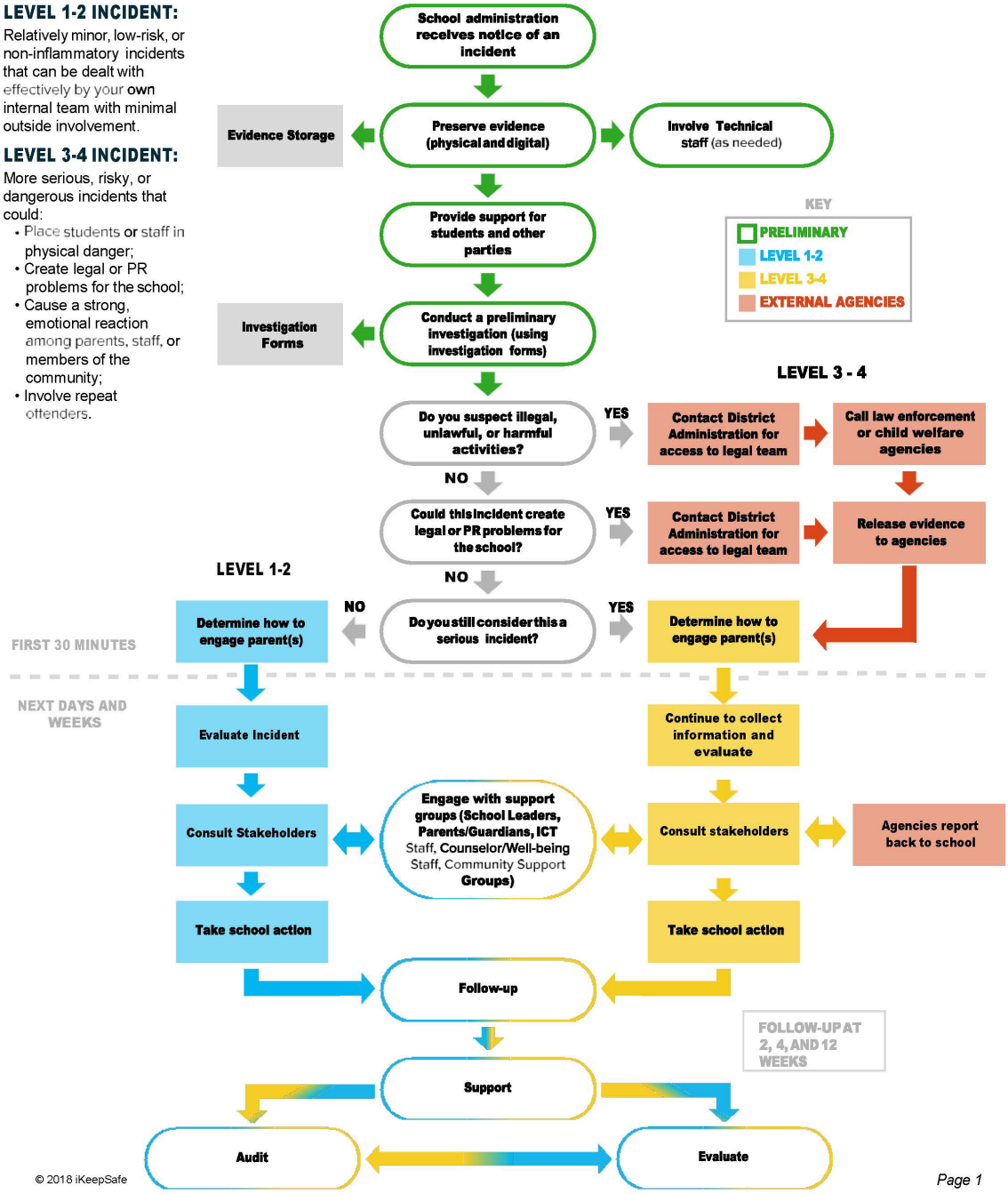
iKeepSafe

ICAC Internet Crimes Against Children Task Force Program

LEVEL 1-2 INCIDENT:
Relatively minor, low-risk, or non-inflammatory incidents that can be dealt with effectively by your own internal team with minimal outside involvement.

LEVEL 3-4 INCIDENT:
More serious, risky, or dangerous incidents that could:

- Place students or staff in physical danger;
- Create legal or PR problems for the school;
- Cause a strong, emotional reaction among parents, staff, or members of the community;
- Involve repeat offenders.



© 2018 iKeepSafe

If the incident involves criminal activity;
STOP!
Do not take any further action until you have consulted with law enforcement officials.

FLOWCHART INSTRUCTIONS

INTRODUCTION

The Incident Response Tool (IRT) will guide school administrators through the resolution of any incident. Based on your input, the IRT will produce a customized investigation plan to ensure the best possible outcome for victims, offenders, and bystanders. For best results preventing and resolving incidents, administrators should take a coordinated approach that includes all stakeholders.

RESOLVING A SCHOOL INCIDENT

SCHOOL ADMINISTRATION

With the support of the school safety committee, school administrators should take the lead in embedding citizenship into the culture of the school, designating a member of the administration (often the principal) with responsibility for managing an incident. This person identified here as the "administrator" should act as the central point of contact for all safety issues and citizenship concerns within the school. The safety administrator ensures that policies are current and adhered to, that breaches and abuse are monitored and reported, and that all faculty and staff receive relevant information about emerging issues.

Because digital communication has become entrenched in education, iKeepSafe recommends that the network/ ICT leader be a high-ranking district/regional or school administrator and that superintendents begin to hire district administrators who are technology savvy to handle the monitoring of school networks. If law enforcement is not involved with an investigation, schools should be prepared to handle digital forensics in a timely manner.

FACULTY/STAFF

Faculty and staff should know safety policies and be prepared to intervene for student safety. They also need to understand how school employees might become victims and how to take appropriate action. This includes being prepared to receive information from students and parents and knowing what to do and what not to do with that information, how to handle concerns, manage evidence, and when to reach out to administration for a more involved investigation.

TECHNICAL / INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

ICT staff will be helpful in developing policies and procedures for digital citizenship within the school or district/ region and will likely provide guidance and capture evidence during an investigation. The ICT staff is also likely to be a key reporter of incidents as they review filtering logs and manage networks. They will work closely with the e-safety administrator to conduct technical investigations and to improve the school network system to prevent future related incidents. Again, iKeepSafe recommends that the ICT staff be headed by a high-level technology savvy administrator.

PARENTS

Parents are often the reporters of incidents and need access to the safety coordinator or another way to report incidents. Expect reports to be submitted to the school front office, teachers, email addresses, and through the schools anonymous reporting platform (Safe 2 Say) listed on the school website. Faculty and staff should be prepared to receive and process incidents, capturing relevant detail to be passed on to the safety administrator (based on your safety policy).

© 2018 iKeepSafe

BYSTANDERS/OFFENDERS/VICTIMS

As bystanders, offenders, and victims of an incident, students will have many roles as incidents are handled. Training in digital citizenship, healthy and appropriate technology use, and reputation management will help minimize technology related issues on campus and off.

INCIDENT OVERVIEW

Incidents will vary in scope and breadth. A technology related incident is any conflict or concern that arises through the use of digital technology, either with students or faculty and staff. Incidents may occur on-site or off-campus. School administrators should consider intervention in any incident that affects a student's ability to focus and feel safe at school--whether it occurs on or off-campus.

Schools should consider some behaviors within the Charter School Code of Conduct to be an incident of concern and expect a variety of emotional responses from students with possibly a high emotional response from parents. Some incidents will impact the community or need the involvement of outside resources (school/district attorney, school counselors, nurse). Other incidents will be simple matters that resolve quickly between a few people. Incidents involving illegal or unlawful behavior will require police intervention and extreme care by administration and faculty. Proper training by school personnel will ensure the best possible outcomes for victims, bystanders, and perpetrators of a technology related incident and limit the school's liability.

The following incidents are potential examples that could violate state law or school policy, including new problems that may require new policy:

- Alleged threats to students made off campus by students on social networking page.
- Racist comments posted on a student's social networking site by another student.
- Student couple breaks up and boy posts naked photo of girl on social networking site.
- Student harasses a teacher on social networking platform.
- Student takes picture of other students dressing in gym on mobile phone and sends images to victims in an attempt to blackmail for more images.
- Teacher "friends" student and makes inappropriate comments to student. This boundary invasion is further complicated when other students see the comments.
- Website is published with damaging information about a student or school staff member.
- Cyber-bullies taunt a suicidal student via text (on or off school grounds).
- Student posts suicidal comments on social networking site.
- Student posts video of party with students using illegal drugs or alcohol.
- Teacher sees student's screensaver on mobile phone contains child pornography or other illegal activity.
- Student posts a comment about his intent to harm students at school.
- Student posts a "jump in" fight on YouTube.
- Students anonymously post information about a widespread cheating epidemic at the school, which is unknown to administrators.
- Student hacks into school server and changes grades.
- Local gang recruits students on social media.
- Student is extremely tired at school and talks about World of Warcraft (or other online game), is acting different than usual and appears withdrawn, etc.
- Student acts out video games on playground in a violent manner.

© 2018 iKeepSafe

INCIDENT RESPONSE

Refer to the Incident Response Flow Chart in the event of an incident.

USE OF THE INCIDENT RESPONSE TOOL

An investigation will require a record of the incident that can be copied into the student/faculty files and used in resolution and follow-up. The Incident Response Tool walks the administrator through an investigation and facilitates the interview process.

The e-safety administrator will determine how he/she is likely to conduct investigations and prepare accordingly:

For paper/pencil interview, gather:

- Copy of IRT Flowchart.
- Copy of Generic Investigation Forms or Customized Investigation Form produced through the online IRT.
- Clipboard or notebook.

For a digital record, gather:

- Bookmark to incident flowchart.
- Customized document with instructions and investigation question (produced by the IRT), ready to complete.

ALL FACULTY/STAFF AND STUDENTS ARE TRAINED ON THE SAFETY POLICY

Professional Development opportunities should be made available to staff and curriculum developed for students that incorporate digital citizenship into existing school culture and practice. An understanding of school policy will protect students and the school from inadvertent violation and increase the likelihood of best outcomes for all participants in an incident.

SCHOOL ADMINISTRATION IS NOTIFIED OF AN INCIDENT

Any incident that occurs on campus is automatically an incident of concern. If an off-campus issue creates a substantial disruption at school, interferes with a student's right to learn in a secure environment, or poses a threat to a student or staff, the situation should be considered a school related incident.

PRESERVE EVIDENCE (PHYSICAL OR DIGITAL)

Proceed through this step with as much care as possible for the rights and dignity of all parties involved. The process of preserving evidence will cause stress and anxiety for some people. Once evidence is preserved, the safety coordinator should attend to the emotional needs of the people involved.

Before an investigation begins in earnest, the principal or e-safety coordinator should take immediate care to preserve any evidence that has materialized in the course of discovering the incident. Exercise extreme care when preserving evidence. An offender or other person may tamper or delete. Extreme care must be taken to avoid:

1. Contamination of evidence.
2. Possession of illegal or incriminating data on school or employee devices.

© 2018 iKeepSafe

CONTAMINATION OF EVIDENCE:

An employee of a public school is legally an agent of the state and therefore subject to relevant privacy and search and seizure laws. The misstep of an administrator in collecting evidence (e.g. exploring files on a private mobile phone without probable cause) can lead to the evidence being thrown out if the incident goes to trial. If illegal activity is suspected, the evidence will need to be preserved in its original form in a secure location to give to law enforcement, child welfare, or the school lawyer.

POSSESSION IS INCRIMINATING

A school administrator, faculty, or staff should not, under any circumstance be in possession of or view child pornography. If you find child pornography or have a "reasonable suspicion" that it exists on a device, call the police immediately.

INSTRUCTIONS FOR PHYSICALLY PRESERVING EVIDENCE

NOTE: this relates to evidence in all incidents, except child pornography (the visual representation of minors under the age of 18 engaged in sexual activity or the visual representation of minors engaging in lewd or erotic behavior designed to arouse the viewer's sexual interest. See below for detail on handling evidence that may contain child pornography.)

Gather all digital data and copy to a secure memory device that can be locked in a secure cabinet. This backup will allow further investigation without damaging or compromising the original. Student mobile phones in question should be stored in an evidence bag (or Ziploc storage bag), and locked in a secure location (locked cabinet or desk).

Where school equipment is involved, a hard drive containing evidence may be copied in its entirety onto an external memory device specifically designated for the backup of evidence. If possible, have your network administrator or ICT staff help with the backup. This should be maintained for school records in the event that police are called in to confiscate the equipment. This hard drive should be locked in a secure location (desk or cabinet) until further investigation is possible. An evidence log, detailing everyone with access to the evidence, should be maintained throughout the process in the event that you have to certify that the evidence was not contaminated.

ACT QUICKLY:

Electronically stored information can be lost or destroyed very quickly, making further investigation more difficult and costly, if not impossible.

CHECK EVERYWHERE:

As staff and students become increasingly more "tech-savvy", the need to think creatively for all possible sources of data becomes even more important. ICT staff (network administrators) and/or computer forensic specialists can help identify sources of electronically stored information and how they might be connected. Consider these:

- Hard drives of desktop computers, laptops, netbooks, and tablets/slates.
- Network servers (local or district-level servers).
- Portable media (CDs, DVDs, flash drives, memory sticks, portable hard drives).
- Mobile phones/PDAs/Smartphones: Cell phones have the capacity for storing immense amounts of private information. Unlike pagers or address books, modern mobile phones can record incoming and outgoing calls, but also contain address books, calendars, voice and text messages, email, video and pictures.
- Backup tapes and email archives.

© 2018 iKeepSafe

- Printers: If printers can be accessed quickly enough after an alleged technology-related incident, documents may still be in the buffer.
- Logs and data available through firewall programs and spam filtering software.
- External websites: When an incident has occurred offsite on the open Web, conduct a quick Web search for student profiles on popular social networking sites. Take screen shots and collect URLs, showing offending content or high risk behavior to be addressed.

CONFISCATE AND STORE EQUIPMENT AND MEDIA IN A SECURE LOCATION:

- Depending on the source of electronically stored information, different preservation techniques may be necessary to prevent documents from being destroyed or hidden data from being changed.
- Computers should be removed (i.e., disconnected immediately from power sources, ethernet connections, and phone lines) and secured. If the hardware is still needed for employees to perform their duties, remove the hard drive(s) for storage and replace with a new hard drive.
- Portable media should be taken into custody and secured.
- The physical back up tapes, disks, and the like, should be preserved to avoid inadvertent re-writing of data during future backups and archive activities. Maintain chain of custody logs and procedures (such as use of sealed evidence bags), so it can later be proven who had access to the media and when.

PREVENT UNAUTHORIZED ACCESS:

- Prevent faculty/staff from accessing data by blocking user ID numbers and remote access capability.
- Maintain hard copy documents where possible.

NOTE: EVIDENCE OF CHILD PORNOGRAPHY

If, at any point throughout this process, you have reasonable suspicion that child pornography exists on a computer or other electronic device, call law enforcement immediately. **DO NOT copy the hard drive or attempt to preserve digital data that might contain child pornography.** Leave the computer exactly as it is, (turn off the screen only if child pornography is on screen), and make notes regarding your suspicions, what you saw yourself, and what was reported to you. Date your notes and preserve them in a secure location. Do not let anyone near the equipment. Record this event in the school Incident Log. If no log exists, begin one with this incident.

BRING IN TECHNICAL/ICT STAFF AS NEEDED

If the issue occurred on the school network or computer, call in the ICT staff to capture the evidence. Print physical evidence in the form of screen shots (e.g. website pages, file folder structures). Identify computer systems that were used, secure scene, and preserve trace evidence. Collect digital evidence that is needed. Document screen, system time, and network activity. Note any plainly visible cyber trails. Preserve contents of RAM if needed using approved tools and procedures. If the whole computer is needed, photograph, label, and document system details on collection form, disconnecting network, modem, and power cables. Collect needed software and peripherals, related documentation, removable media, passwords, etc. (Footnote: Casey)

STORAGE OF EVIDENCE

A plan for evidence storage should be prepared before an incident occurs. (Prepare a secure Preservation Hold that will ensure that evidence will not be contaminated or altered. Maintain a chain of evidence log that records everyone who has access to the evidence, including staff members with keys to storage cabinets and desks.

© 2018 iKeepSafe

ATTEND TO THE SUPPORT OF STUDENTS AND OTHER PARTIES

Determine the needs of the parties involved. Consider the emotional needs of victims, bystanders, and offenders. Offer counseling services where possible. To the extent possible, reestablish a safe environment for parties involved.

CONDUCT PRELIMINARY INVESTIGATION USING FORMS

After attending to the students and preserving the evidence, turn to the preliminary investigation of the incident.

Regardless of whether you are dealing with allegations that staff, students, or others have used technology to hack the network, view pornography, engage in harassment, cheat, or otherwise inappropriately use technology, one of the most critical aspects of responding is the ability to conduct an effective investigation without violating free speech, privacy, search and seizure laws, and contaminating evidence.

Given the facts and circumstances of the particular case, determine the appropriate sequence of interviews that will be most effective in collecting other evidence. In sensitive situations, such as sexting, special consideration should be given for who should conduct the interview, particularly where the student is depicted in a compromising light. Administrators should expect that this student will be in extreme emotional distress due to possible circulation of a private image or communication. The investigation of this student should likely be performed by a school professional who has an excellent rapport with the student, such as a counselor, by a law enforcement official with specific training in working with sexual abuse victims, or a child protection worker. Every effort must be made to ensure that news of the incident is not spread.

© 2018 iKeepSafe

INVESTIGATION FORMS

Consider how you would like your investigation to proceed.

Print out a complete set of Preliminary Investigation Forms, and store them on a clipboard (or folder) dedicated to this purpose. After collecting the information, a written summary – Major Incident Report should be added to faculty or student files. Major Incident Reports must be sent to CEO.

TIER 1 - 2

DETERMINE HOW TO ENGAGE PARENT

Use discretion when considering how and when to approach parents. In general, administrators will want to gather all the relevant facts before contacting parents. Without compromising your investigation, consider when parents should be notified, taking care not to accuse a student without sufficient evidence to back up your claim. In Tier 3-4 scenarios, principals may decide it is best to wait until formal findings have been issued. Care should also be taken to ensure student privacy rights (Refer to school policy).

LOWER HALF OF FLOW CHART

The preceding events will likely occur in the first hour or less of the report of an incident. The ongoing investigation and follow-up will continue throughout that day and into the coming weeks.

EVALUATE INCIDENT

Investigations that involve many people or more serious incidents will require follow-up interviews, cross-checking facts, and reaching out for help when needed. Some students may need to be interviewed again for clarity and fact-checking. If you are satisfied that the incident is straightforward, proceed with evaluation.

CONSULT STAKEHOLDERS

Consult all stakeholders who might help you implement school actions and support those involved: other administrators, teachers, network administrator/ ICT staff, school nurse, school counselor/ wellbeing staff, media/ digital literacy specialist, school resource officer/law enforcement, parents, students involved. Parents and guardians may be able to give valuable perspective on relevant life events that might be factors in the incident as well as on the student's behavior before and after the event. Community support groups may be invited to assist students who are dealing with specific issues (eg gang task force, suicide support group, and support groups for kids with divorced parents, eating disorders, etc.).

Stakeholder groups to consider:

- School Administrators
- Educators
- Network Administrators
- School Nurse
- School Counselor/ Wellbeing Staff

© 2018 iKeepSafe

- Media and/or Digital Literacy Specialist
- School Resource Officer/Law Enforcement
- Parent
- Youth

TAKE SCHOOL ACTION

With the input of stakeholders, make a final decision and implement school action. When a student has been identified as an offender, in all but the most minor cases, the incident should be documented and placed in the student's file, and the student should be given at least a warning. The file should be reviewed if the behavior is repeated or if the misconduct escalates. Repeat offenses can be addressed if the school has evidence of previous incidents.

Disciplinary action may range from a warning to dismissal of a staff member or suspension of a student. As in all disciplinary instances, schools must be careful to follow the disciplinary protocols and due process standards in their policy. Take care that proper documentation occurs. Investigation reports should be entered in student/faculty files. Write a School Action Report that summarizes the event and the school's response, and include it in the student/faculty files.

Provide appropriate counseling and support where possible. Parents/guardians should be kept fully informed of the matter throughout follow-up.

TIER 3-4

Issues dealing with serious harm, illegal or unlawful activity, or that could create a significant PR problem for the school, are considered Tier 2 events and need immediate attention. Serious harm may include:

- Incitement (online coordination of a fight)
- Hate crimes
- Suicide threat
- Credible physical threat (might include physical, mental/emotional/psychological, or reputational harm to an individual)

Unlawful activity includes anything that could be prosecuted in certain contexts, such as harassment, sexual harassment, or slander.

IS THERE SUSPECTED SERIOUS HARM, ILLEGAL OR UNLAWFUL ACTIVITY --> YES

Any communication that shows the potential for serious harm or illegal/unlawful activity should be reported to local law enforcement immediately. You will likely want to notify administration and consider bringing in legal counsel. Inappropriate employee electronic communications may contain speech that has the potential of violating various laws, including legal prohibitions against unlawful acts such as: discrimination, retaliation, harassment, defamation, network "hacking," or viewing and/or transmitting pornography.

WARNING: Discovery of child pornography or having a "reasonable suspicion" of child pornography on school equipment or within the school's network is a very serious situation, and should be reported to the police immediately. **DO NOT download, print, or otherwise preserve any data containing child pornography**, as this may implicate you or other school employees in the crime. Leave the computer exactly as it is, (turn off the screen only if child pornography is on screen), and call police immediately. Make notes regarding your suspicions, what you saw yourself, and what was reported to you. Date your notes and preserve them in a secure location. Do not let anyone near the equipment. Record this event in the school Incident Log. If no log exists, begin one with this incident.

© 2018 iKeepSafe

If illegal behavior by a student or staff member is suspected, the school has a duty to consult with the police at the earliest opportunity, preserving any potential evidence for school records and to hand over to the police. This may also involve reporting to other outside agencies.

MANDATORY REPORTING TIMELINES

Take care to report illegal activity in a timely manner. Most states have mandatory reporting guidelines that require a school to report child abuse or neglect "**immediately or as soon as is practicably possible** by telephone". Be sure to follow your State's Mandated Reporter Law.

Schools are also required to **"promptly report"** when an employee of a school or district **"is attacked, assaulted, or physically threatened by any pupil."** This applies in most states.

COULD THIS INCIDENT BECOME A LEGAL OR PR PROBLEM FOR THE SCHOOL? --->YES

Legal and PR problems (eg potential litigation, negative media attention, or a united community force against the school) are serious issues for a district, and are treated here as Tier 2 events. In these situations, the school attorney and district administration should be notified immediately. These items will follow Tier 2 on the flow chart.

DO YOU STILL CONSIDER THIS A SERIOUS INCIDENT? (EG, REPEAT OFFENDER) ---> YES

After illegal issues and possible PR problems for the schools, there are still many issues that will fall into Tier 2 as incidents that need serious attention. Incidents involving repeat offenders or youths at risk for future crimes may be considered for Tier 2. While not illegal, technology related incidents such as plagiarism and cheating are serious problems that schools and universities are trying to correct and may fall into your school's classification of "serious incident," particularly for repeat offenders.

CONTACT DISTRICT ADMINISTRATION/SCHOOL ATTORNEY

If you suspect the possibility of serious harm or illegal/unlawful activity, call your district/regional attorney as you contact law enforcement. If the incident might be made public through the media, cause a disruption to the school climate, or result in possible litigation (harassment, discrimination, etc.) contact district level administration is recommended and request legal counsel. In many districts the only authorized contact with counsel is through a district administrator. A school attorney and district administration will provide support for managing a legal or PR problem.

CALL LAW ENFORCEMENT OR CHILD WELFARE AGENCIES

Any communication that shows the potential for serious harm or illegal/unlawful activity should be reported to local law enforcement immediately. For example:

- Evidence that someone on or off campus is in danger of serious harm (e.g., plans for a gang fight, plans to hurt someone).
- Evidence of intent to commit suicide.
- Evidence of sexually explicit photos of a minor (e.g. pictures of another student).
- Inappropriate contact between a student and faculty or staff member (adult and minor).

If you find evidence of child pornography or have a "reasonable suspicion" of child pornography, call police immediately. Do not copy, preserve, or otherwise store digital data that might contain child pornography. Work closely with these officials to coordinate next steps, as they may need to collect evidence from the school. Where possible and legal to do so, retain as much evidence as you can to support your internal investigation as you may not have access to surrendered evidence again.

A school must continue its investigation and document evidence even if police take over in the investigation.
A good working relationship with law enforcement where both parties are inclined to share information

© 2018 iKeepSafe

will produce the best results for both the school and police. This information is essential if the school needs to proceed with a termination hearing which may be difficult if a criminal case failed to convict based on a technicality, but the school seeks dismissal.

If there is suspicion of any kind of abuse of a student by anyone, contact a child welfare agency concurrent with calling law enforcement. Most states have mandatory reporting guidelines for reporting child abuse or neglect. A reasonable suspicion will obligate you by law to report to the agencies, you do not need a burden of proof, only a "reasonable suspicion."

RELEASE EVIDENCE TO AGENCIES

Any preserved evidence should be shared with law enforcement or any other agency that assumes jurisdiction over the investigation. Where possible and legal to do so, retain as much evidence as you can to support your internal investigation as you may not have access to surrendered evidence again.

DETERMINE HOW TO ENGAGE PARENTS

Use discretion when considering how and when to approach parents. In general, administrators will want to have gathered all the relevant facts before contacting parents. Without compromising your investigation, consider when parents should be notified, taking care not to accuse a student without sufficient evidence to back up your claim. In Tier 2 scenarios, principals may decide it is best to wait until formal findings have been rendered.

It is reasonable to expect a wide range of emotional responses from parents who may feel a need to protect their child. Be prepared to express empathy and assure them that their child will be treated fairly or helped to feel safe, depending on the circumstance.

Always exercise caution when sharing information discovered in the investigation to ensure student privacy rights.

CONTINUE INVESTIGATION AND EVALUATE INCIDENT

Each investigation is unique and fact-specific, so one formula will not always apply to every situation. Investigations that involve many people or more serious incidents will require further investigation with follow-up interviews, cross-checking facts, and reaching out for help when needed. Some students may need to be interviewed again for clarity and fact-checking. Get technical help to search school equipment and other digital evidence, preserved during the preliminary investigation, taking care not to over-reach privacy boundaries on private equipment (mobile phones and laptops).

If your preliminary investigation yields information that is particularly inflammatory or possibly criminal, call your school attorney, or consider hiring an independent third party to conduct a full investigation.

The following instruction will allow you to approach each investigation thoroughly and effectively so that if your investigation is challenged, you will be able to explain how you gathered and weighed the relevant evidence and met your burden of proof when you made a decision and took a particular action.

GUIDELINES FOR EVALUATING AN INCIDENT

Review all of the evidence gathered:

1. Review all of the relevant documents, tangible evidence, and your interview notes.
2. Review all of the applicable policies, regulations or other procedures again.
3. If you've missed anything or you forgot to ask important questions, go back and ask more questions.
4. If you can't understand your notes, go back and ask clarifying questions.
5. If you are confused by a respondent's testimony, go back and ask clarifying questions.

© 2018 iKeepSafe

6. In a disputed matter, if you cannot decide who appears to be truthful and who appears to be deceptive, you may want to conduct another interview with each person.

Weigh evidence for each allegation.

Evaluate all the evidence and make a determination. It is possible that you will make a mistake and find in favor of the wrong evidence. However, if you performed a prompt, thorough, and effective investigation, evaluated all the evidence in good faith, and reached a reasonable conclusion, it is likely your mistake will not cause liability.

Administrators are governed by a "preponderance of evidence" standard. That means you are looking to see if a simple majority (50% plus a feather) of the evidence weighs more on one side. Weigh the evidence, including testimony from eye-witnesses, corroborating testimony, circumstantial evidence, and credibility evidence. If the evidence is not in dispute, it is easy to "weigh" the evidence, because it all leans to one side. NOTE:

- A hunch or speculation is insufficient evidence.
- Hearsay evidence may have some weight only if it supports direct evidence.
- If the evidence is in dispute, you must look at all the evidence closely and determine which evidence is most persuasive. Be prepared to explain why some evidence was more persuasive than other evidence.

Make a factual finding for each allegation.

A factual finding is a conclusion about what happened, based on the preponderance of the evidence.

Review all factual findings to determine if a violation of law or policy has occurred.

Prepare a summary report.

Some schools create a summary or executive report that can be given to the school that could be released under a Public Records Act request. Typically, such a report does not include any witness statements or other evidence. A summary or executive report may include the allegations, the findings, the conclusions reached, and general recommendations based upon the conclusions. Consult legal counsel as to how to proceed further in this regard, especially before releasing any information to the public regarding the investigation.

Once you feel comfortable that the relevant facts are gathered, evaluate the situation. Consider which stakeholders might help deciding and implementing school actions and supporting those involved (school counselor, ICT staff, media specialist, etc.) Make arrangements to meet as a group if possible or talk to them individually.

FOLLOW-UP

In all instances, a comprehensive debriefing should occur after the incident to maximize what can be learned. The three sections (Audit, Support, Evaluate) create areas of focus for follow-up questions and topics that should be addressed before an incident is laid to rest in student and school files.

- Support: Understand how the involved parties were supported, and determine if further counseling or other support is required?
- Audit: Gather a picture of how the incident was handled--all processes and people gathered to be the network of support for the students and staff. Audit the process undertaken for each incident.
- Evaluate: Consider all policies, practices and procedures. Could the response be improved? Is there a need for further resources and or training?

The follow-up to an incident is a very important component of maintaining a high level of digital citizenship and positive school climate. The follow-up ensures that a technology related incident was resolved to the satisfaction of all parties involved: offenders, victims, and bystanders.

© 2018 iKeepSafe

SUPPORT

Understand how the involved parties were supported, and determine if they need further support. As an incident reaches resolution, plans should be made to initiate the follow-up process at two, four, and twelve weeks following the resolution of the incident. The "School Action Report" has a place to record anticipated follow-up dates. These dates should also be entered into the calendar of the e-safety administrator (or representative responsible for follow-up). This graduated follow-up is specifically designed to check back with the victim, perpetrator, and any bystanders of an incident and does not include internal review and evaluation of the incident management process.

The following questions may help provide follow-up support:

- As the safety committee/administrator, are we satisfied with the outcome of this incident?
- Are all parties concerned working well together?
- Are you currently in counseling? Do you feel it's helpful?
- Is further counseling required? Any other support required by the student, parent, staff involved?
- If support is required for parent, has the school checked in with the parent?
- [In the event of suspensions] Have you received curriculum for learning at home during the suspension.
- Next steps?

The internal follow-up (REVIEW and EVALUATE), will identify where the incident management succeeded and where it might be improved.

AUDIT

The purpose of this section is to audit the process undertaken for resolving each incident and review the course of action taken by all stakeholders. The e-safety administrator or e-safety committee should ask the following questions:

- How did we handle this incident? What did we do?
- Who was involved in the resolution? Any outside agencies?
- At what point were they involved? Was it soon enough?
- What actions resulted? Was what they did in line with policies, practices, and procedures?
- Was the outcome satisfactory?
- At what point were parents involved?
- Next steps?

Ask the victims and bystanders:

- Do you feel the incident is resolved?
- Do you have lingering fears?
- Are conditions improving?
- Do you feel supported by the school/teachers?
- Are your parents aware of what happened? (Keep family dynamics brief.) How did they find out? Have you discussed it with them further?
- Gather a quick snapshot from stakeholders involved?
  - Why were you involved?
  - How were you informed?
  - Do you have suggestions for our policies, practices, and procedures?
  - Next steps?

© 2018 iKeepSafe

EVALUATE

This section will help administrators review the audit and implement responsive changes where necessary. It is also an opportunity to reward good outcomes.

- Do you feel the incident is resolved?
- Do you have lingering fears?
- Are conditions improving?
- Do you feel supported by the school/teachers?
- Are your parents aware of what happened? (Keep family dynamics brief.) How did they find out?
- Have you discussed it with them further?
- Gather a quick snapshot from stakeholders involved?
  - Why were you involved?
  - How were you informed
  - Do you have suggestions for our policies, practices, and procedures?

© 2018 iKeepSafe

Book	Policy Manual
Section	Operations
Title	Active Shooter Policy and Procedures
Code	603
Adopted	October 15, 2020

Board of Trustees Policy

ACTIVE SHOOTER POLICY AND PROCEDURES

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that it is important that the faculty, staff, students, and visitors understand policies and procedures in situations in which there is an active shooter.

Purpose

The purpose of active shooter policies and procedures is to prepare building faculty, staff, students, and visitors for an organized evacuation in case of a fire or other emergency. Active shooter drills are also an opportunity to systematically identify various safety issues as to:

- Allow occupants to familiarize themselves with drill procedures, the location of fire exits, and safety features that may or may not exist in the building.
- Identify problems and potential safety features that may protect faculty, staff, students, and visitors in the event of an active shooter.
- Determine if additional equipment is necessary.
- Monitor evacuation of the building to assess effectiveness, efficiency and safety.
- Document the amount of time it takes to evacuate a building and compliance with drill procedures.
- Ensure Charter School compliance with state and local statutes, laws, and regulations.
- Faculty, staff, and students should be familiar with our enhanced lockdown procedures.

Active Shooter Drill Procedure:

The Chief Executive Officer of the Charter School (CEO) in coordination with the School Safety and Security Coordinator is tasked with coordinating with either a local law enforcement agency, private security firm, or training program that specifically trains civilians and law enforcement on safety protocol in active shooter situations (the "experts"). These experts should visit and evaluate the school for potential safety hazards and help develop the safest procedures for all faculty, staff, students and visitors. Understanding that there is not always a right or wrong answer to how to handle an unpredictable assailant, these procedures should help faculty and staff identify the best situations to keep the students safe, and limit potential loss of life. Please see the Charter School's Safety Plan for additional information.

While assisting in developing policies, the Executive Committee of the School Safety Committee should also recommend how many drills should be conducted per year and who should participate in those drills. Furthermore, these experts should be able to give training sessions and assemblies to faculty or the general student population, depending on their recommendations.

All trainings, drills, and assemblies recommended should be mandatory for all faculty, staff, and students. These policies and procedures must be shared with the Chester Police Department, Chester Township Police Department and the Upland Borough Police Department.

Guidelines

Active shooter drills should be designed to familiarize the faculty, staff, students, and visitors with all available means of exit, particularly emergency exits that are not habitually used during the normal occupancy of the building. Every active shooter drill shall be an exercise in school management for the principal and teachers.

Active Shooter drills should also be designed to familiarize the faculty, staff, students, and visitors with all potential hiding places when exit may not be available, and teach occupants to make the best choices to save their lives and others.

The chief purpose of every drill shows control of classes so that the teachers will form its ranks quickly and silently, halt, turn, or direct it as desired. Students should learn to take instruction from teachers, i.e., if a teacher asks a student to go out a window, the student should do so immediately. Great stress shall be laid upon the execution of each drill in a brisk, quiet, and orderly manner.

If evacuation is possible, the same evacuation procedures used in fire drills should be used. However, all faculty and staff must be able to switch to a different safety plan, consistent with the school's adopted policies and procedures in the event that evacuation becomes impossible, or be able to choose a different evacuation plan if necessary.

If orderly evacuation is possible, the "Building Evacuation" plan should be followed:

- All visitors shall leave the building immediately
- Emergency Evacuation Route Maps are posted in each classroom, storage area, meeting room and office. Directions cover the primary evacuation route only. Should this route be blocked, teachers and/or administrators are to lead the children to the nearest safe exit.
- All windows must be closed prior to departing rooms. Once the class has departed the room, the door should be closed.
- During the evacuation, all students are to be in line and silent.
- All teachers, including specialists are to bring their roll book with them as they depart the school.
- Students, staff and visitors will re-enter the building promptly and in orderly fashion when instructed after the drill is completed.

Active Shooter Drills are:

- Unannounced;
- Held at least yearly;
- Scheduled at various times, but when most occupants are in the building; and
- Well documented.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Lockdown and Shelter-In-Place Policy
Code	604
Adopted	October 15, 2020

Board of Trustees Policy

LOCKDOWN AND SHELTER-IN-PLACE POLICY

The purpose of this Lockdown and Shelter-in-Place Policy is to act as a guide for the Chester Community Charter School ("Charter School"), Charter School employees, students, Board members, and community members to address a wide range of potential crisis situations in the Charter School or surrounding area. This Policy will provide guidance prior to, during, and after any emergency or potential crisis situation.

Decision Making

1. When a volatile incident exists at the Charter School Facility or surrounding area, prior to police arrival, any decision to evacuate, Lockdown, or shelter-in-place will be made by the Chief Executive Officer of the Charter School ("CEO") or his/her designee.

2. When the Chester Police, Chester Township and Upland Police Departments arrive at the scene, they will be the lead agency. The Police will coordinate and direct all actions. Charter School will comply with all Police Department instructions.

Lockdown

At the order of the Chief Executive Officer or his/her designee or the Chester Police Department, Chester Township Police Department or Upland Township Police Department Lockdown procedures may be issued in situations involving dangerous intruders, severe weather, other incidents in or around the Charter School, or other crisis situations that may result in harm to persons inside the school building.

- The CEO or his/her designee will issue the Lockdown order by announcing a warning over the public address system, sending a messenger to each classroom or other alternate method.
- Direct all students, staff and visitors into classrooms or secure rooms.
- Lock all external and internal doors.
- Everyone is to remain in his/her assigned room.
- The Chester Police Department and/or the CEO or his/her designee shall determine whether the Lockdown shall be internal or external.

- External Lockdown: If the threat to students is outside the school, the CEO may order an External Lockdown. Under the External Lockdown, the external doors to the school are locked, and no person may enter or leave the school. However, students, staff, and visitors are free to move within the confines of the school.

- Internal Lockdown: If the threat to students is within the school or unknown, the CEO may order an Internal Lockdown. Under the Internal Lockdown, all doors are locked. No person may leave his/her assigned room. No one will be permitted to enter or leave the Charter School.

- The Lockdown shall not be lifted until the Chester Police Department states that the danger is over or has been removed.

- When the Chester Police Department consents to lifting the Lockdown, the CEO or his/her designee shall notify the Charter School by making an announcement over the Public address system, sending a messenger to each classroom or other alternate method.

- No person may enter or leave the school until the Chester Police Department consents to lifting the Lockdown.

Shelter-in-Place

Shelter-in-Place provides refuge for students, staff, and public within school buildings during an emergency. Shelters are located in areas that maximize the safety of inhabitants. Safe areas may change depending on the emergency. Be prepared to go into Lockdown once inside.

At the order of the CEO or his/her designee or the Chester Police Department, Chester Township Police Department or Upland Township Police Department, Shelter-in-Place procedures may be issued in situations involving severe weather or other incidents in or around the Charter School that may result in harm to persons inside the school building.

- The CEO or his/her designee will issue the Shelter-in-Place order by announcing a warning over the Public address system, sending a messenger to each classroom or other alternate method.

- All students, employees, and visitors will be moved to his/her designated safe area.

- Teachers will take class roster. The CEO or his/her designee will contact each teacher for a headcount

- All exterior doors and windows shall be closed.

- If necessary, any ventilation or other system that pulls in air from outside shall be turned off.

- Begin Lockdown, if needed.

- All persons must remain in safe areas until the Chester Police Department, Chester Township Police Department, or the Upland Township Police Department states that the danger is over or has been removed.

- No person may enter or leave the school until the Chester Police Department consents to lifting the Shelter-in-Place order.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Fire Drill Policy and Procedures
Code	605
Adopted	October 15, 2020

Board of Trustees Policy

FIRE DRILL POLICY AND PROCEDURES

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that it is important that the students understand fire safety and evacuation procedures.

The purpose of fire drills is to prepare building staff, students, and visitors for an organized evacuation in case of a fire or other emergency. Fire drills are also an opportunity to systematically identify various fire safety issues as to:

- Allow occupants to familiarize themselves with drill procedures, the location of fire exits, and the sound of the fire alarm.
- Identify problems with the fire alarm system and its components.
- Determine if additional equipment is necessary.
- Monitor evacuation of the building to assess effectiveness, efficiency and safety.
- Document the amount of time it takes to evacuate a building and compliance with drill procedures.
- Ensure Charter School compliance with state and local statutes, laws, and regulations.

When a fire drill is always held in the same way and at the same time, it loses much of its value. When an actual fire happens, and the students cannot follow the exact procedure they have practiced repeatedly, panic may ensue. Therefore, drills should be carefully planned to simulate actual fire conditions. Not only should they be held at varying times, but also students should use different means of exit.

Fire exit drills should be designed to familiarize the occupants with all available means of exit, particularly emergency exits that are not habitually used during the normal occupancy of the building. Every fire exit drill shall be an exercise in school management for the principal and teachers.

The chief purpose of every drill shows control of classes so that the teachers will form its ranks quickly and silently, halt, turn, or direct it as desired. Great stress shall be laid upon the execution of each drill in a brisk, quiet, and orderly manner.

Running shall be prohibited.

If for any reason a line becomes blocked, some of the students should be taken to another exit in order to prevent panic conditions arising because of inactivity.

In exiting the building, the "Building Evacuation" plan should be followed.

- All visitors shall leave the building immediately following a fire alarm signal.

- Emergency Evacuation Route Maps are posted in each classroom, storage area, meeting room and office. Directions cover the primary evacuation route only. Should this route be blocked, teachers and/or administrators are to lead the children to the nearest safe exit.
- All windows must be closed prior to departing rooms. Once the class has departed the room, the door should be closed.
- During the evacuation, all students are to be in line and silent.
- All teachers, including specialists are to bring their roll book with them as they depart the school.
- Students, staff and visitors will re-enter the building promptly and in orderly fashion when instructed after the drill is completed.

Fire Drills are:

- Unannounced;
- Held monthly per PA Public School Code 24 P.S. § 15-1517[1];
- Scheduled at various times, but when most occupants are in the building; and
- Well documented.

Charter School Fire Drill Procedure:

1. All directions are to be posted in every classroom.

2. During evacuation, all students are to be in line and silent.

3. All teachers, including specialists, are to bring roll book with them as they depart the school.

4. Directions cover the primary evacuation route only. Should this route be blocked, teachers are to lead children to the nearest safe exit.

5. In an actual evacuation of the school, not a drill, classes will be taken to the designated on site collection points, if deemed necessary, the building commander may direct the classes to the campuses on site evacuation shelter location.

6. Close windows.

7. Close doors after departing rooms.

8. Once the class is out of the building and in their designated area, the teacher should take roll making sure all students are present.

9. Once a complete search of the building has determined that no students are in the building and the Chief Executive Officer of the Charter School (“CEO”) and/or his/her designee gives the all clear signal, the teachers and students may return to their classrooms.

Specific Duties (to be modified according to Charter School's procedures)

Principal	Checking front area
	Internal supervision
Assistant Principal (if there is	
One assigned to the building)	Collect attendance from classes and report
	to the CEO/Principal
Designated Teacher:	Check special education
Designated Teacher:	Check bathrooms
Designated Teacher:	Check classrooms
Facilities Manager	Proper maintenance of all appliances for extinguishment of fires and free use of fire exits.

Charter School Fire Drill Maps

Everyone should know closed location of fire alarm boxes and how to operate them.

Should be posted in a highly visible area in every classroom, storage area, meeting room and office.

- Copy of full school floor plan with the following:
  - identified hazards--for potential explosion;
  - fire alarms; and
  - fire extinguishers;
- Set of "You're Here" and evacuation route for all classrooms;
- Assigned evacuation designations for Charter School rooms;
- Assigned evacuation designations for the Charter School classroom line organization;
- Fire Safety Training for the Charter School Staff;
- Staff members should know how to operate the fire extinguisher and fire hoses.
- Staff members should have a clear understanding of his or her roles and responsibilities.

Fire Safety Training for Charter School Staff:

•Staff should know how to operate the fire extinguisher and fire hoses.

•Staff should have a clear understanding of their roles and responsibilities.

•Staff should know the location of fire alarm boxes and how to operate them.

Duties of Fire Discoverer - RACE

Rescue Remove all people from immediate danger.

Alarm Pull the nearest fire alarm.

Contain Contain the fire by closing any doors that will isolate it. Analyze the situation and determine if the fire is controllable.

Extinguish If fire is controllable; attempt to extinguish it with a fire extinguisher.

Evacuate Orderly remove all students and staff from the area.

Person on Fire

1. Yell to the victim to STOP, DROP and ROLL.
2. Do not allow victim to run.
3. Roll victim to put out fire or throw a blanket to smother flames.
4. Inform other occupants to leave the immediate area:
   - Designate someone to inform office and nurse of the situation
   - The office should immediately call 9-1-1 for medical backup
5. Perform necessary immediate first-aid on the victim:
   - Smother fire by rolling the victim on the ground
   - Deluge with water
   - As a last resort, spray with dry chemical fire extinguisher
6. Submit an incident report to the main office.

Bus Drills

If the Charter School is or will be using or contracting for school buses for the transportation of children, two emergency evacuation drills on buses during each school year are to be conducted on Charter School grounds. The first is to be conducted during the first week of the first school term and the second during the month of March, and at such other times as the CEO may require. Each bus drill shall include the practice and instruction concerning the location, use and operation of emergency exit doors and fire extinguishers and the proper evacuation of buses in the event of fires or accidents.

Reporting

As required by law, on or before the tenth day of April of each year, the CEO shall certify to the Department of Public Instruction that the required emergency evacuation drills have been held.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 24 P.S. § 15-1517

Book	Policy Manual
Section	Operations
Title	Instructional Materials Policy
Code	606
Adopted	October 15, 2020

Board of Trustees Policy

INSTRUCTIONAL MATERIALS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") to the extent of its resources shall support its educational programs with the best available books and instructional materials.

Textbooks, library books, and instructional materials are those approved by the Board, obtained as a result of an official selection procedure, and made accessible for student use. Instructional materials include textbooks, reference books, other supplementary titles, all audiovisual materials, maps, library books, and all other instructional materials. Textbooks include: books, kits, filmstrips, cassettes, tapes, computer programs, computer documentation, computer software, video cassettes, video disks, DVDs and all other materials intended for instruction in the classrooms.

The Chief Executive Officer of the Charter School ("CEO") or his/her designee shall develop a procedure for the selection of books and materials and make recommendations for Board approval.

Selection Guidelines

Content of titles selected shall be in accordance with professional criteria of validity, democratic consideration of respect for all people, adherence to the adopted curriculum, and the abilities and maturity of the student user.

Wherever possible, materials shall represent the many religious, racial, ethnic, and cultural groups and their contribution to the heritage of the United States.

Examination of available offerings shall be made by professional staff who, if advisable, may consult with non-school representatives.

Each selected work shall be factually accurate and possess literary or artistic value.

In textbooks where controversial issues are discussed, opposing viewpoints shall be presented.

Inventories shall be maintained to assist in requisitioning.

Wherever possible, use of textbooks for home study shall be encouraged.

All students shall be held accountable for damage or loss of such books or materials in accordance with procedures developed by the CEO or his/her designee.

No student shall be denied use of required books or materials because of financial need.

Complaint Procedure

If a complaint is received by Charter School personnel concerning educational materials, the CEO shall provide for procedures to hear fully the substance of the complaint and to review the material at issue in order to come to a decision. Such procedures will allow for:

- Form for complainant to complete and submit with reason(s) as to disagreement with specific textbook, instructional material or portion thereof.
- Notification that challenged materials will be kept in use during the reconsideration process.
- Review of challenged material by the CEO in conjunction with the Principal and/or the individual(s) that coordinated the curriculum and any other Administration or staff with expertise.
- Determining general acceptance of the material by reading reviews and consulting recommended lists.
- Determining the extent to which the material supports the curriculum.
- Meeting with complainant to discuss substance of complaint and Administration's response as a result of the review process.
- Completion of a written decision with reasons based on the review process and notification to complainant of ability to present any disagreement with decision to the Board of Trustees.
- Retention or withdrawal of challenged materials as decided by the Board of Trustees.

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

Book	Policy Manual
Section	Operations
Title	Evaluation of Educational Program Policy
Code	607
Adopted	October 15, 2020

Board of Trustees Policy

Evaluation of Educational Program Policy

The Board of Trustees (Board) of the Chester Community Charter School ("Charter School") directs the Chief Executive Officer of the Charter School ("CEO") to develop and implement a systematic short-range and long-range plan for the continuing qualitative assessment of the progress of the educational program toward the goals established by the Board. To this end, s/he shall recommend such tests and methods as may be indicated by generally accepted professional practice and best professional judgment.

The Board reserves the right to review tests and to approve those which serve a legitimate purpose without infringing upon the personal rights of the students or their parents. The results of any evaluation may be released by the CEO employing school data, but such data may not be traceable to individuals.

The CEO shall be responsible for a plan and procedure for an evaluation of the educational program.

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

Book	Policy Manual
Section	Operations
Title	Lesson Plans Policy
Code	608
Adopted	October 15, 2020

Board of Trustees Policy

LESSON PLANS POLICY

To ensure continuity of instruction, the Board of Trustees of the Chester Community Charter School ("Charter School") requires lesson plans.

To facilitate more effective instruction, lesson plans must be prepared in advance. Plan books will be inspected and must conform to the guidelines established by the Chief Executive Officer of the Charter School or his/her designee.

Plans shall include specific curricular objectives, pertinent information to the effective implementation of the lesson, assessment procedures, and evidence of the application of staff development strategies.

Teachers must clearly state the lesson's objective(s), the standards taught, the instructional strategies and activities that will accomplish those objectives, and the formal or informal assessment that will conclude the lesson and inform the teacher's preparation for the next day.

All plans should provide adequate direction for a substitute to continue ongoing programs and the plans must remain in the teacher's desk at all times to be available to substitute teachers.

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

Book	Policy Manual
Section	Operations
Title	School Day Policy
Code	609
Adopted	October 15, 2020

Board of Trustees Policy

SCHOOL DAY POLICY

The normal school day for the instruction of the pupils of the Chester Community Charter School ("Charter School") shall be in accordance with law and with the following guidelines.

The regular school session may be temporarily altered when such alteration is in the best interests of the Charter School by the Chief Executive Officer of the Charter School ("CEO") with the approval of the Board of Trustees President.

The CEO may close the Charter School, delay the opening of the Charter School, or dismiss school early for emergency reasons and to protect the health and safety of students and staff members, and shall prepare rules for the proper and timely notification of concerned persons in the event of such emergency closing. Every attempt shall be made to have information regarding school closing on the air by 6:00 a.m. Such provisions shall be included in the Parent/Student Handbook with procedures.

The CEO shall develop guidelines which allow students to enter and leave Charter School, under exceptional conditions so that variances with the normal school schedule may be accommodated. Such guidelines shall consider such things as inclement weather, family illness, and other similar circumstances.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	School Calendar Policy
Code	610
Adopted	October 15, 2020

Board of Trustees Policy

SCHOOL CALENDAR POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that the preparation of a calendar is necessary for the efficient operation of the Charter School.

The Board shall determine annually the days and the hours when the Charter School shall be in session for instructional purposes in accordance with State law. Such school calendar shall normally consist of 180 days for students unless the Charter School's Charter provides for more than the minimum 180 days.

The Chief Executive Officer of the Charter School shall prepare a school calendar for Board consideration, annually.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Records Management Policy
Code	611
Adopted	October 15, 2020

Board of Trustees Policy

RECORDS MANAGEMENT POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the importance of establishing and maintaining a Records Management Plan that defines responsibilities of Charter School staff and complies with federal and state laws and regulations.

The Board shall retain, as a permanent record of the Charter School, 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 Charter School for a period of not less than six (6) years. All other Charter School records shall be retained in accordance with state and federal law and regulations and the Records Management Plan approved by the Board. The Charter School 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.

Definitions

"Electronic Mail (E-mail) 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" - regardless of physical form or characteristics, information that documents a transaction or activity of the Charter School and that is created, received, or retained pursuant to law or in connection with a transaction, business, or activity of the Charter School. 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.

"Records Management Plan" - the system implemented by the Charter School for the retention, retrieval, and disposition of all records generated by Charter School operations.

"Records Retention Schedule" - a comprehensive listing stating retention periods and proper disposition of records.

Delegation of Responsibility

Records Coordinator - In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Chief Executive Officer of the Charter School ("CEO") or his/her designee as the Charter School'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. Operation, care and handling of the equipment and software.
    b. Requirements of the Records Retention Schedule.
    c. Protocols for preserving and categorizing Charter School records.
    d. Procedures and responsibilities of Charter School staff in the event of a litigation hold.
    e. Identification of what is and what is not a record.
    f. Disposal of records.
2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
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.

Guidelines

Records Management Plan

The Charter School's Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including e-mails. 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.
2. Criteria to distinguish records of the Charter School from the supplemental personal records of individual employees.
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 data.
5. Data map or flow chart detailing the sources, routes, and destinations of electronic records.
6. Procedures and employee 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.
10. Staff positions authorized to access Charter School 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 Charter School'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 Coordinator shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The Charter School shall 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 Charter School 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 Charter School 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.

E-mail Records

E-mail messages, in and of themselves, do not constitute records. Retention and disposition of e-mail messages depend on the function and content of the individual message. Records on an e-mail system, including messages and attachments, shall be retained and disposed of in accordance with the Charter School's Records Management Plan.

E-mail messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.

E-mail records may be maintained as an electronic record or be printed and maintained as a manual record. For each e-mail considered 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.

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

Book	Policy Manual
Section	Operations
Title	Record Retention and Destruction Policy
Code	612
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

RECORD RETENTION AND DESTRUCTION POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") believes that a record retention and destruction policy is an essential component of providing proper administration and operation of the Charter School and has adopted this Policy to ensure that the Charter School engages in best practices. This Policy pertains to all records and documents, regardless of physical form or characteristics, which have been created or received by Charter School in connection with the transaction of school business. For purposes of this policy, "records" are documents as defined in the Charter School's Record Management Policy.

This policy pertains to records which are specifically defined herein.

Any questions regarding document retention and/or destruction shall be directed to the Record's Coordinator.

All records are the property of the Charter School and no employee has any personal or property right to such records regardless of his or her position or the fact that he or she may have developed or compiled them.

Trustees, Officers and other representatives should refer to the Record Retention Schedule attached to this policy for information concerning the period for specific types of records. Records shall not be destroyed before the required retention period has expired. Additionally, records shall not be retained for longer than the required retention period without first contacting the person designated by the school to implement and ensure compliance with this policy. Duplicates of original documents should generally be discarded after use unless necessary to support current operations. If duplicates are so retained, they should be discarded after they have served their purpose. In no event should duplicates be retained for a period longer than the retention period for the original document.

Upon any indication of an official investigation of the school or litigation involving the school, document destruction shall be suspended immediately. Destruction shall be reinstated upon the conclusion of the investigation or litigation. Employees are prohibited from discarding documents that would normally be retained for a longer period of time because they believe that the records might be harmful to any employee or the school. The unauthorized destruction, removal, use, falsification or inappropriate alteration of any record is prohibited.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Chester Community Charter School
Records Retention Schedule

An example for purposes of this Schedule is as follows: if ten years for a document runs from July 1, 2020 until June 30, 2030, the document will be destroyed after July 1, 2030.

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
Accident reports (after settlement)	E & P	May Contain Exempt Information	6
Accounts payable and receivable ledgers and schedules	E & P	Public	6
All correspondence	E & P	May Contain Exempt Information	3
Annual Budget, Reports, Financial and Audit reports	E & P	Public	Permanent Records (never destroyed)
Articles of Incorporation	E & P	Public	Permanent Records (never destroyed)
Audit reports of accountants	E & P	Public	7
Authorization for change or deduction in payroll	E & P	May Contain Exempt Information	3
Bank statements and reconciliation	E & P	Public	6

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
Board and Committee minutes	E & P	Public	Permanent Records (never destroyed)
Board and Committee Policies	E & P	Public	Permanent Records (never destroyed)
Bylaws	E & P	Public	Permanent Records (never destroyed)
Certified financial statements	E & P	Public	Permanent Records (never destroyed)
Check register	E & P	Public	7
Checks used for important payments (e.g., taxes, property, etc.)	E & P	Public	Permanent Records (never destroyed)
Contracts and agreements –	E & P	Public	6 after contract termination
Contracts and leases (expired)	E & P	Public	6 after termination
Deeds and titles	E & P	Public	Permanent Records (never destroyed)
Deposit Slips	E & P	Public	6
Depreciation schedules	E & P	Public	7

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
Donor contributions	E & P	May Contain Exempt Information	7
Employee contracts	E & P	Public	7 after employment termination
Employee evaluations, job descriptions and insurance records	E & P	May Contain Exempt Information	Permanent Records (never destroyed)
Employee wage and tax statements (W2)	E & P	May Contain Exempt Information	6 after employment termination
Employee withholding statements	E & P	May Contain Exempt Information	7 after employment termination
Employment applications and related documents for individuals hired	E & P	Public	7 after employment termination
Employment applications for individuals not hired	E & P	Public	3
Employment tax records	E & P	May Contain Exempt Information	7
Ethics Statements of Financial Interest	E & P	May Contain Exempt Information	7

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
End-of-year financial statement	E & P	Public	7
Federal Programs Records (Title I, Title II, Title III, and IDEA)	E & P	May Contain Exempt Information	7
Fixed assets records	E & P	Public	Permanent Records (never destroyed)
Free & Reduced Lunch Program Records	E & P	Public	5
General ledger	E & P	Public	Permanent Records (never destroyed)
Insurance matters: policies, accident reports, fire inspection reports, claims	E & P	May Contain Exempt Information	6 after settlement
Insurance policies/contracts	E & P	May Contain Exempt Information	6 after expiration
Invoices (after payment)	E & P	Public	6
IRS examinations, rulings and comments	E & P	Public	Permanent Records (never destroyed)

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
IRS exemption application and determination letter	E & P	Public	Permanent Records (never destroyed)
Journals	E & P	May Contain Exempt Information	7
Labor agreements or contracts	E & P	Public	Permanent Records (never destroyed)
Leases – Real Estate	E & P	Public	Permanent
Monthly financial reports and statements	E & P	Public	7
Payroll journal sheets	E & P	May Contain Exempt Information	7
Payroll tax report	E & P	May Contain Exempt Information	6
Employee payroll tax reports	E & P	May Contain Exempt Information	7 after employment termination
Pension plan documents	E & P	May Contain Exempt Information	Permanent Records (never destroyed)

Record Description	Record Format ("E & P" - Electronic & Physically kept)	Record Classification	Retention Period (in years)
Petty cash records	E & P	Public	7
Public Record Requests	E & P	Public	1
Receivable ledger	E & P	Public	7
Records of lawsuits and other claims	E & P	May Contain Exempt Information	Permanent Records (never destroyed)
Sales invoices	E & P	Public	7
Services contracts (after termination)	E & P	Public	3
State tax exemptions	E & P	Public	Permanent Records (never destroyed)
Tax and information returns and supporting documents (State and Federal)	E & P	Public	Permanent Records (never destroyed)
Time cards	E & P	May Contain Exempt Information	7
Trial balances – general ledger	E & P	Public	Permanent Records (never destroyed)
Worker's compensation claims – from date of employee termination	E & P	May Contain Exempt Information	10
Working papers: accounting and financial reports	E & P	Public	7

Book	Policy Manual
Section	Operations
Title	Student Educational Records Policy
Code	613
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

STUDENT EDUCATIONAL RECORDS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need to protect the privacy rights of students and their parents. Charter School will adhere to the provisions of state and federal law pertaining to those privacy rights, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA")[1], as amended, and its accompanying regulations; the Individuals with Disabilities Education Act ("IDEA")[2], as amended, and its implementing regulations; the Pennsylvania Public School Code of 1949[3], and Chapter 12 of the Pennsylvania Administrative Code[4] containing the regulations of the Pennsylvania State Board of Education. The Chief Executive Officer of the Charter School ("CEO") of the Charter School is designated as the Administrator responsible for the maintenance, access and release of student records and the maintenance, access and release of academic records.

The CEO shall be responsible for the implementation of this policy.

I. DEFINITION OF TERMS (20 U.S.C. §1232g[5] unless otherwise noted)

A. The term "**applicable law**" shall mean all statutes and regulations applicable to the student records that are in effect when any action is taken or is to be taken and shall include, but not necessarily be limited to, the Family Education Rights and Privacy Act[1], the Code of Federal Regulations, Title 34 Part 99[6], the United States Code § 1232[7] and the regulations of the Pennsylvania State Board of Education at 22 Pa. Code §§ 12.31[8] *et seq.*

B. The term "**attendance**" means 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.

C. The term "**biometric record"** as used in the definition of "personally identifiable information" means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting. (National Security Presidential Directive 59 and Homeland Security Presidential Directive 24).

D. The term "**dates of attendance**" means the period of time during which a student attends or attended an educational agency or institution. Examples include an academic year, a spring semester or first quarter. The term does not include specific daily records of a student's attendance at the Charter School.

E. The term "**destruction" or "destroy**" means the physical destruction, obliteration or permanent removal of all or any portion of the information in a student record. Permanent removal of a record from the custody, care and control of the Charter School shall constitute destruction of that record even if the information contained therein is maintained by another agency or entity.

F. The term "**directory information**" means any of the following personally identifiable information when, in the judgment of the responsible administrator, the release of such information would not be harmful to or constitute an invasion of privacy for the student or his or her family. This information includes: the student's name, address, telephone number, date and place of birth, dates of attendance or participation in Charter School's' program, electronic mail address, photograph, major field of study, grade level, degrees, honors and awards received, date of graduation, and similar information. 20 U.S.C. § 1232g(a)(5)(A)[9].

(1) Directory information does not include:

- Student social security number; or
- Student identification (ID) number that does not require a password or PIN number to gain access to other student information. It is directory information if the student ID number, user ID, or other unique personal identifier is used by the student for purposes of accessing or communicating in electronic systems, but only if the personal 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. 20 U.S.C. 1232g(a)(5)(A)[9].

G. The term "**disclosure**" means permitting access to or the release, transfer or other communication of personally identifiable information contained in education records to any party, 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. 20 U.S.C. 1232g(b)(1)[10]; 34 C.F.R. § 99.3[11].

H. The term "**educational agency or institution"** means any public or private agency or institution which is the recipient of funds under any federal program referenced in applicable law. The term refers to the agency or institution recipient as a whole, including all of its component parts. 20 U.S.C. § 1232g(a)(3)[12].

I. The term "**education records**" means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. The record can be recorded in any form, including but not limited to, handwriting, print computer media, electronic files, electronic mail, video or audio tape, film, microfilm and microfiche or digital medium. The term does not include:

1. Records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. These records include instructional, supervisory and administrative personnel and education personnel ancillary to those persons, including, but not limited to: instructional

support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses and instructional aides.

2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of 34 C.F.R. § 99.8[13];

3. Records relating to an individual who is employed by an educational agency or institution that:

   a. Are made and maintained in the normal course of business;

   b. Relate exclusively to the individual in that the individual's capacity as an employee; and

   c. Are not available for use for any other purpose.

   However, records relating to an individual in attendance at the agency or institution who is employed because of his or her status as a student are education records and are not excluded under this provision.

4. Records on a student who is eighteen (18) years of age or older, or is attending an institution of post-secondary education that are:

   a. Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a professional capacity;

   b. Made, maintained or used in connection with the treatment of the student; and

   c. Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

5. Records that only contain information pertaining to time periods after the individual is no longer a student at the Charter School which are records about alumni of the Charter School, created after the individual is no longer in attendance and which are not related to that individual's attendance as a student. 20 U.S.C. § 1232g(a)(4)[14].

6. Grades and other forms of peer assessments or ratings before they are collected and recorded by a teacher.

7. Other records specifically excluded from the definition of "education record" and FERPA and its implementing regulation.

J. The term **"eligible student"** means a student who has attained eighteen (18) years of age, or is attending an institution of post-secondary education. Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the permission or consent shall be required of, and the right accorded to the student, except that the parent of an exceptional child or a disabled child as defined by state and federal law or a

parent who claims the student as a dependent under Section 152 of the Internal Revenue Code of 1986 shall have the right of access to the student's records and information contained therein (as provided in Section IV.A.).

K. The term **"emancipated minor"** means a student below age 21 who has chosen to establish a domicile apart from continued control and support of parents/guardian. The term includes a minor living with a spouse.

L. The term "**maintain** or **maintained"** with regard to personally identifiable information on paper or stored on magnetic or video tape, means that it will be kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally identifiable digital information that is electronically-stored, including electronic mail and/or instant messaging mail, the term shall mean kept in a secure database located on a server or servers, disk partition, or other electronic storage system specifically designated by the CEO or her designee as a "student records maintenance site." Charter School's electronic mail server or servers, or directory or directories, and the files on local disk drives dedicated to the storage of sent or received electronic mail and/or instant messaging mail, shall not for any purpose constitute a "student records maintenance site" and any mail stored thereon shall either be deleted or moved to a "student records maintenance site" at least once annually.

M. The term "**parent**" means a natural or lawfully-adoptive parent or legal guardian of a student, or a surrogate parent appointed in accordance with 34 C.F.R. § 300.515[15] of the regulations implementing Part B of the Individuals with Disabilities Act, or a person acting as a parent who is supporting a student gratis and has signed an affidavit assuming educational responsibility for the student in accordance with Section 1302 of the Public School Code, 24 P.S. § 13-1302[16]. The Charter School shall afford to any person who qualifies as a "parent" under this section all of the rights afforded to parents by this policy or by any state or federal law, unless the responsible administrator receives and has reasonable opportunity to review a lawful custody order, divorce decree, separation agreement or similar document expressly terminating the right of that person to receive or have access to the student's records. 34 C.F.R. § 99.4[17]. The Charter School does not assume responsibility for the discovery or location of such documentation.

N. The term "**Charter School"** means the Charter School and its officers, employees and agents, individually or collectively. The term does not include any other public or private school or other educational agency, or any officer, employee or agency thereof, at which Charter School students are enrolled or from which Charter School students receive services. 24 P.S. § 17-1715A[18].

O. The term "**personally identifiable information**" includes, but is not limited to:

1) Student's name;

2) Name of the student's parent(s) or other family members;

3) Address of the student or student's family;

4) A personal identifier, such as the student's social security number, student number or biometric record;

5) Other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name;

6) 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; or

7) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates. 20 U.S.C. 1232(g)[5].

P. The term "**record**" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, microfiche. 34 C.F.R. § 99.3[11].

Q. The term "**review panel**" shall mean a panel created by the Board of Trustees ("Board") and composed of qualified professional personnel to determine the validity of Category "C" data and to provide for parental challenges of such data on occasion where their transfer to Category "B" is held to be desirable. Panel members need not be limited to school employees. They may not have a direct interest in the outcome of the hearing.

R. The term "**school official with a legitimate educational interest**" means

1. Any person in one or more of the following positions:

   a. The CEO and his or her specifically authorized designees;

   b. The responsible administrator and his or her specifically-authorized designees;

   c. The administrator of any program to which the student is assigned and any other administrators employed by the Charter School who are responsible for the administration of programs in which the student is enrolled or participating;

   d. Instructional staff, counselors, psychologists, social workers, educational diagnosticians, psychiatrists, program specialist, therapists, physicians, and nurses who are employed or contracted by the Charter School and are involved in the provision of education or other services to the student;

   e. Attorneys or similar legal representatives of the Charter School, when the attorneys or legal representative is providing advice to the Charter School concerning the education or discipline of the student or where the

records are relevant or thought to be relevant to the legal matter for which the attorney or legal representative is being consulted;

f. Members of any Charter School student assistance program team to which the student is referred, including members who are not employed by the Charter School; and/or

g. Special education due process hearing officers and administrative review officers designated by the Secretary of Education for the Commonwealth of Pennsylvania.

h. Board of Trustees of the Charter School when Board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or dispute.

2. A school official has a legitimate educational interest in personally identifiable information when access to that information is required for the effective, efficient or proper provision of education or other services to the student to whom the information pertains or with respect to required investigations, administrative or legal proceeding. The Charter School shall maintain for public inspection and for access under Section IV.A.4 of this policy a list of the names and positions of school officials who are entitled to disclosure under this paragraph. 20 U.S.C. § 1232g(b)(1)(A)[19].

S. The term "**secure file"** includes student or subject-specific compilation of information stored on paper, audio or visual tape, microfiche, microfilm, computer storage disk or removable drive, or similar medium that can be maintained in a physically segregated form that is maintained in a locked file drawer, cabinet, or desk or, if unlocked, in the immediate custody and control of the custodian thereof, or a student or subject-specific compilation maintained on a computer storage system to which access is limited by security software that conforms to current computer industry standards.

T. The term "**student"** except as written otherwise in this policy, means any school-age person who is attending or has attended the Charter School and with respect to whom the Charter School maintains education records. 20 U.S.C. § 1232g(a)(6)[20].

II. MANAGEMENT OF STUDENT RECORDS

A. **Collection and Maintenance of Information** – No information shall be collected from students and maintained by the Charter School without either prior "representational consent" of the Board or informed "individual consent" from the parent and/or students.

1. Representational Consent - Representational consent is hereby granted to the appropriately elected school representatives, in this case the Charter School Board of Trustees, and may satisfy the principle of consent for gathering of information which does not require individual consent by the parent or eligible student under state and federal law. 22 Pa. Code § 12.33[21].

In situations in which representational consent is sufficient, students and their parents shall be informed in advance, by school officials, on an annual basis, of the purposes and character of the information collection and shall be given reasonable opportunity by the Board to contest the necessity or desirability of the collection process or the proposed use of the information. The Board shall have the authority to grant consent for the collection of types of information listed in Section II.B., subparagraphs 1-5 and 9, as noted in bold type below.

2. Individual Consent - If individual consent by the parent of eligible student is required by state and federal law, prior to gathering such information, such consent shall be obtained in writing. 22 Pa. Code § 12.33[21].

Prior to the requesting of individual consent, parents shall be fully informed, in writing, as to the methods by which the information will be collected; the uses to which it will be put; the methods by which it will be retained; and the persons to whom it will be retained; the persons to whom it will be available, and under what conditions and if the above explanations are impossible or undesirable, the reasons shall be presented. Individual consent from parents and/or "eligible" students shall be required for the types of information listed below in Section II.B., subparagraphs 6-8 and 10, as noted in bold type below.

B. **Types of Information –** the Charter School shall collect and maintain the types of records described below in subparagraphs 1-3 and may collect and maintain records described below in subparagraphs 4-10. 22 Pa. Code §§12.31[22] and 12.32[23]. The required form of consent is noted by each subparagraph in bold type below.

1. Core data, consisting of the name of the student; last known address and domicile of the parents/guardians of the student or, if the student is emancipated, of the student; the birth date of the student; the course, subject area, or project work completed by the student and the level of achievement attained; the last grade attended or the date of graduation and type of diploma issued; and attendance data. (**Requires Representational Consent**).

2. Discipline and law enforcement records, including the sworn statement or affirmation of suspension or expulsion required at registration and the record of incidents of violence maintained in a form prescribed by the Pennsylvania State Police as required under Section 1307-A of the Pennsylvania Public School Code, 24 P.S. § 13-1307-A[24]; and, in a file maintained separately from other records concerning the student, information from the Office of Juvenile Probation concerning adjudications of delinquency. (**Requires Representational Consent unless collected through survey, analysis or evaluation – see Section II.C. below**). 24 P.S. Article XIII-A[25].

3. Health records, including immunization information, results of vision and hearing screenings, results of state-mandated physical examinations, in-school treatment and drug dispensing or administration orders or prescriptions from physicians, treatment and drug dispensing or administration logs, and health-related information provided by parents/guardians. (**Requires Representational Consent unless collected through**

survey, analysis or evaluation – see Section II. C. below). 24 P.S. §§14-1402[26]; 14-1409[27].

4. Student work samples and teacher grade books retained for purposes of ongoing assessment, instructional planning, or grade calculation; the results of School-wide group standardized or criterion-referenced testing and state-wide criterion-referenced assessments, if any, in which the student participated; and noncumulative report cards. (**Requires Representational Consent**). 22 Pa. Code §4.52[28].

5. Guidance department, psychologist, and student assistance team records, although personal records and notes maintained strictly in accordance with Section I.I.1 of this policy are not considered records subject to this policy. (**Requires Representational Consent unless collected through survey, analysis or evaluation – see Section II.C. below**).

6. Results of vocational and career aptitude and interest surveys, or of surveys to assist in planning for and providing guidance, health, or drug and alcohol abuse prevention instruction or programs. (**Requires Individual Consent**).

7. Reports of and other information describing or summarizing the results of individual testing and assessment by instructional support, child study, multidisciplinary, or IEP teams, or by professional staff responsible for determining eligibility for Title I, ESL, and other remedial programs, or by agencies and individuals not employed by or working on behalf of the Charter School; instructional support or child study team action plans; IEPs; and service agreements or accommodation plans. (**Requires Individual Consent and in a form as prescribed in Section II.D.**).

8. Protocol sheets and booklets; scoring sheets; answer books; rating forms; observation notes; anecdotal logs; running record forms; and other forms of raw data gathered in the course of testing and assessment or progress monitoring and assessment. (**Requires Individual Consent and in a form required by applicable state or federal law per Section II.D. or in absence of applicable law, in form as prescribed in Section II. E.**).

9. Records of awards and distinctions earned by students for work or activities in school and in the community and of participation in School approved extracurricular activities. (**Requires Representational Consent**).

10. Other records required by law or deemed by instructional or supervisory staff to be both accurate and necessary to the provision of education, education-related services, or extracurricular activities or experiences. (Requires **Individual Consent and in a form required by applicable state or federal law per Section II.D. or in absence of applicable law, in form as prescribed in Section II.E.**).

C. Collection of Records and Information Through a Survey, Analysis or Evaluation. 20 U.S.C. §1232h[29]; 22 Pa. Code §4.4[30].

When a survey, analysis, or evaluation is used to obtain such information, the Board shall obtain prior informed consent in writing and in a form consistent with Section VII of this policy. For purposes of this policy, the phrase **survey, analysis, or evaluation** shall be limited to a planned method of inquiry or information collection used on a group or individual basis. The phrase does

not apply to the ordinary give-and-take exchange that occurs in the course of the counselor-student, psychologist-student, teacher-student, or nurse-student relationship when the student initiates the contact or otherwise participates in it voluntarily. Consent otherwise required by this section is not required to investigate or substantiate a good faith suspicion of child abuse or neglect when the person from whom consent would be required is suspected of the abuse or neglect.

By adoption of this policy, the Board gives consent for the collection of records and information described at subparagraphs 2, 3, and 5 of Section II.B. of this policy, unless the collection of such records and information is accomplished by use of a survey, analysis, or evaluation that requires or encourages the student to reveal:

a. Political affiliations or beliefs of the student or the student's family.

b. Psychological problems potentially embarrassing to the student or the student's family.

c. Sexual behavior or attitudes.

d. Illegal, anti-social, self-incriminating, or demeaning behavior.

e. Critical appraisals of persons with whom the student has close family relationships.

f. Information protected by legal privilege.

g. Income, unless income information is necessary to determine eligibility for participation in a program of assistance.

h. Religious practices, affiliations, or beliefs of the student or the student's family.

D. Prior Informed Consent In a Form Required by State or Federal Law

To collect records and information described in Subsections 7 and 8 of Section II.B. of this policy, other than reports and other documents provided by parents/guardians, the Charter School shall obtain prior informed consent in writing and in a form required by applicable state or federal law or, in the absence of a specific applicable law, in a form consistent with Section E of this policy below.

For purposes of collecting information in the form of an instructional support action plan, an IEP or service agreement, a written invitation to parents, and if applicable, to the Student, to participate in the development of such document shall constitute an adequate means of obtaining consent to develop the document, even if the parents or student do not participate in the meeting at which the content of the document is discussed. The description in an action plan, IEP, service agreement or accommodation plan of a means of data collection or ongoing progress monitoring or assessment shall suffice to allow such activities without need for additional written consent. 34 C.F.R. §300.300[31]; §300.322[32].

E. Written Consent Form if No Specific Form Required by State or Federal Law

When state or federal law does not specifically prescribe the form for obtaining prior written consent as required by this policy, such consent shall be obtained by mailing to the residence of record, as established in accordance with Section VIII of this policy, or by hand delivery to the

parent/guardian or emancipated minor, a written consent form that complies with the following requirements and is received a reasonable time prior to the information collection activity for which consent is sought:

a. The form shall use language that a layperson can readily understand and shall be written in the native language of the parent/guardian or emancipated minor from whom consent is sought.

b. The form shall contain an explanation of the type of information sought, the purpose for which the information is sought, and the specific types of testing, assessment, or data collection to be used to obtain the information.

c. The form shall make clear to the parent/guardian or emancipated minor that consent is required to proceed with the information collection activity or activities proposed, shall contain an assurance that such activity or activities will not proceed without consent, and shall contain a clear explanation of the time and place for responding to the form.

d. The form shall contain the name and number of a contact person whom the parents/guardians or emancipated minor can contact to obtain additional information about or seek clarification concerning the proposed activity.

e. The form shall provide a space for the parent/guardian or emancipated minor to elect whether to grant or withhold consent by marking one (1) of two (2) clearly-worded options and by signing his/her name.

F. Transfer of Student to the Charter School

When a student who has attended another Pennsylvania public or private school registers to attend the Charter School, an immediate request, in writing, by the Charter School shall be made for a certified copy of the student's disciplinary record and a copy of the student's health record from the public or private school the student last attended. The Charter School shall also request all other current school records, including special education, necessary to ensure that the Student is placed in appropriate classes at the appropriate grade level and that the Charter School is able to meet all obligations under state and federal law. 24 P.S. §§13-1305-A[33]; 14-1409[27].

G. Special Situations - where the principle of informed consent cannot be met, as for example in the course of interviews by Charter School personnel, the following procedures will be followed:

a. The Charter School will inform the student as fully as possible about the data that is likely to be obtained;

b. The Charter School will stress the voluntary nature of the student's participation;

c. Where reasonable doubts exist as to the capacity of the student to understand the implications of the situation, either because of the student's age or other circumstances, parental permission will be sought before proceeding. In

addition, where a student clearly in need of intervention declines to participate, the professional involved will seek parental consent; and

d. In either case, if parental consent cannot be obliged or is not given, further steps to provide assistance will be initiated only if:

1. The guidance counselor or designated Charter School official is entirely convinced, giving full attention to the privacy interests involved, that intervention is imperative;

2. Both the student and parents have been fully informed to the extent that is possible; and

3. Appropriate school authorities such as Charter School's review panel has consented.

H. Information Collected for Non-School Purposes

1. Where either the information and/or data to be collected are for non-school purposes, by Charter School personnel or by outsiders then the above recommendations shall be fully applied with the further provision that prior informed consent must be obtained from the responsible school authorities.

2. In cases where the information is to be collected under conditions of anonymity, the collecting agency must still obtain the appropriate form of consent. Charter School authorities shall establish procedures for regulating the collection of such information, including the following:

a. Notification to the students and parents that their participation is voluntary.

b. Careful review of the instruments and procedures to be used for any such information collection to determine whether the methods and/or inquiries constitute a significant potential invasion of privacy, even though the information is to be collected under conditions of anonymity.

Notification of Rights

1. Parents and eligible students shall be notified annually of their rights under the Family Educational Rights and Privacy Act of 1974 ("FERPA")[1]. The notice must inform parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

- The notice must inform parents or eligible student that they have the right to:

- Inspect and review the student's education records;

- Seek amendment of the 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;

- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and §99.31[34] authorize disclosure without consent; and

- The procedure to file complaints for non-compliance concerns.

- The parent or eligible student who wishes to file a complaint with regard to compliance of this policy may do so by contacting the Chief Executive Officer.

- If further appeal is necessary, the parent or eligible student may contact:

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

The notice must include all of the following:

- The procedure for exercising the right to inspect and review education records.
- The procedure for requesting amendment of records under §99.20[35].
- A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest since the Charter School has a policy of disclosing educational records without prior consent as set forth above.

2. A listing of the types, content, and location of education records maintained by the Charter School shall be made available annually to include the names, titles, and addresses of Charter School officials responsible for such records.

3. The annual notification shall be accomplished by publication in the local newspaper and distributed to parents of currently attending students. It shall effectively notify parents who have a primary or home language other than English and parents and eligible students who are disabled.

IV. MAINTENANCE OF RECORDS -TIMING

A. Maintenance: All student information shall be retained and maintained by the Charter School in accordance with procedures identified with the classification of the material.

1. Core data of the kind described in Section II.B.1 of this policy shall be maintained for a period of **six (6) years** beyond the school year during which the student to whom such data pertains attains age twenty-one (21).

2. The following records, per Section II.B.7 shall also be maintained as core data for a period of **six (6) years** beyond the school year during which the student to whom such data pertains attains age twenty-one (21).:

a. For students with disabilities, copies of the first and last evaluation reports of the multidisciplinary team, the notice of recommended assignment or educational placement, or similar document by which the parents of the student initially consented to the provision of special education services, and the first and last IEP, last notice of recommended assignment or educational placement, and the summary of performance developed for the student.

b. For students receiving accommodations or modifications to instruction or other activities under a Section 504 service agreement or accommodation plan, copies of the first and last such plan and the notice by which the parents of the student initially consented to the provision of accommodations or modifications.

c. For students evaluated to determine eligibility either for special education services in accordance with state and federal law or for accommodations or

modifications in accordance with Section 504 of the Rehabilitation Act, and who were determined to be ineligible, copies of all evaluation reports supporting the determination of ineligibility and of all notices by which the parents of the student indicated agreement with such determination. 29 U.S.C. Sec. 794[36]

B. Other Types of Records:

1. Health records of the sort described in Section II.B. 3 of this policy shall be maintained for a period of at least **two (2) years** beyond the date on which the student ceases to be enrolled in the Charter School.

2. All other education records described in Section II.B. 8-10 of this policy shall be maintained as long as the information contained therein remains relevant to the education of the particular student or to the design and provision of educational programs in general or as long as such information remains essential to the protection of the legal interests of the Charter School. The Charter School alone shall determine whether education records remain relevant to education or essential to the protection of legal interests.

C. Destruction of Records: A record is destroyed for purposes of this policy when, at a minimum, all personally identifiable information is removed from it or is otherwise obscured or obliterated. Nothing in this policy shall require the destruction of an education record except under the conditions described in subsection (2) below.

1. An education record shall not be destroyed by the Charter School if there is an outstanding request to inspect and review it by the parent or eligible student. 34 C.F.R. § 99.10(e)[37].

2. The Charter School maintains the right to destroy some records that are considered invalid because of age and content matter. Student education records shall be maintained in accordance with Sections A. and B. above, and shall be destroyed in such time as provided.

3. Before any such destruction of student special education records the parent or eligible student shall be given advance notice, in writing, of the date after which the records will be destroyed and the opportunity to obtain copies of records prior to the specified date. The written notice shall be in the native language of the parents/guardians or the eligible student shall be mailed to the last known address of the parent/guardian or the eligible student and shall:

a. Identify the specific records or categories of record that are no longer relevant.

b. Contain an explanation that the Charter School shall destroy the records thus identified if a parent/guardian or the eligible student so requests, and that the Charter School may destroy such records without a request if no further need for the records exists.

c. Contain the name and number of a contact person at the Charter School whom the parents/guardians or eligible student can contact to obtain additional information about or seek clarification concerning the records thus identified. 34 CFR §300.624[38].

V. MAINTENANCE - LOCATION

A. **Person(s) Responsible** - The CEO or designee shall be responsible for record maintenance, access, and release of records. Staff training programs will be conducted for the professional staff on the record policy, with emphasis placed on security and the privacy rights of students and parents.

B. **Location** – During any given school year, student records, whether on paper, audio or visual tape, microfiche, microfilm, computer storage disc or removable drive, or any medium that can be maintained in a physically segregated form, will be kept in locked filing cabinets or similar storage space at all times under the supervision of designated personnel, e.g., the CEO of the Charter School or his/her designee. If student records are maintained on a computer storage system, access must be limited by security software that conforms to current computer industry standards. Charter School's Student Information System permits only authorized Charter School users to remotely access student records and various remote levels of access are permitted depending on the reason for review and level of authority of the authorized user.

Education records essential to the daily provision of education, education-related services or extracurricular activities during a given school year, may be maintained in a secure file in the personal possession, office or classroom of Charter School personnel with a legitimate educational interest therein.

C. Other Educational Records

1. Health Records shall be maintained in a secure file in the nurse's office or health suite in the Charter School.

2. Office of Juvenile Probation records shall be maintained in a secure file, separate from other records concerning the student.

3. Special Education records shall be maintained in a separate secure file at the Charter School or in secure possession of staff working with student in the home or in a nonpublic school site.

D. Confidentiality Notice – The Charter School shall protect the confidentiality of personally identifiable information including at the collection, storage, disclosure, and destruction stages of that information. The Charter School will ensure that any records kept or transmitted electronically are subject to high standards of electronic security. The Charter School uses electronic firewalls and encryption systems, and monitors and tests the system regularly to ensure its stability and integrity. All Charter School electronic mail correspondence shall include the following notice:

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling the Charter School**.** Send the original transmission to us by mail at the main office. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

E. Access to and Consequences of Unauthorized Access to Student Records –

1. Every file from which access might be had by, or disclosure might be made to, persons or agencies other than the parents or the eligible student, shall have as part thereof an access and disclosure log that shall be maintained for as long as the records in that file are maintained and that shall consist of the following:

(a) The identity of such person or agency to which access is granted to or disclosure made from the file.

(b) The purpose for which access was granted or disclosure made.

(c) The date of access or disclosure.

(d) The name or initials of the person granting access or making the disclosure.

(e) In the case of disclosures to persons who will make further disclosures or allow further access on behalf of the Intermediate Unit, the identity of the person or agency to whom or to which, and the specific purpose for which, such further disclosure or access will be made or allowed.

(f) Any record of further disclosures made by state or federal agencies that are permitted to do so under law.

2. Any Charter School employee, contractor, consultant or volunteer who accesses student records without proper authorization and/or consent, is subject to discipline in accordance with the Employee Handbook.

VI. ACCESS TO STUDENT EDUCATION RECORDS

A. Access to Records

1. The Charter School shall provide the parent or eligible student access to the educational records of the student. 34 C.F.R. § 99.10(a)[37].

2. Access rights of the parent or eligible student shall consist of the right to:

a. Inspect and review the content of the education records;

b. Obtain copies of the education records at the expense of the parent or eligible student, at a cost not to exceed the actual cost of the Charter School reproducing such records. No parent or eligible student shall be refused copies if the financial obligation would prevent them from exercising their right to inspect and review the education records. 34 C.F.R. § 99.11[39];

c. A response from the Charter School to reasonable requests for explanation and interpretation of the education records. 34 C.F.R. § 99.10(c)[37];

d. An opportunity for a hearing to challenge the content and validity of those records, as provided in Section VI of this policy;

e. Inspect and review only material or documents that relate to the student in question. 34 C.F.R. § 99.12(a)[40].

3. Procedure for gaining access to records:

a. The parent or eligible student seeking access to education records shall make a written request of the CEO or his/her designee.

b. Access to the education records requested shall be granted as soon as possible, but no later than forty-five (45) days after the receipt of a written request. 34 C.F.R. § 99.10(b)[37].

4. The Charter School shall maintain a current list of the names and positions of the professional employees who are authorized to have access to personally identifiable information. This list shall be available in Charter School's main office.

B. Record of Access

1. The Charter School shall maintain a record, kept with the education records of each student, which will indicate all parties, except for Charter School officials, including teachers, who have been determined by the Charter School to have legitimate educational interests, who have requested or obtained access to a student's education record and which will indicate specifically the legitimate interest that each such party had in obtaining this information. 20 U.S.C. § 1232g(b)(4)(A)[41].

2. Such record of access shall be available only to the parent or eligible student, to Charter School officials and their assistants who are responsible for the custody of such records, and to persons and organizations authorized to see such records. 20 U.S.C. § 1232g(b)(4)(A)[41].

C. Transfer of Information by Those Gaining Access to Education Records.

the Charter School shall release personal information on a student only on the condition that the party to whom the information is being transferred will not permit any other party to have access to such information without the written consent of the parent or the eligible student.

VII. CHALLENGING THE VALIDITY OF INFORMATION

If the parent or student wishes to challenge any of the information in the student record because of the initial conference, and if the conflict cannot be resolved informally, the following formal procedures will be followed:

A. The parent or student must submit a written request for amendment of the record of the student. The request will contain a brief statement that specifies the records to be amended and the reason that the amendment is requested. This request will be submitted to the CEO.

B. The challenge will be reviewed by Charter School's review panel within a period not to exceed forty-five (45) days from the receipt of the written request.

1. If the Charter School does decide to refuse to amend the information in accordance with the request of the parent, the Charter School shall inform the parent in writing of both the refusal and the specific reasons for the refusal and shall notify the parent in writing of the right to request and receive a hearing.

2. The hearing shall be conducted according to the following provisions:

a. The hearing shall be held at a mutually agreed upon time and place within thirty (30) days after the Charter School received the request for a hearing from the parent.

b. The parent shall be notified in writing of the date, place, and time of the hearing, no later than five (5) days in advance of the hearing.

c. The hearing shall be conducted by the review panel that does not have direct interest in the outcome of the hearing. The duties of the review panel shall be the following:

- to review challenges made by parents and/or students and render decisions as to the correction or deletion of inaccurate or misleading information;
- to grant representative consent in situations where the intervention is judged to be imperative, parental consent cannot be obtained, and there is reasonable doubt as to the capacity of the student to understand the implications of the situation; and
- To grant representative consent to persons or agencies to conduct studies involving the Charter School population under the conditions of anonymity.
- The party conducting the hearing may be a member of the Board of Trustees of the Charter School.
- The parent shall be afforded a full and fair opportunity to present evidence relevant to information in the educational records that the parent believes is inaccurate, misleading, or violates the privacy or rights of the child.

- The parent may, at the hearing, be assisted or represented by persons of his/her choice at his/her expense, and such persons may include legal counsel.

3. The Charter School shall render a written decision on the issues presented at the hearing and shall render such decision within thirty (30) days after the conclusion of the hearing. The decision shall be based solely upon evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

4. If as a result of the hearing the review panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or rights of students, the Charter School shall amend the education records accordingly and so inform the parent in writing.

5. If as a result of the hearing the review panel decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, the review panel shall inform parent of his/her right to place in the educational records of the student a statement which sets forth the written comments of the parent in the educational records of reasons for disagreeing with the decision of the review panel or both written comments and reasons.

6. The statement of the parent shall be appended by the Charter School to the educational records so long as the record or the contested portion thereof is maintained by the Charter School.

7. If the education records of the student or the contested portion thereof are released by the Charter School to any party, the statement of the parent shall also be released to the party.

Nothing in this section on parent requests for amendment of records shall be interpreted to mean that the parent and the Charter School may not, by mutual agreement, meet prior to either a parent request for a hearing or the hearing itself in order to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student.

VIII. DISSEMINATION OF STUDENT INFORMATION

In situations in which the Charter School is asked by other agencies, institutions or individuals to transmit student information to those parties, stringent precautions are required to protect the rights of the student against infringement of privacy, misinterpretation of data and inappropriate use.

A. Release of Information to Educational Officials

The Charter School may, without the consent of parents or student, release appropriate information in a student's permanent record file, including those previously defined in Section II.B. to:

1. All Charter School personnel, other than those directly involved with the child (the child's teacher, the counselor, CEO, etc.) desiring access to pupil records shall be required to sign a written form which will be kept permanently on file, indicating specifically the "legitimate educational interest" that they have in seeking this information. Charter School officials include contractors, consultants, volunteers and other parties with whom the Charter School has outsourced institutional services or functions if this outside party performs such a service or function for which the Charter School would otherwise use a Charter School employee. This outside party must be under direct control of the Charter School with respect to use and maintenance of educational records and is subject to 34 CFR § 99.33(a)[42] governing use and disclosure of personally identifiable information from education records. 99.31(a)(1)[34].
2. Charter School officials responsible for record maintenance. 99.31 (a)(1)[34].
3. The Comptroller General of the U.S., Attorney General of the U.S., the Pennsylvania Secretary of Education and state and local educational authorities as long as the intended use of the data is consistent with the Secretary's statutory powers and responsibilities. 99.31 (a)(3)[34].
4. State and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of FERPA. 99.31 (a)(5)[34].
5. Officials of other school systems in which the student intends to enroll.
    a. The student's parents shall be notified of the transfer and shall receive a copy of the records, if desired.
    b. The student's parents shall have an opportunity to challenge the record's content via a review panel as previously defined.

B. Release of Information to Other Than Educational Officials

1. The Charter School is permitted pursuant to 34 CFR § 99.31[34], to disclose information, without consent for the following purposes:

    a. Appropriate parties including student's parents, law enforcement and Charter School's legal counsel, in connection with a health or safety emergency when such disclosure is necessary to protect the health or safety of the student or others. This disclosure is not subject to the confidentiality restrictions of the ADA or Rehabilitation Act. Charter School's legal counsel may be consulted to determine if the threat is significant enough to warrant disclosure. A record of the significant threat and who received disclosure must be maintained by the Charter School. 99.32(a)(5)[43] and 99.36(a)&(c)[44].

    b. To persons seeking directory information when the Parents have received notification in the form of an Annual Publication of this Policy in a newspaper of general circulation or a school publication of the policy to disclose directory

information without parental consent and the Parents or eligible student has not objected to the release of such information without consent in writing to the Charter School on or before the first day of the school term.

c. To the student who is not an eligible student. 99.31(a)(12)[34].

d. To the Parents of an eligible student who remains a dependent student as defined in the Internal Revenue Code. 99.35(a)[45].

e. To accrediting organizations to carry out accrediting functions. 99.31(a)(7)[34].

f. To comply with a judicial order or lawfully issued subpoena only if the Charter School makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance so that the parent or eligible student may seek protective action. However, the Charter School does not have to notify the parent or eligible student if notification is prohibited by the following:

(i) A Federal grand jury subpoena and the court has ordered that the existence of the subpoena or information furnished shall not be disclosed.

(ii) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence of the subpoena or information furnished shall not be disclosed.

(iii) An ex parte court order obtained by the US Attorney General for certain criminal investigations including those pursuant to the U.S. Patriot Act. Disclosures to the Department of Justice need not be recorded by the Charter School. 99.31(a)(9)[34].

g. To a court, without a subpoena or court order, if the Charter School initiates legal action against a student or parent or if a parent or eligible student initiates legal action against the Charter School for the Student's education records that are relevant for the Charter School to proceed with the legal action or to defend itself. 99.31(a)(9)(ii)(A-C)[34].

h. To comply with the Campus Sex Crimes Prevention Act, regarding education records of a student required to register as a sex offender. 99.31(a)(16)[34].

Charter School personnel may not divulge, in any form to any persons other than the education officials listed above, any information contained in Charter School records except:

1. With written consent from the student's parents specifying records to be released and to whom a copy of the records to be released.

2. When a student reaches the age of eighteen (18), or is an emancipated minor, or is married (whether eighteen or not), his or her consent alone must be obtained unless Student remains a dependent Student as defined in Internal Revenue Code.

3. The Charter School may provide anonymous information from the records for outside research purposes without consent under conditions where the likelihood of identifying any individual because of his/her unique characteristics is negligible.

E. Re-disclosure of Information

1. An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student. The officers, employees, and agents of a party that receives information under this paragraph may use the information, but only for the purposes for which the disclosure was made.

2. Paragraph (1) of this section does not prevent an educational agency or institution from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the educational agency or institution if:

(a) The disclosures meet the requirements of 99.31[34]; and

(b) The educational agency or institution has complied with the requirements of 99.32(b)[43].

3. Paragraph (1) of this section does not apply to disclosures made to parents of dependent students under 99.31(a)(8)[34], to disclosures made pursuant to court orders, lawfully issued subpoenas, or litigation under 99.31(a)(9)[34], to disclosures of directory information under 99.31(a)(11)[34], to disclosures made to a parent or student under 99.31(a)(12)[34], to disclosures made in connection with a disciplinary proceeding under 99.31(a)(14)[34], or to disclosures made to parents under 99.31(a)(15)[34].

4. Except for disclosures under 99.31(a) (9), (11), and (12)[34], an educational agency or institution shall inform a party to whom disclosure is made of the requirements of this section.

5. If the Family Policy Compliance Office determines that a third party improperly re-discloses personally identifiable information from education records in violation of 99.33(a)[42] of this section, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years. 20 U.S.C. §1232g(b)(4)(B)[41].

F. Waiver

Rights of access may be waived for the Charter School's confidential references and/or recommendations submitted as part of the student's process of applying for admission to another educational institution.

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

Legal References:

1. Family Educational Rights and Privacy Act of 1974 ("FERPA")
2. Individuals with Disabilities Education Act ("IDEA")
3. Pennsylvania Public School Code of 1949
4. Chapter 12 of the Pennsylvania Administrative Code
5. 20 U.S.C. §1232g
6. The Code of Federal Regulations, Title 34 Part 99
7. The United States Code § 1232
8. 22 Pa. Code §§ 12.31
9. 20 U.S.C. § 1232g(a)(5)(A)
10. 20 U.S.C. 1232g(4)(b)(1)
11. 34 C.F.R. § 99.3
12. 20 U.S.C. § 1232g(a)(3)
13. 34 C.F.R. § 99.8
14. 20 U.S.C. § 1232g(a)(4)
15. 34 C.F.R. § 300.515
16. 24 P.S. § 13-1302
17. 34 C.F.R. § 99.4
18. 24 P.S. § 17-1715A
19. 20 U.S.C. § 1232g(b)(1)(A)
20. 20 U.S.C. § 1232g(a)(6)
21. 22 Pa. Code § 12.33
22. 22 Pa. Code § 12.31
23. 22 Pa. Code § 12.32
24. 24 P.S. § 13-1307-A
25. 24 P.S. Article XIII-A
26. 24 P.S. §14-1402
27. 24 P.S. § 14-1409
28. 22 Pa. Code §4.52
29. 20 U.S.C. §1232h
30. 22 Pa. Code §4.4
31. 34 C.F.R. §300.300
32. 34 C.F.R. §300.322
33. 24 P.S. §13-1305-A
34. §99.31
35. §99.20
36. 29 U.S.C. Sec. 794
37. 34 C.F.R. § 99.10(e)
38. 34 CFR §300.624
39. 34 C.F.R. § 99.11
40. 34 C.F.R. § 99.12(a)
41. U.S.C. § 1232g(b)(4)(A)
42. 34 CFR § 99.33(a)
43. 99.32(a)(5)
44. 99.36(a)&(c)
45. 99.35(a)

Book	Policy Manual
Section	Operations
Title	Right to Know Policy
Code	614
Adopted	October 15, 2020
Revised	October 20, 2022

Board of Trustees Policy
RIGHT TO KNOW POLICY

In accordance with the Right-to-Know Law, Act 3 of 2008[1], be it resolved that the Board of Trustees of the Chester Community Charter School ("Charter School") hereby establishes the following:

(1) Right-to-Know Law Policy,

(2) Right-to-Know Law Request for Access to Records Form, and

(3) Right-to-Know Law Request Fee Structure.

The Board of Trustees hereby directs that the Right-to-Know Law Policy, Right-to-Know Request for Access to Records Form and Right-to-Know Law Request Fee Structure be posted at Charter School's main administrative office and, if Charter School maintains an Internet website, on Charter School's Internet website together with the following:

(1) Contact information for the Open Records Officer (may be included in the Right-to-Know Law Policy);

(2) Contact information for the Office of Open Records or other applicable appeals officer (may be included in the Right-to-Know Law Policy); and

(3) Any additional Administrative Procedures or regulations that may be developed consistent with this Policy and the Right to Know Law.

The Board will appoint the School Open Records Officer and Deputy Open Records Officer as required, from time to time, by Board action.

This Policy, Form and Fee Structure included herein, hereby replace and supersede all prior Policies, Forms and/or Fee Structures related to the Right-to-Know Law in effect at the Charter School.

In accordance with the Right-to-Know Law, Requesters may elect to access the Official Records Request Form available through the Office of Open Records.

The Board of Trustees of the Charter School directs the appointed Open Records Officer to implement procedures necessary to effectuate this Policy and to adhere to the requirements of the Right-to-Know Law. This policy supersedes and replaces all previously adopted Right-to-Know Law Policies at the

Charter School and any and all procedures related to the Right-to-Know Law at the Charter School shall be modified as consistent with this Policy.

Language in this Policy has been drafted taking into consideration the Right-to-Know Law and information available from and through the Office of Open Records and Pennsylvania Department of Education. Nothing in this policy shall be construed to conflict with applicable state and/or federal laws, including but not limited to the Right-to-Know Law and any and all applicable common law and cases developing from the Right-to-Know Law and/or interpreting the Right-to-Know Law. In the event the Right-to-Know Law is amended or otherwise revised, this Policy shall be interpreted to incorporate any revisions or changes to the Right-to-Know Law without the need for Board action.

The Open Records Officer is the individual designated by the Board to receive, review and respond to all requests directed to the Charter School pursuant to this Policy and applicable law.

A record of the Charter School is public provided the record is not:

(1) Exempt under the Right-to-Know Law;

(2) Exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or

(3) Protected by a privilege.

This Policy shall not be interpreted to require or allow access to any record that is not a Public Record under the Right-to-Know Law.

This Policy shall be interpreted to allow access to or duplication of Public Records to the extent required by the Right-to-Know Law.

For purposes of this Policy, a Requester is a person that is a legal resident of the United States and requests a record pursuant to the Right-to-Know Law. The term includes an agency.

Access to a record or written notice to a Requester granting, denying or partially granting and partially denying access to a record.

The Open Records Officer shall receive requests submitted to the Charter School under the Right-to-Know Law, direct requests to other appropriate persons in accordance with the Right-to-Know Law, track the Charter School ’s progress in responding to requests and issue interim and final Responses under the Right-to Know Law and this Policy.

The Charter School may designate a Public Records Access Room. The function of a Public Records Access Room is to provide a specific, established site where Requesters may have physical access to some or all of the Charter School’s Public Records. If the Board elects not to establish such a room, the Open Records Officer shall determine on an ad hoc basis and in accordance with the Right-to-Know Law the building and room where Public Records will be made available to a Requester and the hours of availability.

In either instance the Open Records Officer has the discretion to establish procedures governing the use of the room including, but not limited to, the hours of access, the need and adequacy of proof of

identification, restrictions or prohibitions on the removal of Records, the use of written requests and the ability of a Requester to bring his or her own equipment into the room.

Procedure for Requesting Records:

Oral requests. The Right-to-Know Law does not require the Charter School to respond to oral requests. The Open Records Officer shall refuse to accept any oral request.

Anonymous requests. The Right-to-Know Law does not require the Charter School to respond to Anonymous requests. The Open Records Officer shall refuse to accept any written request that does not identify the Requester.

Written requests. The Right-to-Know Law requires that the Open Records Officer act upon each non-anonymous written request when such request is submitted in person, by mail, by facsimile or email.

Contents of a request. The Right-to-Know Law sets forth various specifications for the contents of a written request. A Requester must submit a request in writing to the Open Records Officer on a form to be provided by the Open Records Officer or on the Official form issued by the Office of Open Records. The request must be addressed to the Open Records Officer and must set forth the name and address where the Charter School should address its Response. The request should identify or describe the Record or Records sought with sufficient specificity to enable the Charter School to ascertain which Records are being requested. The written request may be submitted in person, by mail, facsimile or email. Any Charter School Employee or Board Member who receives a request directed to the Open Records Officer shall immediately forward that request to the Open Records Officer.

The Right-to-Know Law provides that the Requester need not include the reason for the request or the intended use of the Records. Therefore, the Open Records Officer shall not insist that such a statement be provided, nor shall the Charter School reject or refuse a request on the grounds that no such reason was given.

Forms. The Charter School may create or adopt forms for use by Requesters in preparing written requests. In the absence of a form created by the Charter School, the Open Records Office's official Form must be used.

Identification. As the Right-to-Know Law states that the Charter School provide a Requester with access to a Public Record if the Requester is a legal resident of the United States, the Charter School may require the Requester to produce photographic identification to the extent allowed by the Right-to-Know Law.

Address all Open Records Requests to:

Open Records Officer

Chester Community Charter School

302 East Fifth Street

Chester, PA 19013

The Charter School shall post this information to its website and shall post it at a location that is publicly accessible.

The Right-to-Know Law provides that, upon receipt of a written Open Records Request, the Charter School must make a good faith effort to determine if the requested Record is a Public Record, financial record, or legislative record and to respond as promptly as possible under the circumstances existing at the time of the request, and that this time shall not exceed five (5) business days from the date the written request is received by the Charter School's Open Records Officer.

The five (5) business day period does not begin to run until the Charter School's designated Open Records Officer has received a written request in accordance with the Right-to-Know Law and this Policy. If an Open Records Request is submitted to the Charter School or to some Officer or employee of the Charter School other than the Open Records Officer, the five (5) business day period has not yet begun.

Either a final or an interim written Response must be made within five (5) business days from the date that the Open Records Officer received the request. If the Open Records Officer fails to respond within that time period, the Open Records Request is deemed denied.

The Right-to-Know Law and this Policy contemplate that Requesters will receive a Response within the five (5) business day period. However, the Right-to-Know Law and this Policy also provide the Charter School with certain specific exceptions to invoke a single extension of time, which may not exceed thirty (30) calendar days. If an extension is invoked and then there is no timely Response, the Open Records Request is deemed denied. Likewise, if the Open Records Officer notifies the Requester that it needs more than the maximum of thirty (30) days, the request is deemed denied.

Processing of Open Records Requests by the Open Records Officer:

Upon receiving an Open Records Request, the Open Records Officer shall, at a minimum, promptly complete the following tasks to the extent required by the Right-to-Know Law:

(i) Date-stamp or otherwise note the date of receipt on the Open Records Request.

(ii) Compute the day on which the five (5) business day period will expire and make a notation of that date.

(iii) Maintain a paper or electronic copy of the Open Records Request, including all documents submitted with it and the envelope (if any) in which it was received.

iv) Create an official file for the retention of the original Open Records Request.

(v) Make a good faith effort to determine if the record requested is a Public Record and if the Charter School has possession, custody or control of the record.

(vi) Maintain a copy of the Charter School's Response to the request.

For purposes of determining the five (5) business-day period:

(i) A business day shall be from 8:00 a.m. until 4:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday, except those days when the offices of the Charter School are closed for all or part of a day due to a holiday; due to severe weather (such as a blizzard or ice storm); due to natural or other disaster; or due to the request or direction of local, state, or federal law enforcement officers.

(ii) Any Open Records Request received by the Open Records Officer after the close of its regular business hours shall be deemed received by that office on the following business day.

(iii) For purposes of determining the end of the five (5) business day period, the day that an Open Records Request is received (or deemed received) is not counted. The first day of the five (5) business day period is the Charter School's next business day.

The act of providing a Requester with physical access to a document or a copy of the requested Record, in the Open Records Office, is a "Response" for purposes of this Open Records Policy. Unless the Charter School issues written policies to the contrary, only the Open Records Officer possesses the authority to permit this access.

Where timely access is not provided in accordance with above, the Act requires that the Charter School's Response be in writing. The Open Records Officer has the duty to prepare and send written Responses. In preparing a written Response, the Open Records Officer should consult, as necessary, with the Solicitor.

The Charter School is not required to create a Public Record that does not already exist, nor is the Charter School required to compile, maintain, format, or organize a Public Record in a manner in which the Charter School does not currently do so.

The Open Records Office shall send written Responses to Requesters by one of the following, in its discretion: United States mail, facsimile transmission; electronic transmission; overnight or parcel delivery service; or, courier delivery.

Access to Public Records:

Unless otherwise provided by law, a Public Record, legislative record or financial record shall be accessible for inspection and duplication in accordance with the Right-to-Know Law and this Policy. A Public Record, legislative record or financial record being provided to a Requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. Public Records, legislative records or financial records shall be available for access during the regular business hours of the Charter School.

The Charter School shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the Charter School does not currently compile, maintain, format or organize the record.

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 Charter School will provide access to inspect the record electronically. If the Requester is unwilling or unable to access the record electronically, the Requester may, within thirty days following receipt of the notification, submit a written request to the Open Records Officer to have the record converted to paper. The Charter School shall

provide access to the record in printed form within five days of the receipt of the written request for conversion to paper.

The Act requires that, unless otherwise provided by law, the Public Records of the Charter School must be accessible for inspection by any Requester during the regular business hours of the Charter School. Unless the Charter School adopts written policies to the contrary, the regular business hours of the Charter School for purposes of the Act are from 8:00 a.m. until 4:00 p.m. on any business day.

Access shall be provided by the Open Records Officer either in the Open Records Office or the Public Records Access Room, at the discretion of the Open Records Officer, depending on the size, complexity or other circumstances of the request.

Notice of Review:

Upon receipt of a written request for access, the Open Records Officer shall determine if one of the following applies:

(A) The request for access requires redaction of a record in accordance with the Right-to-Know Law;

(B) The request for access requires the retrieval of a record stored in a remote location;

(C) A timely Response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;

(D) A legal review is necessary to determine whether the record is a record subject to access under this act;

(E) The Requester has not complied with the agency's policies regarding access to records;

(F) The Requester refuses to pay applicable fees authorized by this act; or

(G) The extent or nature of the request precludes a Response within the required time period.

Upon a determination that one of the above factors applies, the Open Records Officer shall send written notice to the Requester within five (5) business days of receipt of the request for access. The notice shall include a statement notifying the Requester that the request for access is being reviewed, the reason for the review, a reasonable date that a Response is expected to be provided and an estimate of applicable fees owed when the record becomes available. If the date that a Response is expected to be provided is in excess of thirty (30) days, following the five (5) business days allowed for in the Right-to-Know Law, the request for access shall be deemed denied unless the Requester has agreed in writing to an extension to the date specified in the notice.

If the Requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if the Charter School has not provided a Response by that date.

Written Final Responses:

Types of final Responses. The Act provides for three (3) types of written final Responses:

(i) The Charter School grants the entire Open Records Request;

(ii) The Charter School refuses the entire Open Records Request;

(iii) The Charter School grants part of the Open Records Request and refuses the remainder.

The failure of the Charter School to make a timely final Response is a Deemed Denial under the terms of the Act. Final Responses that deny Open Records Requests, both in whole or in part, shall be in writing by the Open Records Officer and include all of the following:

(i) A description of the record requested;

(ii) The specific reasons for the denial, including a citation of supporting legal authority;

(iii) The typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued;

(iv) Date of the Response; and

(v) The procedure to appeal the denial of access under the Right-to-Know Law.

If the Open Records Officer grants the request, the Response shall so inform the Requester and include any necessary information for access.

Redaction:

If the Charter School determines that a Public Record, legislative record or financial record contains information which is subject to access as well as information which is not subject to access, the Charter School's Response shall grant access to the information which is subject to access and deny access to the information which is not subject to access. If the information which is not subject to access is an integral part of the Public Record, legislative record or financial record and cannot be separated, the Charter School shall redact from the record the information which is not subject to access, and the Response shall grant access to the information which is subject to access. The Charter School may not deny access to the record if the information which is not subject to access is able to be redacted. Information which the Charter School redacts in accordance with the Right-to-Know Law shall be deemed a denial under the Right-to-Know Law.

Appeals:

If a written request for access to a record is denied or deemed denied, the Requester may file an appeal with the Office of Open Records or judicial, legislative or other appeals officer designated under the Right-to-Know Law within fifteen (fifteen (15)) business days of the mailing date of the Charter School's Response or within fifteen (fifteen (15)) business days of a deemed denial. The appeal shall state the

grounds upon which the Requester asserts that the record is a Public Record, legislative record or financial record and shall address any grounds stated by the Charter School for delaying or denying the request. Unless otherwise provided by applicable law, the Office of Open Records shall assign an appeals officer to review the denial.

A person other than the Charter School or Requester with a direct interest in the record subject to an appeal under this section may, within fifteen (15) days following receipt of actual knowledge of the appeal but no later than the date the appeals officer issues an order, file a written request to provide information or to appear before the appeals officer or to file information in support of the Requester's position. Copies of the written request shall be sent to the agency and the Requester.

Posting:

The following information shall be posted at the Charter School and, if the Charter School maintains an Internet website, on the Internet website:

(A) Contact information for the Open Records Officer.

(B) Contact information for the Office of Open Records or other applicable appeals officer.

(C) A form which may be used to file a request.

(D) Regulations, policies and procedures of the Charter School relating to the Right-to-Know Law.

Current Information for the Office of Open Records:

Mailing Address:

Commonwealth of Pennsylvania

Office of Open Records

Commonwealth Keystone Building

333 Market Street, 16th Floor

Harrisburg, PA 17101-2234

Phone: 717-346-9903

Fax: 717-425-5343

Email: openrecords@pa.gov

The Charter School may deny a Requester access to a record if the Requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the Charter School. Such denial shall not restrict the ability to request a different record.

The Charter School may deny a Requester access:

(i) When timely access is not possible due to fire, flood or other disaster; or

(ii) To historical, ancient or rare documents, records, archives and manuscripts when access may, in the professional judgment of the curator or custodian of records, cause physical damage or irreparable harm to the record. To the extent possible, the contents of such a record shall be made accessible to a Requester even when the record is physically unavailable.

If, in Response to a request, the Charter School produces a record that is not a Public Record, legislative record or financial record, the Charter School shall notify any third party that provided the record to the agency, the person that is the subject of the record and the Requester. the Charter School shall notify a third party of a request for a record if the third party provided the record and included a written statement signed by a representative of the third party that the record contains a trade secret or confidential proprietary information. Notification shall be provided within five (5) business days of receipt of the request for the record. The third party shall have five business days from receipt of notification from the agency to provide input on the release of the record. The Charter School shall deny the request for the record or release the record within ten (10) business days of the provision of notice to the third party and shall notify the third party of the decision.

A Public Record shall be accessible for duplication by a Requester. The Charter School does not make duplication equipment available to a Requester but shall provide other means by which a Requester may obtain copies.

The Charter School will assign its own staff to make the duplications requested by the Requester; or it may contract for duplication services and require that the Requester pay the contractor for those services. The Charter School shall charge the Requester a reasonable fee(s) that is consistent with the prevailing charges in the geographic location where the duplication occurs.

Retention and Disposal of Public Records:

There are statutes, regulations and other laws that regulate the Charter School's retention and disposition of Records. The Charter School shall follow the mandates of these laws and regulations. Neither the Act nor this policy modifies, rescinds or supersedes any retention or disposition schedule established pursuant to law or other regulation.

Reasonable fees and charges as permitted by the Right-to-Know Law shall be established by the Board via Resolution and Established Fee Structure. The Board-approved list of fees shall be available for review by Requesters.

Such a fee structure may be amended from time to time as appropriate, using the standards provided in the Right-to-Know Law and shall not exceed the fee structure recommended by the Office of Open Records.

If the fee is for copying only and the anticipated cost exceeds $100.00, the Charter School may allow access to the Records but shall refuse to make copies until the fee is paid. If the fee is for redacted copies or some other allowable service that is necessary in order for access to be provided, the Charter School may deny access until the fee is paid. At no time will the Charter School accept cash as a method of payment.

The Charter School shall not charge a fee for review of a record to determine whether the record is subject to access.

All copies must be retrieved within ninety (90) days of the Charter School Response or the Charter School may, in the discretion of the Open Records Officer and to the extent allowed by law, dispose of copies made. The Requester remains responsible for fees incurred to the extent allowed by the Right-to-Know Law.

The Open Records Officer may waive fees set by the Board on a case-by-case basis consistent with applicable state and federal law.

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

Legal References:

1. Right-to-Know Law, Act 3 of 2008

CHESTER COMMUNITY CHARTER SCHOOL

RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED:_____

REQUEST SUBMITTED BY: □E-MAIL □U.S. MAIL □FAX □IN-PERSON

NAME OF REQUESTER:_____

STREET ADDRESS:_____

CITY/STATE/COUNTY (Required):_____

TELEPHONE (Optional):_____

RECORDS REQUESTED: (*Provide as much specific detail as possible so the agency can identify the information.)

_____

_____

_____

DO YOU WANT COPIES? □YES □NO

DO YOU WANT TO INSPECT THE RECORDS? □YES □NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? □YES □NO

OPEN RECORDS OFFICER: Open Records Officer
Chester Community Charter School
302 East Fifth Street
Chester, PA 19013

DATE RECEIVED BY CHARTER SCHOOL:

FIVE (5) BUSINESS-DAY RESPONSE DUE:

*If the requester wishes to pursue the relief and remedies provided for in the Right-to-Know Law, the request must be in writing. (Section 702.) Written requests need not include an explanation as to why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)

Chester Community Charter School
Right-to-Know Law Request Fee Structure

The Right-to-Know law requires the establishment of a fee structure. The Chester Community Charter School ("Charter School") establishes the following fee structure in accordance with the Law and has derived this structure upon review of the Open Records Office's Recommended Structure. The Law requires that the Office of Open Records review the fee structure biannually. For more information, please visit the Office of Open Records' Official Fee Schedule:

https://www.openrecords.pa.gov/RTKL/FeeStructure.cfm .

Fee Structure

Record Type / Delivery Method	Fee
Black & White Copies (first 1,000) Black & White Copies (beyond 1,000)	Up to $0.25 per copy. Up to $0.20 per copy.
Color Copies	Up to $0.50 per copy.
Specialized Documents (3)	Up to actual cost.
Records Delivered via Email or Other Electronic Method	No additional fee may be imposed.
CD / DVD	Up to actual cost, not to exceed $1.00 per disc.
Flash Drive	Up to actual cost.
Facsimile	Up to actual cost.
Other Media	Up to actual cost.
Redaction	No additional fee may be imposed.
Conversion to Paper	Up to $0.25 per page.
Photographing a Record	No additional fee may be imposed.
Postage	Up to actual cost of USPS first-class postage.
Certification	Up to $5.00 per record.

Please Also Be Advised in regard to the Right-to-Know Law Fee Structure:

Statutory Fees: If a separate statute authorizes the Charter School to charge a set amount for a certain type of record, the Charter School may charge no more than that statutory amount.

Inspection of Redacted Records: If a Requester wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information, the Charter School shall redact the non-public information. The Charter School may not charge the Requester for the redaction. However, the Charter School may charge for the copies it must make of the redacted material in order for the Requester to view the public record. The fee structure outlined above will apply. If, after inspecting the records, the Requester chooses to obtain the copies, no additional fee may be charged.

Enhanced Electronic Access: If the Charter School offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a Requester, the Charter School may establish user fees specifically for the **provision** of the enhanced electronic access, but only to the extent that the enhanced electronic access is in addition to making the records accessible for inspection and duplication by a Requester as required by the Right-to-Know Law. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access or any other reasonable method and any combination thereof. The user fees for enhanced electronic access must be reasonable, must be pre-approved by the Office of Open Records and shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency. Any request is to be submitted to the Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.

Fee Limitations: Except as otherwise provided by statute, the law states that **no other fees may be imposed** unless the Charter School necessarily incurs costs for complying with the request, and such fees must be reasonable. No fee may be imposed for a review of a record to determine whether the record is a Public Record, legislative record or financial record subject to access. No fee may be charged for searching **for** or retrieval of documents. The Charter School may not charge staff time or salary for complying with a Right-to-Know request.

Prepayment: Prior to granting a request for access, the Charter School may require a Requester to **prepay** an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed $100.

Once the request is fulfilled and prepared for release, the Office of Open Records recommends **that** the Charter School obtain the cost of the records prior to releasing the records. This recommendation is designed to avoid situations in which the Charter School provides the records and the Requester fails to submit payment.

Book	Policy Manual
Section	Operations
Title	Acceptable Use and Internet Safety Policy
Code	615
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

ACCEPTABLE USE AND INTERNET SAFETY POLICY

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

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

This policy is intended to fulfill requirements of state and federal laws to the extent applicable, including the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. §§ 254(h) and (l)[1] and the Neighborhood Children's Internet Protection Act (NCIPA)[2], the 2008 Broadband Improvement Act, P.L. 110-385[3] and any applicable implementing regulations. As such, this policy addresses the following:

(A) Access by minors to inappropriate matter on the Internet and World Wide Web;

(B) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

(C) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;

(D) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and

(E) Measures designed to restrict minors' access to materials harmful to minors.

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

*** This Policy reappears in the "Student" section, Policy #925, for convenience purposes only*

Definitions

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

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

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.

18 U.S.C.A. §2256(8)[4]

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

18 PA CSA §6312(d)[5]

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

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

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

Miller v. California, 413 U.S. 15 (1973)[6].

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

Sexual Act and Sexual Contact. Has the meanings given such terms under 18 U.S.C. § 2246(2)[7] 18 U.S.C. § 2246(3)[7], and 18 Pa.C.S.A. § 5903[8].

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

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

User. Any person who has signed this policy and is permitted by the Charter School to utilize any portion of the Charter School's Technology Resources including, but not limited to, students, parents, employees, Board of Trustee members, contractors, consultants, vendors and agents of the Charter School.

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

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

Authorized Users

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

User Privacy

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

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

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

Technology Administration

The Board directs the Chief Executive Officer of the Charter School (CEO) or his/her designee to assign trained personnel to maintain the Charter School's technology in a manner that will protect the Charter

School from liability and will protect confidential student and employee information retained on or accessible through the Charter School's Technology Resources.

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

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

Content Filtering and Monitoring

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

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

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

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

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

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

Viruses

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

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

To ensure security and avoid the spread of viruses, Users accessing the Internet through a Technology Resources attached to the Charter School's network must do so through an approved Internet firewall or Technology Protection Measure.

Encryption Software

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

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

Web Content Developed By Students

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

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

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

Prohibitions

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

1. To facilitate illegal activity, including unauthorized access and hacking;
2. To engage in commercial, for-profit, or any business purposes, except where such activities are otherwise permitted or otherwise authorized;
3. Non-work or non-school related work;
4. Product advertisement or political lobbying;
5. Production or distribution of hate mail, unlawfully discriminatory remarks, and offensive or inflammatory communication;
6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials;
7. To access or transmit material that is harmful to Minors and/or Users, indecent, Obscene, pornographic, Child Pornographic, terroristic, or advocates the destruction of property;
8. Use of inappropriate language or profanity;
9. To transmit material likely to be offensive or objectionable to recipients;
10. To intentionally obtain or modify files, data and passwords belonging to other Users, or integral to system and network operations;
11. Impersonation of another User, anonymity and/or use of pseudonyms;
12. Loading or use of unauthorized games, programs, files, or other electronic media;
13. To disrupt the work of other Users;
14. Destruction, modification, or abuse of Technology Resources and peripheral hardware or software;
15. Relocation of Charter School hardware without prior administrative consent;
16. Quoting personal communications in a public forum without the original author's prior consent;
17. To access or use any form of electronic mail on Charter School Technology Resources unless authorized by the CEO or his/her designee;
18. Using the network to participate in online or real-time conversations unless authorized by the teacher/administrator for the purpose of communicating with other classes, students, teachers, experts or professionals for educational purposes;
19. Using a disk, removable storage device or CD/DVD brought into the Charter School from an outside source that has not been properly scanned for viruses or authorized for use by a teacher/administrator in accordance with Charter School established procedures;
20. To discriminate against, advocate violence against, harass, intimidate, bully or cyberbully others;
21. To send unsolicited ("spamming") or forwarded e-mails and chain letters to persons;

22. Using "spoofing" or other means to disguise User identities in sending e-mail or other electronic communication via bulletin boards, newsgroups, social networking sites, instant messages, e-mail systems, chat groups, chat rooms, or through other Technology Resources;

23. To send, transmit or otherwise disseminate proprietary data, trade secrets, or other confidential information of the Charter School;

24. Posting or allow the posting of personal information about themselves or other people on the Technology Resources unless authorized by the CEO. Personal information includes address, telephone number (including home, work and cell phone numbers), school address, work address, pictures or video bites, clips, etc.;

25. To refer to or attempt to refer to the Charter School or its employees, agents, trustees, parents or students in any electronic communication, posting, blog, website, e-mail or social networking site, without written authorization of the CEO;

26. To access or transmit gambling, pools for money, or any other betting or games of chance;

27. To solicit information with the intent of using such information to cause personal harm or bodily injury to another or others;

28. Posting, sharing or attempting to post information that could endanger an individual, cause personal damage or a danger of service disruption; and

29. Indirectly or directly making connections that create "backdoors" to the Charter School, other organizations, community groups, etc. that allow unauthorized access to the Technology Resources or the Charter School.

30. Any conduct that is contrary to the requirements set forth in the Family/Student Handbook, Employee Handbook or any other Charter School related Policies and Procedures.

Security

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

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

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

1. Students and other Users shall not reveal their passwords to another unauthorized individual.

2. Passwords shall not be printed or stored online.
3. Students and other Users are required to log off from the network when they complete working at a particular station.
4. Users are not to use a computer that has been logged in under another student's, teacher's or User's name.
5. Any User identified by the CEO or his/her designee as having a history of discipline problems involving Technology Resources may be denied access to any or all of the Charter School's Technology Resources.
6. Students and other Users shall not alter a communication originally received from another person or computer with the intent to deceive.
7. Users shall not misrepresent the identity of a sender or source of communication.
8. Users shall not disable or circumvent any Charter School security; software or hardware.
9. Users shall not interfere with or disrupt the Charter School's systems, network accounts, services or equipment.
10. Files, system security software/hardware or any Charter School system shall not be altered or attempt to be altered without the written authorization of the CEO or his/her designee.
11. Unauthorized hardware and electronic devices shall not be connected to the Charter School system.
12. Users shall comply with requests from the CEO or his/her designee to discontinue activities that threaten the operation or integrity of the Charter School system.

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

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

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

Students Using Approved Personal Technology For Classroom Use

The Charter School retains the right to determine where and when personal technology may access the Charter School network. The CEO or designees will determine if Users are permitted to connect on a space-available basis and Charter School resources will receive priority over non-Charter School equipment and may connect on a space-available basis and Charter School resources will receive priority

over non-Charter School equipment. Peripheral devices such as printers may not be disconnected from the network and connected to personal technology.

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

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

File storage on the network is limited to schoolwork only.

The Students must supply all necessary hardware and software in order to be permitted to use personal technology in the classroom.

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

Photos, digital images, videos, and recordings taken of Charter School students and staff without their consent or knowledge will not be tolerated. Violators will be subject to disciplinary actions including but not limited to loss of privileges to possess and use electronic devices on Charter School property, at Charter school sponsored events/activities and on Charter School transportation.

Personal technology discovered on the Charter School network without authorization from the CEO and/or his/her designee shall be confiscated.

Safety

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

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

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

1. Utilizing technology protection measures that block or filter Internet access for minors and adults to certain visual depictions that are Obscene, Child Pornography, harmful to minors with respect to use by Minors, or determined inappropriate for use by Minors by the Board of Trustees.

2. Approved employees and/or vendors with access to the room that contains Charter School's server.
3. Removing terminated employees and vendors from the Charter School's system in a timely manner.
4. Analyzing the impact of proposed program changes in relation to other critical business functions before adopting the proposed program changes.
5. Developing compensating controls to mitigate information technology (IT) weakness to student data, i.e. reconciliations to manual records, analysis of student trends, data entry procedures and review, etc.

Vendors

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

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

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

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

Closed Forum

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

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

Records Retention

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

In the case of pending or threatened litigation, the Charter School's attorney will issue a litigation hold directive to the CEO or his/her designee. A hold directive will direct all Charter School administration and staff not to delete or destroy any electronic mail or other documentation on a computer as related to a specific student, employee, issue and/or for a specific time period. Failure to follow such a directive could result in negative legal consequences for the User and/or within the actual or threatened litigation. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the Charter School's attorney.

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

Drafting E-mails

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

Privileged Attorney-Client Communications

Confidential e-mail sent to or retained from counsel or an attorney representing the Charter School shall include this warning header on each page: "ATTORNEY CLIENT PRIVILEGED: DO NOT FORWARD WITHOUT PERMISSION" or some other similar warning header that communicates the privileged nature of the communication.

Damages

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

No Warranty/No Endorsement

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

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

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

Unauthorized Disclosure of Information of Minors

It is a violation of state laws, including, but not limited to Chapter 12 of Title 22 of the Pennsylvania Code, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g)[9] and all other federal laws and regulations, to access data of a student the User does not have a legitimate educational interest in or to disclosure information about a student without parental permission or absent an exception to the disclosure requirements. Access and distribution of student data is recorded.

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

Compliance with Applicable Laws and Licenses

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

Violations of Acceptable Technology Usage Policies and Procedures

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

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

Consequences for Inappropriate Use

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

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

General rules for behavior and communications apply when using the Internet or any Charter School Technology Resource. Suspension of access, loss of access and other disciplinary actions may be consequences for inappropriate use. Vandalism may result in cancellation of access privileges, discipline and possible criminal action.

Cessation of Access

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

Education of Technology Resource Users

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

No Additional Rights

This Policy is not intended for and does not grant Users any contractual rights.

Users of the Charter School's Technology Resources must review this policy closely and sign and return to Charter School a form acknowledging receipt and acceptance of the terms in this policy, which is attached hereto. Venue for any legal action arising out of an alleged and/or actual violation of the attached Agreement(s) shall be in Montgomery County, Pennsylvania.

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

Legal References:

1. 47 U.S.C. §§ 254(h) and (l)[1]
2. Neighborhood Children's Internet Protection Act (NCIPA)
3. 2008 Broadband Improvement Act, P.L. 110-385
4. 18 U.S.C.A. §2256(8)
5. 18 PA CSA §6312(d)
6. Miller v. California, 413 U.S. 15 (1973)
7. 18 U.S.C. § 2246(2)
8. 18 Pa.C.S.A. § 5903
9. 20 U.S.C. § 1232g

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

Dear Parent/Guardian:

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

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

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

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

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

I shall respect the privacy of other Users and will not make any attempts to gain access into the private

mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.

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

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

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

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

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

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

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

X

_____

(User Signature) **(Date)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

X

_____

(User Signature) **(Date)**

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

Acknowledgement of the Acceptable Use and Internet Safety Policy (Administrator and Staff User Agreement)

I, _____, a User of **Chester Community Charter School's** ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

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

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

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

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

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

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

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

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

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

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

By signing below, I agree to abide by the Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

_____

(User Signature) **(Date)**

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

Acknowledgement of the Acceptable Use and Internet Safety Policy (Vendor, Contractor and/or Consultant Agreement)

I, _____, a User of **CHESTER COMMUNITY CHARTER SCHOOL'S** ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

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

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

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

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

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

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

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

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

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

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

By signing below, I agree to abide by the Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

_____

(User Signature) **(Date)**

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

Book	Policy Manual
Section	Operations
Title	Breach of Electronic Information Policy
Code	616
Adopted	October 15, 2020

Board of Trustees Policy

BREACH OF ELECTRONIC INFORMATION POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the role that technology plays in its daily operations. As such, the security of the Charter School's electronic system and the prevention of a possible breach of electronic information is a priority of the Board. Therefore, the Board directs the Chief Executive Officer of the Charter School (CEO) or his/her designee to create a data breach threat response team of qualified staff and/or authorized vendors to respond to incidences where the unencrypted and un-redacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons from the Charter School's computerized systems, networks or other storage.

Definitions - 73 P.S. § 2302[1]

"Breach of the security of the system." The unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the entity as part of a database of personal information regarding multiple individuals and that causes or the entity reasonably believes has caused or will cause loss or injury to any resident of this Commonwealth. Good faith acquisition of personal information by an employee or agent of the entity for the purposes of the entity 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 entity and is not subject to further unauthorized disclosure.

"Business." A sole proprietorship, partnership, corporation, association or other group, however organized and whether or not organized to operate at a profit, including a financial institution organized, chartered or holding a license or authorization certificate under the laws of this Commonwealth, any other state, the United States or any other country, or the parent or the subsidiary of a financial institution. The term includes an entity that destroys records.

"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.

"Entity." A State agency, a political subdivision of the Commonwealth or an individual or a business doing business in this Commonwealth.

"Individual." A natural person.

"Personal information."

(1) An individual's first name or first initial and last name in combination with and linked to any one or more of the following data elements when the data elements are not encrypted or redacted:

(i) Social Security number.

(ii) Driver's license number or a State identification card number issued in lieu of a driver's license.

(iii) 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.

(2) The term does not include publicly available information that is lawfully made available to the general public from Federal, State or local government records.

"Records." Any material, regardless of the physical form, on which information is recorded or preserved by any means, including in written or spoken words, graphically depicted, printed or electromagnetically transmitted. The term does not include publicly available directories containing information an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.

Notice

Following discovery of a breach of electronic information by the Charter School, the CEO or his/her designee shall ensure notice of the breach is provided to those whose information is reasonably believed to have been accessed and acquired by an unauthorized person. Unless advised by a law enforcement agency in writing, this notice of the breach shall be sent as soon as possible, and/or once the Charter School has assessed the breach in its entirety and taken necessary steps to prevent future breaches in this manner.

Notice may be provided by any of the following methods of notification:

1) Written notice to the last known home address for the individual.
2) Telephonic notice, if the individual can be reasonably expected to receive it and the notice is given in a clear and conspicuous manner, describes the incident in general terms and verifies personal information but does not require the individual to provide personal information and the individual is provided with a telephone number to call or Internet website to visit for further information or assistance.
3) E-mail notice, if a prior business relationship exists and the Charter School has a valid e-mail address for the individual.
4) (i) Substitute notice, if the Charter School can demonstrate one of the following:
   a) The cost of providing notice would exceed $100,000.
   b) The affected class of subject persons to be notified exceeds $175,000.
   c) The Charter School does not have sufficient contact information.

   (ii) Substitute notice shall consist of all of the following:

   (1) E-mail notice when the Charter School has an e-mail address for the subject persons.

   (2) Conspicuous posting of the notice on the Charter School's Internet website.

   (3) Notification to major Statewide media.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 73 P.S. § 2302

Book	Policy Manual
Section	Operations
Title	Copyright Material Policy
Code	617
Adopted	October 15, 2020

Board of Trustees Policy

COPYRIGHT MATERIAL POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that applicable laws make it illegal for anyone to duplicate copyrighted materials without permission. The Board further acknowledges that severe penalties are provided for unauthorized copying of audio, visual, or printed materials unless the copying falls within the bounds of the "fair use" doctrine.

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 determining whether the use of a work is a "fair use," factors to be considered shall include, without limitation:

a) The Purpose and Character of the Use. The use must be for such purposes as teaching or scholarship and must not be of a commercial nature.

b) The 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.

c) The Amount and Substantiality of the Portion Used in Relation to the Copyrighted Work as a Whole. Copying the whole of a work cannot be considered fair use.

d) The Effect of Use Upon The Potential Market For Or Value of The Copyrighted Work. If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Staff may make copies of copyrighted Charter School materials that fall within established administrative guidelines. Where there is reason to believe the material to be copied does not fall within the administrative guidelines, prior permission shall be obtained from the Chief Executive Officer.

Staff members who fail to follow this policy may be held personally liable for copyright infringement.

Administration and staff shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately.

It is the policy of the Charter School that all professional materials produced by employees, in execution of official duties, shall be protected by copyright. The copyright shall be in the name of Charter School.

All questions and requests regarding the implementation of this policy are to be referred to the President of the Board of Trustees.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Remote Access and Monitoring of School-Issued Technology – Students and Employees
Code	618
Adopted	October 15, 2020

Board of Trustees Policy

REMOTE ACCESS AND MONITORING OF SCHOOL-ISSUED TECHNOLOGY - STUDENTS AND EMPLOYEES

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

Definitions

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

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

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

Repair and Maintenance of Technology Resources

Technology Resources are the property of the Charter School**.** Students and employees are responsible for the appropriate use of Technology Resources whether in the Charter School facility or if used in the student's or employee's home in accordance with Charter School policies. If Technology Resources are

in need of repair, service or other maintenance, students and employees are to report to repairs to the IT Department. Students and employees should not attempt to repair or service any Technology Resources. Vandalism to any Technology Resource or any of their accessories is strictly prohibited by the Charter School Student Code of Conduct and Employee Handbook.

Remote Access

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

1. Technical Problems. In some instances, it may be necessary for Charter School or its designee to access the Technology Resource remotely to resolve a technical problem. If this is needed, the student or employee may be asked for permission. Software maintenance may involve the correction of altered code or programming and in some cases may remove files from the Technology Resource if the files are deemed to be a threat to the operation or security of the Network or are stored in unauthorized software.

2. A Technology Resource Reported Missing or Stolen. If the student (or parent/guardian) or employee believes the Technology Resource is missing or stolen, a written report of the incident must be filled out by the student (and parent/guardian) or employee and filed with the IT Department. Once the report is filed, the Charter School or designee may initiate the following procedures for reporting Technology Resources missing or stolen which provide as follows:

    i. Activate Internet Protocol tracking may be used for the sole purpose of retrieving the equipment.

    ii. At no time will the Technology Resource's camera be activated remotely nor will screen shots, audio, video or on-screen text be remotely monitored.

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

Review of Records

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

Review of Student or Employee Files

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

- After the Student or Employee Technology Resource has been returned for reason of end of school year, disenrollment or for a replacement Technology Resource because of a defective Technology Resource.

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

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

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Internet Security/Firewall Policy
Code	619
Adopted	October 15, 2020

Board of Trustees Policy

INTERNET SECURITY/FIREWALL POLICY

With the recent onset of technological advancements, server security has become vulnerable to numerous threats throughout the web environment. Therefore, the Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that it is of the utmost importance to ensure that Charter School's internet server is secure. With this in mind, the Charter School has developed the following policy to provide direction in implementing internet server and network security measures.

Definitions

Firewall: Any hardware and/or software designed to examine network traffic using policy statements (rulesets) to block unauthorized access while permitting authorized communications to or from a network or electronic equipment.

Firewall Configuration: The system settings affecting the operation of a firewall appliance.

Firewall Ruleset: A set of policy statements or instructions used by a firewall to filter network traffic.

Host: Any computer connected to a network.

Host Firewall: A firewall application that addresses a separate and distinct host. Examples include, but are not limited to: Symantec's Norton Personal Firewall, Zone Labs' ZoneAlarm, native firewall functionality supplied under operating systems, e.g. Mac OS, Linux, Windows.

Least privilege: This principle means that each individual will have access only to systems and information that he or she *needs* access to for a school-related purpose. Primarily, this principle limits the damage that can result from an accident or error.

Legally/Contractually Restricted Information: Information that is required to be protected by applicable law or statute (e.g., FERPA, HIPPA) or which, if disclosed to the public, could expose Charter School to legal or financial obligations. Examples include, but are not limited to, occurrences of personally-identifiable information, e.g. social security numbers ("SSNs"), personnel records, student records, medical records, names in connection with SSNs, and credit card numbers.

Network Device: Any physical equipment attached to the Charter School network designed to view, cause, or facilitate the flow of traffic within a network. Examples include, but are not limited to: routers, switches, hubs, and wireless access points.

Network Firewall: A firewall appliance attached to a network for the purpose of controlling traffic flows to and from single or multiple hosts or subnets.

Public Information: Information that is available to all members of the Charter School community and may be released to the general public. Charter School reserves the right to control the content and format of Public Information. This information is not restricted by charter school, state, federal or international statute or law regarding disclosure or use.

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

User: Any person who has signed Charter School's Acceptable Use and Internet Safety Policy and is permitted by Charter School to utilize any portion of Charter School's Technology Resources including, but not limited to, students, employees, contractors, consultants, vendors, and agents of Charter School.

Use of Technology

Network accounts will be used only by the authorized User of the account for its authorized purpose. The principle of least privilege applies, so Users should only have the privileges they need to perform their assigned tasks -- and no more. All communications and information accessible via the network should be assumed to be the property of Charter School and shall not be disclosed. Charter School reserves the right to review all communication on Charter School's Technology Resources. Users shall respect the privacy of the other Users on the system.

The Users of Technology Resources at Charter School agree that they have the responsibility to act in an ethical and legal manner in accordance with all Charter School policies, including, but not limited to, Charter School's Acceptable Use and Internet Safety Policy, CIPA Policy, and FERPA Policy, along with all applicable federal and state laws.

Security/Firewalls

Network servers are extremely important for the existence of Charter School. Servers are essential because they store confidential information, valuable resources, e-mails, and other resources of the Charter School community. Once a server is compromised, it may be very difficult to retrieve important documents and files.

Therefore, all important data must be backed-up and Charter School's network must be protected from infiltration by subscribing to network security. A firewall can act as a powerful weapon to detect hacking attempts and notify Charter School of any impending threat.

A firewall is an appliance (a combination of hardware and software) or an application (software) designed to control the flow of Internet Protocol (IP) traffic to or from a network or electronic equipment. Firewalls are used to examine network traffic and enforce policies based on instructions contained within the Firewall's Ruleset. Firewalls represent one component of a strategy to combat malicious activities and

assaults on computing resources and network-accessible information. Other components include, but are not limited to, antivirus software, intrusion detection software, patch management, strong passwords/passphrases, and spyware detection utilities.

Firewalls are typically categorized as either "Network" or "Host." A Network Firewall is most often an appliance attached to a network for the purpose of controlling access to single or multiple hosts, or subnets. A Host Firewall is most often an application that addresses an individual host (e.g., personal computer) separately. Both types of firewalls (Network and Host) can be and often are used jointly.

Requirements:

- A Network Firewall is required in all instances where Legally/Contractually Restricted Information is stored or processed.
- A Host Firewall is required in all instances where Legally/Contractually Restricted Information is stored or processed and the operating environment supports the implementation.
    - Both the Network and Host Firewalls afford protection to the same operating environment, and the redundancy of controls (two separate and distinct firewalls) provides additional security in the event of a compromise or failure.
- All maintenance of Network Firewall Rulesets must be performed by the [designated Charter School administrator], unless permitted by a documented agreement between Charter School and the school, vendor, consultant, and/or contractor assuming the Firewall Administrator's responsibilities.
- Where equipment is used to capture, process or store data identified as Legally/Contractually Restricted Information and the equipment is accessible via an Internet connection, a Host Firewall appropriately installed, configured and maintained is required where the operating environment supports that installation. The maintenance of the Host Firewall's Configuration and Ruleset is the responsibility of that system's administrator.

Where equipment is used to capture, process or store data identified as internal or public and the equipment is accessible via an Internet connection, a Host and/or Network Firewall is recommended.

Use of a Host Firewall is recommended for any individual Host with access to the Internet; its maintenance is the responsibility of the individual user or designated support personnel.

Procedures:

1. All Network Firewalls installed and implemented must conform to the current standards as determined by Charter School. Unauthorized or non-standard equipment is subject to immediate removal, confiscation, and/or termination of network connectivity without notice.

2. All Firewall implementations must adopt the position of "least privilege" and deny all inbound traffic by default.

3. Firewalls must be installed within production environments where Legally/Contractually Restricted Information is captured, processed, or stored, to help achieve functional separation between web-servers, application servers, and database servers.

4. Firewalls require periodic review to ensure they afford the required levels of protection.

5. Firewall Rulesets and Configurations must be backed up frequently to alternate storage (not on the same device). Multiple generations must be captured and retained in order to preserve the integrity of the data, should restoration be required. Access to rulesets and configurations and backup media must be restricted to those responsible for administration and review.

6. Network Firewall administration logs (showing administrative activities) and event logs (showing traffic activity) are to be reviewed by the Chief Executive Officer of the Charter School ("CEO") or his/her designee. Appropriate access to logs and copies is permitted to those responsible for Firewall and/or system maintenance, support and review.

Third Party Access

Third Party Access is defined as granting technology resource data access to an individual who is not an employee of Charter School.

Examples of Third Party Access include, but are not limited to:

1. Software vendor who is providing technical support;
2. Contractor or consultant;
3. Service provider; and
4. An individual providing outsources services to Charter School requiring access to applications or data.

Third Party Access is only to be provided after the Third Party has signed a Non-Disclosure Agreement and Charter School's Acceptable Use and Internet Policy, which must be included in their formal contract with Charter School. Charter School students and staff may never permit another individual to utilize their user name to access Charter School's network.

The CEO or his/her designee may develop additional procedures, as needed, to implement this Policy.

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

Book	Policy Manual
Section	Operations
Title	Insurance Policies Policy
Code	620
Adopted	October 15, 2020

Board of Trustees Policy

INSURANCE POLICIES POLICY

Proper school operation requires that adequate basic insurance programs be provided for the protection of the Chester Community Charter School ("Charter School"), its employees and Board of Trustees ("Board").

The Board has the authority and responsibility to provide adequate insurance coverage to protect the Charter School's interests including, but not limited to, its buildings and properties.

In placing insurance, the Board shall be guided by the service of the insurance agent and carrier, scope of coverage provided by policy, price of desired coverage, and assurance of coverage.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Bonding Policy
Code	621
Adopted	October 15, 2020

Board of Trustees Policy

BONDING POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need for protecting its assets. Prudent trusteeship of the resources of the Charter School dictates that employees responsible for the safekeeping of school funds be bonded. Enumeration and valuations of such bonds shall be determined annually.

The Charter School shall be indemnified against loss of money by bonding of the Board Treasurer and Board Secretary in the amount of $25,000.00.

All other employees, including the Chief Executive Officer of the Charter School (CEO), Chief Financial Officer of the Charter School (CFO), and the Director of Accounting will also be covered under a blanket bond in the amount of $25,000.00.

The Charter School shall bear the cost of bonding each employee required to be bonded by this policy or by statute.

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

Book	Policy Manual
Section	Operations
Title	Field Trip Policy
Code	622
Adopted	October 15, 2020

Board of Trustees Policy

FIELD TRIP POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that field trips, when used for teaching and learning, provide educationally sound and important enhancements to the instructional program. A field trip is any planned journey for one or more students away from Charter School premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a first-hand educational experience not available in the classroom.

Whenever it is determined that the health, safety or welfare of those who are traveling might be adversely affected, the Chief Executive Officer of the Charter School (CEO) or his/her designee and Board reserve the right to withdraw approval for participation in the trip. Charter School will assume no liability to anyone for reimbursement of any costs or expenses incurred by any trip for which the CEO or his/her designee or Board withdraws its approval. The withdrawal of approval will not be arbitrary.

The staff will be notified of the approval or disapproval of a Field Trip Request in a timely fashion. This process works best when deadlines for submitting requests are adhered to.

Students on field trips remain under the supervision and responsibility of the Board and are subject to its rules and regulations. Charter School staff act as a sponsor or assistant for an officially approved school activity under school guidelines during instructional hours.

The Board does not endorse, support, or assume responsibility in any way for any staff member of Charter School that takes students on trips or solicits students for trips not approved by the Board or CEO or his/her designee. Any violation of this paragraph may result in disciplinary action up to and including termination.

All trips must provide for adequate rest, nutritious and timely meals, and reasonable hours of departure and return.

Chaperones must assume responsibility for students throughout the entire trip. A teacher/sponsor shall not change an approved itinerary while the trip is in progress, except where the health, safety or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip. If there is any necessary deviation from the planned time schedule, which might affect either the entire group or any member of the group, the individual in charge of the trip should use a pre-determined system for notifying parents and the CEO or his/her designee of the change immediately.

Teachers should remind students that their manners and behavior reflect upon the image of Charter School and that the School Code of Conduct is applicable to actions of students on field trips away from the school premises.

Signed parental permission forms and medication and emergency treatment forms for each student are required before a student may attend a field trip.

Each trip shall be properly monitored and supervised.

In the event of an emergency situation, the teacher/sponsor(s) is responsible for notifying the CEO or his/her designee by telephone as soon as possible.

Students are expected to travel to and from the field trip with the staff responsible for the trip. Student travel by any other means is considered not under school jurisdiction and the Board assumes no liability for students who are for any reason transported by parents or in private cars.

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

Book	Policy Manual
Section	Operations
Title	Food Services Policy
Code	623
Adopted	October 15, 2020

Board of Trustees Policy

FOOD SERVICES POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need for serving food to students and faculty. They recognize that healthy meals are an essential component to learning and growing. Food service programs of the Charter School shall be directed at meeting the needs of the pupils in accordance with all federal and state guidelines.

The operation and supervision of the food services program shall be the responsibility of the Charter Schools' Food Service Director.

The Charter School is committed to ensuring that all students have access to healthy meals, and shall participate in the Federal School Nutrition Programs. The Charter School may participate in the Federal School Breakfast Program, the National Federal School Lunch Program (NSLP), the Afterschool Snack program, and the Dinner program. If required, provisions shall be made for free and reduced rate meals as prescribed by federal and state law, in accordance with these guidelines. The Charter School shall inform parents/guardians of the eligibility standards for free and reduced-price meals. The Charter School may contract with a third party vendor to provide a food services program for the Charter School.

The Charter School qualifies and will participate in the Community Eligibility Provision which is a reimbursement option for eligible LEAs and schools that wish to offer free meals to all children in high poverty schools. Under this provision all of the Charter School's students eat for free, and the parents / guardians are not required to complete a free and reduced lunch application or meet eligibility standards.

The Food Service Director shall follow guidelines for the implementation of a food service program.

To reinforce the Charter School's nutrition education program, foods served in the Charter School shall:

- Be carefully selected to contribute to students' nutritional well-being and health.
- Meet the nutritional standards specified in laws and regulations and approved by the Board.
- Be prepared by methods that will retain nutritive quality, appeal to students, and foster lifelong healthy eating habits.
- Be served in age-appropriate quantities.

Charter School Food Safety Inspections and Food Safety Program

The Food Service Director 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.

The Charter School shall comply with federal requirements in developing a food safety program that enables the Charter School to take systematic action to prevent or minimize the risk of foodborne illness among students.

The Charter School shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with all applicable state and local laws and regulations and federal food safety requirements.

Non-Discrimination

The Charter School shall offer meals to all students without regard to race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.

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

Book	Policy Manual
Section	Operations
Title	Guidance and Counseling Policy
Code	624
Adopted	October 15, 2020

Board of Trustees Policy

GUIDANCE AND COUNSELING POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") believes that a planned program of guidance and counseling is an essential component of the educational offerings in the Charter School. Such a program should assist students in developing:

(a) A better understanding and acceptance of themselves - their strengths and limitations; aptitudes, needs, values, interests, and worth as unique individuals;

(b) Interpersonal relationships on the basis of mutual respect;

(c) Increased skills in problem solving and decision making; and

(d) Responsibility for their educational, occupational, and vocational improvement.

In addition, this program should provide staff, parents, and community with needed information for the support objectives.

The Board directs that a program of guidance and counseling shall be offered to all students that involves the coordinated efforts of all staff members, under the professional leadership of certificated guidance and counseling personnel.

The Charter School's basic program of counseling and guidance will vary according to the developmental levels and needs of students and include the areas of academic and career development, study skills, preparation for tests, interpersonal relations, decision-making, and conflict resolution. Implementation of program objectives shall be accomplished through needed, individual and/or group activities.

Specific objectives shall include:

(a) Assisting students in solving educational problems;

(b) Planning for appropriate career choices and preparation, when appropriate;

(c) Assisting with personal problems, including financial and medical;

(d) Assisting administrators and teachers in planning educational programs for students with special needs;

(e) Serving as consultants to staff and parents in:

(i) using effective crisis intervention strategies and techniques; and

(ii) demonstrating how family relationships affect individual student behavior and learning;

(f) Making appropriate use of community resources; and

(g) Interpreting tests and surveys for students and parents.

(h) Being available equally to all students.

Pursuant to the American School Counselor Association, professional school counselors need to be skilled in meeting the changing needs of students, families, schools, and communities. Therefore, professional school counselors, as a result of education and credentialing and/or licensing requirements should possess the following skills:

- Be culturally competent
- Have skills in evidence-based educational and school counseling practices
- Focus on students' academic, career and personal/social needs
- Possess leadership and advocacy skills
- Have consultation skills and the ability to work collaboratively with educational professionals and stakeholders in the school and community
- Be able to develop, implement, and evaluate professional school counseling programs
- Work with Charter School personnel and local or state associations to provide ongoing professional development for the acquisition and updating of necessary skills.

The Chief Executive Officer of the Charter School is authorized to direct, evaluate, and continually improve a program of counseling and guidance.

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

Book	Policy Manual
Section	Operations
Title	Hearing Officer Policy
Code	625
Adopted	October 15, 2020

Board of Trustees Policy

HEARING OFFICER POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the necessity of ensuring that all students subjected to disciplinary proceedings in the form of a formal hearing be afforded due process. To make certain that any member of the Board who is appointed to preside over a formal hearing is qualified to do so, the Board sets forth the following minimum standards for qualification.

Guidelines:

A member of the Board of the Charter School who is appointed to preside over any formal disciplinary hearing shall:

- Be impartial, disinterested and objective, including but not limited to:
    - Having no financial or personal interest in the outcome of the hearing; and
    - Having no prior involvement with the child, whether personally or professionally.
- Have the ability to communicate effectively;
- Understand the role of the hearing examiner in formal disciplinary proceedings;
- Be familiar with Federal and Pennsylvania law regarding discipline of both regular education students and special education students;
- Understand Charter School policies and the Student Code of Conduct as they relate to discipline;
- Have the ability to listen to and impartially analyze the evidence presented by all parties to the hearing;
- Have the ability to objectively analyze the evidence presented by all parties in accordance with Federal and Pennsylvania law, as well as relevant policies, to develop a recommendation for discipline that will be presented to the Board of Trustees; and
- Recite an Oath of Office reflecting their acceptance of the responsibilities of their role.

The Board recognizes all Board Members as qualified to serve as hearing examiners.

Each Member of the Board is hereby authorized to act as a hearing examiner at any disciplinary hearing for the duration of their term as a Member of the Board of Trustees.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Operations
Title	Response as Non-Party to Subpoena, Custody and/or Protection From Abuse Orders
Code	626
Adopted	October 15, 2020

Board of Trustees Policy

RESPONSE AS NON-PARTY TO SUBPOENA, CUSTODY AND/OR PROTECTION FROM ABUSE ORDERS

In situations when the Chester Community Charter School ("Charter School") is not party to a legal proceeding but the Charter School's records custodian or other employee is served with a subpoena to testify and/or produce confidential student records at an administrative, civil or criminal proceeding and/or is requested to comply with a custody and/or protection from abuse order, the Charter School's Board of Trustees ("Board") sets forth the following guidelines:

1) The Charter School records custodian/employee served with any such subpoena or order shall immediately notify the Chief Executive Officer of the Charter School ("CEO") of service of same and in turn, the CEO shall immediately provide legal counsel with a copy of the document at issue in order to enable the Charter School to comply or to object in a timely manner.

2) No student records shall be disclosed by the Charter School nor shall testimony be given without review by legal counsel of the subpoena and/or court order to determine if proper service has been accomplished and that steps have been taken to comply with the Family Educational Rights and Privacy Act ("FERPA")[1], which provides certain protections to confidential student information.

3) Legal counsel must determine if the subpoena or court order seeks information or testimony unrelated to the proceeding, in order to file a motion to quash or modify, or in the case of testimony, to submit written objections. If counsel determines that there are concerns about whether any/all of the student records should be disclosed, a motion for a protective order may be filed asking the judge to review the records to determine the extent and/or terms of disclosure. Lastly, counsel may advise compliance, but pursuant to FERPA, the Charter School shall first make a reasonable effort to notify the parents/guardians of the student at issue or the student, if eighteen years or older, to obtain written permission to release student records and/or to testify to contents of student records and/or confidential information known by Charter School employee. FERPA also requires the Charter School to keep a record of any student records which it discloses.

4) Generally, the Charter School will be responsible for those student records for which it has "possession, custody or control." "Possession" means actual physical possession and "custody and control" means that the employee served has the right to obtain the records upon request.

5) No confidential student records shall be released in advance of the proceeding unless the parents/guardians or student consent to such disclosure as FERPA requires that such persons shall have the opportunity to first object to such disclosure.

6) Any references to a student in the records at issue, who is unrelated to the subject of the subpoena, shall be redacted before records are produced in compliance with the subpoena.

7) In the case of a court order setting forth terms of custody and/or protection from abuse, the Charter School shall only abide by the terms of the document, if it is signed by a judge and no other conflicting order is already in the student file. In case of conflict, the Charter School shall abide by the court signed order with the most current date.

8) In the absence of an officially signed court order, the Charter School shall assume that both parents have legal custody until/unless either parent presents the Charter School with an order revoking or modifying physical and/or legal custody or a protection from abuse order.

9) In the event that the Charter School is presented with a valid protection from abuse order or order terminating legal custody related to a Charter School student, the Charter School may notify the police in the event that Charter School employees are contacted by the subject of the order regarding the student or in the event the parent/guardian who is the subject of a protection from abuse order comes to and/or on the Charter School facility/grounds.

10) The Parent/Student Handbook shall contain a provision which advises parents/guardians that it is the policy of the Charter School not to accommodate parental requests related to custody/domestic matters absent a validly issued, signed and dated court order or subpoena.

11) A Charter School may not require a custody order or agreement as a condition of enrollment in any circumstances other than:

- If the parent enrolling the child is relying on a court order or custody agreement as the basis for enrolling the child; or
- If the resident is seeking to enroll the child under 24 P.S. §1302(a)(1)[2], which requires "appropriate legal documentation to show dependency or guardianship." However, such order or agreement cannot be required if a "sworn statement", as set forth in this section of the PA Public School Code is completed and provided to the Charter School.

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

Legal References:

1. Family Educational Rights and Privacy Act ("FERPA")
2. 24 P.S. §1302(a)(1)

Book	Policy Manual
Section	Operations
Title	Curriculum Review by Parents and Students
Code	627
Adopted	June 15, 2023

Board of Trustees Policy

CURRICULUM REVIEW BY PARENTS AND STUDENTS

Authority

The Board of Trustees of adopts this policy to ensure that parents 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. [1][2]

Guidelines

The rights granted by this policy are granted to parents of students enrolled in this Charter School where the students are under the age of eighteen (18).

Upon written request by a parent to the Chief Executive Officer ("CEO") of the Charter School, the Charter School 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 or student for each enrolled child.

2. To assist the Charter School 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 Charter School will respond to the parent or student within ten (10) school days by designating the time and location for the review.

5. The Charter School 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 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 and student is permitted.

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

Legal References:

1. 22 PA Code 4.4
2. 20 U.S.C. 1232h

Book	Policy Manual
Section	Operations
Title	Audio Interception on School Buses and School Vehicles
Code	628
Adopted	June 15, 2023

Board of Trustees Policy

AUDIO INTERCEPTION ON SCHOOL BUSES AND SCHOOL VEHICLES

The Board of Trustees of Chester Community Charter School ("Charter School") ensures that all students have the right to a safe school environment and further recognizes the need to maintain discipline on school buses and school vehicles. The Board also recognizes the security issues associated with the operation of school buses and school vehicles. In pursuit of these objectives, the Board endorses this Policy, which authorizes audio interception of conversations of students on school buses and school vehicles for disciplinary or security purposes in accordance with the provisions set forth in the Wiretapping and Electronic Surveillance Control Act as amended (the "Act"). 18 Pa.C.S. § 5704(18) [1].

The Board adopts the definition of school buses and school vehicles as defined by 75 Pa.C.S. § 102 [2] and used in the Act:

Definitions

"School bus." A motor vehicle which:

(1) is designed to carry 11 passengers or more, including the driver; and

(2) 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.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993, or a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

"School vehicle." A motor vehicle, except a motorcycle, designed for carrying no more than ten passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to a school district or private or parochial school. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.

Policy

The Board directs the Chief Executive Officer or designee to include this Policy in the Charter School's Family Handbook and to post a notice of this Policy on the Charter School's publicly accessible Internet website.

The Board directs the Chief Executive Officer or designee to ensure that a notice, which informs students that they may be audiotaped, is posted and clearly visible on each school bus or school vehicle that is furnished with audio-recording equipment.

When a school bus or school vehicle is being used for a purpose that is not school related, then audio interception is not permitted.

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

ADOPTED this day _____ of _____, 2023

_____

President

_____

Secretary

Legal References:

1. Wiretapping and Electronic Surveillance Control Act
2. 75 Pa.C.S. § 102

Book	Policy Manual
Section	Operations
Title	Integrated Pest Management Policy
Code	629
Adopted	June 15, 2023

Board of Trustees Policy

INTEGRATED PEST MANAGEMENT POLICY

Authority

The Board of Trustees establishes that the Chester Community Charter School ("Charter School") shall use pesticides only after consideration of the full range of alternatives, based on analysis of environmental effects, safety, effectiveness, and costs.

The Board shall adopt an Integrated Pest Management Plan [1] for buildings and grounds that complies with policies and regulations promulgated by the Department of Agriculture. [2]

Purpose

The Charter School 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.

Definition

Integrated Pest Management (IPM) is the coordinated use of pest and environmental information to design and implement pest control methods that are economically, environmentally, and socially sound. IPM promotes prevention over remediation, and it advocates the integration of at least two (2) or more strategies to achieve long-term solutions.

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.

Delegation of Responsibility

The Chief Executive Officer (CEO) or designee shall be responsible to implement integrated pest management procedures and to coordinate communications between the Charter School and the approved contractor.

The Board shall designate an employee to serve as IPM coordinator for the Charter School.

The CEO or designee shall be responsible to annually notify parents and guardians of the procedures for requesting notification of planned and emergency applications of pesticides in school buildings and on school grounds.

Appropriate personnel involved in making decisions relative to pest management shall participate in update training.

Guidelines

Pest management strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and site appropriate pesticides. An integrated pest management decision shall consist of the following five (5) steps:

1. Identify pest species.
2. Estimate pest populations and compare to established action
3. thresholds.
4. Select the appropriate management tactics based on current on-site
5. information.
6. Assess effectiveness of pest management.
7. Keep appropriate records.

An Integrated Pest Management Program shall include the education of staff, students and the public about IPM policies and procedures. When pesticide applications are scheduled in school buildings and on school grounds, the Charter School shall provide notification in accordance with law, including:

1. Posting a pest control sign in an appropriate area.
2. Providing the pest control information sheet to all individuals working in the school building.
3. Providing required notice to all parents and guardians of students or to a list of parents and 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 Charter School may authorize an emergency pesticide application and shall notify by telephone any parent and guardian who has requested such notification. The Charter School 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 Charter School's administrative office.

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

Legal References:

1. Integrated Pest Management Plan
2. 7 Pa. Code Sec. 128

Sample Letter for Parents/Guardians

Dear Parent/Guardian,

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

From time to time, it may be necessary to use pesticides registered by the Environmental Protection Agency to manage a pest problem. A pesticide will only be used when necessary and will not be routinely applied. When a pesticide is necessary, the school will try to use the least toxic product that is effective. Applications will be made only when authorized persons do not have access to the area(s) being treated. Notices will be posted in these areas 72 hours prior to application and for two days following the application.

Parents/guardians of students enrolled in school may request prior notification of specific applications made at the school. To receive notification, you must be placed on the school's notification registry. If you would like to be placed on the registry, please notify the District's Facilities Office in writing. Please include your email address so you may be notified electronically.

If a pesticide application must be made to control an emergency pest problem, notice will be provided by telephone to any parent/guardian who has requested such notification in writing. Exemptions to this notification include disinfectants and antimicrobial products, self-containerized baits placed in areas not accessible to students, and gel-type baits placed in cracks, crevices or voids.

Each year the District will prepare a new notification registry.

If you have any questions, please contact Mark Battinieri, IPM Coordinator Designee, at 610-447-0400.

Sincerely,
Mark Battinieri
IPM Coordinator Designee

Book	Policy Manual
Section	Property
Title	Safety Policy
Code	700
Adopted	October 15, 2020

Board of Trustees Policy

SAFETY POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") directs that the facilities of the Charter School shall be maintained and operated in a safe condition.

The Board directs that there shall be developed, published and posted rules for safety and the prevention of accidents. These rules shall provide for instruction of students and staff in safety and accident prevention, provide protective devices where they are required for the safety of students and employees, and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the school.

The Chief Executive Officer ("CEO") of the Charter School or his/her designee shall prepare rules governing school safety and the prevention of accidents and fire which shall include, at a minimum, the requirements of law and the applicable regulations of various departments of State government. Such rules shall provide regulations and precautions for the safety of students in school, employees in performance of their duties, students in transit to and from school, injured students and employees, and visitors to the school. Fire/emergency prevention and safety drills shall be held at least once a month when Charter School is in session as discussed in the Fire Drill Policy and Procedures Policy. In addition, the following policies more specifically provide for safety of the Charter School community: Emergency Preparedness and Lockdown and Shelter-in-Place.

The Charter School shall comply with all fire and life safety requirements mandated by local and state authorities.

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

Book	Policy Manual
Section	Property
Title	Care of School Property Policy
Code	701
Adopted	October 15, 2020

Board of Trustees Policy

CARE OF SCHOOL PROPERTY POLICY

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

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

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

Students and/or their parents may be assessed penalties for lost or damaged textbooks, equipment or school property. Imposition of one or more of the following penalties is permitted: a charge for replacement of the school property or loss of privileges such as participation in sports or other extracurricular activities, dances and other special events or graduation-related activities.

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

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Property
Title	Property/Maintenance Policy
Code	702
Adopted	October 15, 2020

Board of Trustees Policy

PROPERTY/MAINTENANCE POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that adequate maintenance of buildings, grounds and property is essential to efficient management of the Charter School.

The Board directs that a continuous program of inspection and maintenance of all school buildings and equipment be implemented. Wherever possible, maintenance shall be preventive.

Suitable provisions are to be made for the heating, ventilating, lighting systems and for sanitary conditions and safe supply of water for proper and healthful accommodations.

The Chief Executive Officer ("CEO") of the School, or his/her designee, or his/her representative shall develop and implement a maintenance program which shall include a regular program of facilities repair and conditioning, critical spare parts inventory, and an equipment replacement program.

The CEO, his/her designee, or his/her representative shall develop such guidelines as may be necessary for the maintenance and repair of the physical plant.

The CEO, his/her designee, or his/her representative shall report to the Board regarding the current maintenance and improvement program.

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

Book	Policy Manual
Section	Property
Title	Use of School Facilities Policy
Code	703
Adopted	October 15, 2020

Board of Trustees Policy

USE OF SCHOOL FACILITIES POLICY

The Chester Community Charter School ("Charter School") shall endeavor to make full use of its facilities for the education of its students and where legally and economically feasible for uses that promote improved community services.

Within the guidelines of this policy, the Chief Executive Officer ("CEO") of the Charter School shall have the authority to grant permission for the use of Charter School facilities and to develop regulations and assign responsibilities for such use.

In the event of circumstances involving serious matters relating to the health and welfare of the Charter School or its community, the CEO or his/her designee shall have the authority to provide use of Charter School facilities without cost to the users.

Persons, Groups or Organizations who may use Charter School facilities subject to the Charter School Board of Trustees' and or CEO's sole discretion

(a) A non-profit group or organization may use the Charter School facilities provided that they do not illegally restrict membership, attendance, or leadership by reason of race, color, religion, creed, ancestry, age, sex, sexual orientation, physical handicap or national origin.

(b) Non-profit organization shall mean any community civic, cultural, athletic, educational, parent, youth, service or school organization or any governing authority, corporate or public, or any governmental body or any alumni association that desires to use Charter School facilities for social, recreational or other purpose.

Fees and Costs for facilities use:

(a) The CEO or his/her designee shall develop a fee schedule that will fairly reimburse the Charter School for any direct or indirect expenses incurred in making its facilities available for community use. The fee schedule shall be updated periodically to assure its accuracy. Fees shall be paid in advance or upon terms established acceptable to the Charter School.

(b) Charges and fees shall be waived for the following:

(1) Meetings of the PTA or any of its committees;

(2) Meetings of officially recognized alumni or alumnae organizations;

(3) Fundraising activities approved by the Board of Trustees;

(4) Meetings of scouting organizations serving the school community;

(5) In the event of an extreme emergency declared by the Governor, Borough or Emergency Coordinator or by the American Red Cross, Charter School facilities shall be made available as emergency shelters.

Insurance and Indemnification Requirements:

(a) Persons, groups or organizations using school facilities for any purpose shall provide the Charter School with a certificate of insurance for a Comprehensive Public Liability Insurance in the amount of not less than One Million Dollars ($1,000,000) indemnifying the school against possible tort claims arising from such use.

(b) The insurance shall be placed with insurers lawfully authorized to do business in Pennsylvania and acceptable to the Charter School.

(c) The company or agency which issues the Certificate of Insurance must provide a complete street address where it can be served with notice (Post Office box addresses will not be accepted) and a telephone number. The company or agency must certify that it is an agent of the insurance company issuing the policy and that its statement is subject to the penalties of 18 Pa. C.S. § 4904[1] relating to unsworn falsification to authorities.

(d) The Charter School shall not accept any policy (1) written on a claims made basis or (2) which only names the Charter School as an additional insured or (3) which is written only on an "excess or umbrella" basis or which carries any deductible or self-insured retention over $500.00. However, deductibles or self-insured retentions may be declared to and approved by the Board of Trustees. If the deductibles or self-insured retentions are not approved, the user shall procure a bond guaranteeing payment of losses, investigation, claims administration and defense expenses up to the amount of the deductibles or self-insured retentions.

(e) Charter School shall be named specifically as an additional insured on the liability policy of insurance and documented proof of same must be provided to Charter School at least two weeks prior to use by a group unless otherwise approved by the Charter School.

Application for Use:

(a) All prospective users of Charter School facilities shall apply in writing on a form to be supplied by the CEO or his/her designee. The application form shall include an indemnification agreement to be signed by the applicant which agrees to hold the Charter School, the Board of Trustees and any other parties requested by the Charter School harmless from any and all legal actions brought as a result of the use and/or rental of Charter School facilities by the applicant. The application form will be witnessed by the CEO or his/her designee.

Prohibited Activities:

(a) Use of Charter School facilities for any illegal activity, including but not limited to gambling, and for any activity at which alcoholic beverages will be served is prohibited as is the use of tobacco or illicit drugs.

(b) The use of equipment or materials on Charter School property which would be generally considered unsafe or dangerous to the user, other participants in the activity.

(c) Commission of, or failure to control or prevent, acts of vandalism, disorderly conduct, violations of local ordinances, or violations of fire, liquor or criminal laws of the United States or the Commonwealth of Pennsylvania shall disqualify a person, group or organization from future use of Charter School's facility.

(d) Possession of weapons except by commissioned police officers or other law enforcement personnel engaged in official business or sanctioned training activities.

(e) Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.

Responsibilities of User of Charter School Facilities:

(a) The user must inspect the Charter School facilities prior to the commencement of the period of their use and must inform the CEO or his/her designee in writing of any defects which a visual inspection would reveal. If any defects are found, the Charter School has the right to withdraw its prior authorization to the user to use Charter School's facilities.

(b) The user assumes the care, custody and control of Charter School's facilities during the period of use. The user is responsible for the monitoring and supervision of all its events at Charter School's facilities during the period of use. Upon expiration of the period of use, the user must return to Charter School, the facilities in as good order, condition and state of repair as they were prior to their use by the user.

(c) Charter School has the right to terminate the use of its school facilities by the user due to the user's non-compliance with the requirements of the policy at any time in advance or during the event. Abuse, misuse or vandalism of Charter School facilities by the user will result in the suspension of the user's future privileges to use available Charter School facilities.

(d) The user is responsible for any personal injuries or property damages occurring at Charter School facilities during the period of use. The user must defend, indemnify and hold the Charter School, the Board of Trustees and any other parties requested by the Charter School harmless from and against any losses or damages due to the user's non-compliance with the requirements of this policy and any losses, damages, claims and expenses arising out of any personal injuries or property damages caused by the user or which occur during the period of use.

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

Legal References:

3. 18 Pa. C.S. § 4904

Book	Policy Manual
Section	Property
Title	Asbestos Policy
Code	704
Adopted	October 15, 2020

Board of Trustees Policy

ASBESTOS POLICY

The Chester Community Charter School ("Charter School") must comply with the requirements set forth in the Asbestos Hazard Emergency Response Act (AHERA) (15 U.S.C. Secs 2641-2656)[1] and the Asbestos-Containing Materials in Schools Regulations (40 C.F.R. Part 763)[2]. The Charter School shall monitor and ensure the safety of its buildings and shall maintain its buildings in accordance with all applicable statutes and regulations.

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

Legal References:

1. 15 U.S.C. Secs 2641-2656
2. 40 C.F.R. Part 763

Book	Policy Manual
Section	Property
Title	Wireless Reading Devices Policy
Code	705
Adopted	October 15, 2020

Board of Trustees Policy

WIRELESS READING DEVICES POLICY

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

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

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

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

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

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

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

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

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

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

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Book	Policy Manual
Section	Property
Title	School Property Records Policy
Code	706
Adopted	October 15, 2020

Board of Trustees Policy

SCHOOL PROPERTY RECORDS POLICY

In order to ensure accountability for the prudent use of public funds, the Board of Trustees directs that a property accounting and inventory system be established and maintained for all Chester Community Charter School ("Charter School") real and personal property as defined herein.

(a) Real property shall consist of all land and buildings acquired by Charter School in the course of its operations, if applicable.

(b) Charter School personal property shall consist of furniture and equipment items with a purchase price in excess of $1,000.00. All furniture or equipment items of lesser value shall be placed in use without being recorded on personal property inventory records.

(c) Charter School consumable supplies and materials, including books and computer software shall be accounted for through the use of an inventory system.

The Chief Executive Officer ("CEO") of the Charter School or his/her designee or representative shall be responsible for the design and implementation of a Charter School real, if applicable, and personal property inventory control system. Such inventories shall be maintained on a current basis and shall be verified by annual physical inventories.

Inventory balances shall be verified by periodic, unannounced physical inventories of stock items. Any major loss shall be reported to the Board of Trustees.

This delegation carries with it the delegation of whatever authority is necessary for the successful implementation of an effective inventory control system at the Charter School.

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

Book	Policy Manual
Section	Property
Title	Visitor's Policy
Code	707
Adopted	June 15, 2023

Board of Trustees Policy
Visitor's Policy

The Chester Community Charter School ("Charter School") shall endeavor to make full the school building accessible to visitors under a certain discreet set of circumstances that would warrant the need for visitors. The safety of our students and our staff is of utmost importance; thus, visitors to the school must adhere to a strict set of rules and requirements in order to gain access to a school building.

Visitors are permitted entry only during normal school hours, which are 7:30 AM – 2:30 PM (Middle School) and 8:00 AM – 2:45 PM (Elementary School).

- All visitors must sign-in at the receptionist desk at the front desk.
- All visitors, including parents and legal guardians, will state the nature of the visit or business and provide a government photo ID. The receptionist will then issue a visitor's pass. If the visitor does not have a government photo ID and the school leadership does not personally know the visitor, the visitor will not have access to the building.
- All visitors will be escorted by a current Charter School employee at all times during business hours on the Charter School campus.
- The visitors pass that the receptionist has provided to the visitor must be worn and visible by the visitor at all times while on Charter School property.
- Students and staff are asked not to open doors for any person or group of people at a doorway.
- Visitors who fail to secure a visitor's pass will be asked to either register with the receptionist or leave campus immediately. The police may be called if the situation warrants.
- There is no solicitation allowed on our campus.

When Visiting the Charter School During the Evening/Weekend (After Hours)

- **After hours are from 4:30 p.m. Monday through Friday, all day Saturday and Sunday.**
- Visitors attending after school functions for the school or an outside organization must abide by the visitors' policy set forth for the function/event.
- Staff must notify the Building Principal if they intend to bring visitors to campus during evening/weekend hours.
- Visitors arriving without prior arrangements will be asked to leave campus.
  Failure to notify the Building Principal of an evening and/or weekend visitor will result in disciplinary action.
- There is no solicitation allowed on our campus.
- **Visitors who have the intention of working directly with or observing the Charter School students and/or employees must give advance notice to the CEO.** If you have questions about any of these policies or procedures, please contact the Charter School CEO at 610-447-0400.

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

Book	Policy Manual
Section	Special Education
Title	Special Education Policy
Code	800
Adopted	October 15, 2020

Board of Trustees Policy

SPECIAL EDUCATION POLICY

The Board of Trustees (Board) of the Chester Community Charter School ("Charter School") recognizes that charter schools must comply with Chapter 711 of Title 22 of the Pennsylvania Code[1], Charter School Services and Programs for Children with Disabilities.

The Board of Trustees of Charter School also recognizes that charter schools are not exempt from federal special education laws or regulations which include, but are not limited to, enumerated provisions of the Individuals with Disabilities Education Improvement Act (2004) ("IDEA")[2] and Section 504 of the Rehabilitation Act of 1973[3]. Pursuant to 22 Pa. Code §711.3[1]:

> "Charter schools and cyber charter schools assume the duty to ensure that a [free and appropriate public education], FAPE, is available to a child with a disability in compliance with IDEA and its implementing regulations in 34 CFR Part 300[4] (relating to assistance to states for the education of children with disabilities) and section 504 and its implementing regulations in 34 CFR Part 104[5] (relating to nondiscrimination on the basis of handicap in programs and activities receiving federal financial assistance)."

The Charter School shall ensure that all children with disabilities enrolled in the Charter School, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education services.

The Charter School recognizes that:

- Children with disabilities must be admitted on the same basis as children without disabilities.
- Upon admitting a child with a disability, the Charter School must provide services to address the child's specific needs.
- When a student with a disability transfers to the Charter School, the Charter School is responsible for ensuring that the student receives services that are described in an Individualized Education Program (IEP), either by adopting the old IEP or by developing a new IEP within the timelines set forth in 22 Pa. Code §711.41[1].
- The Charter School will use the most current and appropriate versions of Special Education Formats.
- To meet the requirements of federal law, the Charter School may provide the services itself, or contract with another entity, such as an intermediate unit or a private licensed entity or individual to provide the services, respecting the least restrictive environment requirements and all required criminal and child abuse clearance requirements.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code
2. Individuals with Disabilities Education Improvement Act (2004) ("IDEA")
3. Section 504 of the Rehabilitation Act of 1973
4. 34 CFR Part 300
5. 34 CFR Part 104

Book	Policy Manual
Section	Special Education
Title	Special Education Student Enrollment Policy
Code	801
Adopted	October 15, 2020

Board of Trustees Policy

SPECIAL EDUCATION STUDENT ENROLLMENT POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that the Charter School must not deny enrollment or otherwise discriminate in admission practices on the basis of a child's need for special education or supplementary aids or services.

The Charter School shall comply with Section 24 P.S. 17-1723-A[1] of the Pennsylvania Charter School Law regarding enrollment and shall not discriminate in its admission policies or practices on the basis of intellectual ability (except to the extent specifically allowed by law), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or immigration status or any other basis that would be illegal under applicable state and/or federal laws or regulations.

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

Legal References:

1. 24 P.S. 17-1723-A

Attachment A –Parental Registration Statement

(Charter School Letterhead)

Student Name _____

Date of Birth _____

Grade _____

Parent or Guardian Name _____

Address _____

Telephone Number _____

> Pennsylvania School Code §13-1304-A states in part "Prior to admission to any school entity, the parent, guardian or other person having control or charge of a student shall, upon registration provide a sworn statement or affirmation stating whether the pupil was previously or is presently suspended or expelled from any public or private school of this Commonwealth or any other state for an action of offense involving a weapon, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property."

Please complete the following:

I hereby swear or affirm that my child was_____ was not _____ previously suspended or expelled, or is _____ is not _____ presently suspended or expelled from any public or private school of this Commonwealth or any other state for an act or offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. I make this statement subject to the penalties of 24 P.S. §13-1304-A(b) and 18 Pa. C.S.A. §4904, relating

to unsworn falsification to authorities, and the facts contained herein are true and correct to the best of my knowledge, information and belief.

If this student has been or is presently suspended or expelled from another school, please complete:

Name of the school from which student was suspended or expelled:

_____

Dates of suspension or expulsion:

_____

(Please provide additional schools and dates of expulsion or suspension on back of this sheet.) Reason for suspension/expulsion (optional)

_____ _____

_____

(Signature of Parent or Guardian)

_____

(Date)

Any willful false statement made above shall be a misdemeanor of the third degree. This form shall be maintained as part of the student's disciplinary record.

Attachment B - SWORN STATEMENT BY RESIDENT UNDER §13-1302 TO BE COMPLETED BY RESIDENT ONLY

Instructions: Please complete the following statement. If the potential student is living, or will be living, in a household with more than one resident adult who will assume responsibility for the student, all such adult residents must complete and sign this statement. This is a legal document. You may ask to see a copy of 24 P.S. §13-1302 prior to signing this document, and consult with an attorney if you have any questions or do not understand any portion of this document.

1. Your Name _____

Home Address _____
Home Telephone Number _____ Work Number _____

2. Do you live in the charter school and does the child live with you?

Yes _____ No _____

3. Child's Full Name_____

Birth Date_____ Grade _____
Name & Address of Last School Attended _____
_____
Date child began/will begin to reside in your home _____

4. Are you supporting this child gratis (without personal compensation or gain)?

Yes _____ No _____

5. Will you assume all personal obligations related to school requirements for this child that may include providing for required immunizations, uniforms, fees/fines, citations/fines for truancy, attending parent-teacher conferences, or attending meetings/hearings concerning discipline?
Yes ____ No ____

6. Do you intend to keep and support the child continuously and not merely through the school term? Yes ___ No ___

Through my notarized signature, I/We understand that the Charter School, pursuant to guidelines issued by the Department of Education and their own written policy, may require other reasonable information to be submitted to confirm this sworn statement.

Signed by resident(s) and notarized _____

Per 24 P.S. §13-1302, a person who knowingly provides false information in the above statement for the purpose of enrolling a child in a charter school for which the child is not eligible commits a summary offense and shall, upon conviction for such violation, be sentenced to pay a fine of no more than three hundred dollars ($300) for the benefit of the charter school or to perform up to two hundred forty (240) hours of community service, or both. In addition, the person shall pay all court costs and shall be liable to the charter school for an amount equal to the cost of tuition calculated in accordance with §2561 during the period of enrollment.

Attachment C - GUIDELINES FOR REASONABLE INFORMATION TO SUBSTANTIATE SWORN STATEMENT BY RESIDENT UNDER 24 P.S. §13-1302

Pursuant to Act 35 of 2001 (24 P.S. §13-1302(a)(2)), charter schools may request information from the resident to substantiate the assertions made in the sworn statement of the resident, provided that the charter school has adopted a policy regarding this additional substantiating information and that the policy conforms with this Basic Education Circular. If the charter school has elected to require substantiating information and advised the resident thereof, then the resident must submit the information before the charter school is required to accept the child as a student.

A charter school may require that more than one form of residency confirmation be provided. However, school districts and charter schools should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. Examples of documentation that can support the factors in §1302 include:

Signer is a Resident of the District Granting Charter to Charter School and/or Preferential District Pursuant to Charter School's Charter

- Current Utility bill, or
- Deed, or
- Lease, or
- Department of Transportation identification or driver's license, or
- Pennsylvania Department of Transportation vehicle registration, or
- Property tax bill, or
- Copy of State/Federal program enrollment, (examples include, but not limited to, TANF or CHIP), or
- Current credit card bill.

Signer is Supporting the Child Gratis

- Copy of completed county form or court order transferring child support payments to resident, if applicable, or
- Copy of completed State form notifying Department of Welfare of child's new residence, if applicable,
- Copy of lease/rental agreement identifying the child as a tenant, if applicable, or

• Sworn statement by the resident. A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive support, child support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child shall not be deemed to be personal compensation or gain.

Signer will Assume All Personal Obligations for the Child Relative to School Requirements Sworn statement by resident shall be satisfactory evidence thereof.

Signer Intends to so Keep and Support the Child Continuously and Not Merely Through the School Term

Sworn statement by resident shall be satisfactory evidence thereof.

Book	Policy Manual
Section	Special Education
Title	Students with Specific Learning Disabilities Policy
Code	802
Adopted	October 15, 2020

Board of Trustees Policy

STUDENTS WITH SPECIFIC LEARNING DISABILITIES POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") directs the Chief Executive Officer of the Charter School (CEO) or designee to develop procedures for the determination of specific learning disabilities that conform to the criteria in Section 711.25 of Title 22 of the Pennsylvania Code[1]. These procedures are to be included in the school's annual report and any charter renewal application to the extent that a charter renewal application is required to be submitted:

To determine that a child has a specific learning disability, the Charter School shall:

(1) Address whether the child does not achieve adequately for the child's age or meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and scientifically based instruction appropriate for the child's age or State-approved grade-level standards:

(i) Oral expression.

(ii) Listening comprehension.

(iii) Written expression.

(iv) Basic reading skill.

(v) Reading fluency skills.

(vi) Reading comprehension.

(vii) Mathematics calculation.

(viii) Mathematics problem solving.

(2) Use one of the following procedures:

(i) A process based on the child's response to scientific, research-based intervention, which includes documentation that:

(A) The student received high quality instruction in the general education setting.

(B) Research-based interventions were provided to the student.

(C) Student progress was regularly monitored.

(ii) A process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.

(3) Have determined that its findings are not primarily the result of any of the following:

(i) A visual, hearing or orthopedic disability.

(ii) Intellectual disability.

(iii) Emotional disturbance.

(iv) Cultural factors.

(v) Environmental or economic disadvantage.

(vi) Limited English proficiency.

(4) Ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics by considering documentation that:

(i) Prior to, or as a part of, the referral process, the child was provided scientifically-based instruction in regular education settings, delivered by qualified personnel, as indicated by observations of routine classroom instruction.

(ii) Repeated assessments of achievement were conducted at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

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

Legal References:

1. Section 711.25 of Title 22 of the Pennsylvania Code

Book	Policy Manual
Section	Special Education
Title	Inclusion Policy
Code	803
Adopted	October 15, 2020

Board of Trustees Policy

INCLUSION POLICY

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees (Board) of the Chester Community Charter School ("Charter School") recognizes and directs as follows:

To the maximum extent appropriate, children with disabilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

A continuum of alternative placements must be available to meet the needs of children with disabilities for special education and related services. The continuum must include alternative placements (including, but not limited to: instruction in, regular classes, supplementary aids and services, instruction in special classes, instruction in alternative schools, home instruction, and instruction in hospitals and institutions to the extent required by applicable laws and regulations).

Administration is further directed to make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement to the extent required by law and to inform the Board when supplementary aids and services must be procured and/or approved by the Board.

In determining the educational placement of a child with a disability, Administration is directed to ensure that the placement decision is made by a group of persons, including the parents, and other persons knowledgeable about: the child, the meaning of the evaluation data, and the placement options. Such decision must be made in conformity with the Least Restrictive Environment (LRE) provisions of the federal regulations.

The child's placement must be determined at least annually; be based on the child's Individualized Education Plan (IEP); and must be as close as possible to the child's home to the extent required by applicable law. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.

In selecting the LRE, Administration is directed to give consideration to any potential harmful effect on the child or on the quality of services that he or she needs.

A child with a disability is not to be removed from education in age appropriate regular classrooms solely because of needed modifications in the general education curriculum.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in the applicable state and federal regulations, Administration is directed to ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.

Administration is directed to ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

Administration shall ensure that the IEP team making educational placement decisions understands and adheres to the following guiding principles from the Pennsylvania Department of Education to the extent that they are consistent with applicable federal and state regulations:

1. A Free and Appropriate Public Education (FAPE) must be provided to every student with an IEP; moreover, FAPE must be delivered in the LRE as per the IEP team.
2. Students will not be removed from regular education classrooms merely because of the severity of their disabilities;
3. When students with disabilities, including students with significant cognitive disabilities, need specially designed instruction or other supplementary aids and services to benefit from participating in regular education classrooms, as required in their IEP, the team is obliged to ensure that those services are provided to the extent required by applicable state and federal regulations and laws;
4. IEP teams must determine whether the goals in the student's IEP can be implemented in regular education classrooms with supplementary aids and services before considering removal from the regular education classroom;
5. The team will consider the full range of supplementary aids and services in regular education classrooms, based on peer-reviewed research to the extent practicable, including modification of curriculum content, before contemplating placement in a more restrictive setting.

To determine whether a child with disabilities can be educated satisfactorily in a regular education classroom with supplementary aids and services, the following factors provided by the Pennsylvania Department of Education (PDE) shall be considered and addressed:

1. What efforts have been made to accommodate the child in the regular classroom and with what outcome(s);
2. What additional efforts (i.e. supplementary aids and services) in the regular classroom are possible;
3. What are the educational benefits available to the child in the regular classroom, with the use of appropriate supplementary aids and services;
and
4. Are there possible significant and negative effects of the child's inclusion on the other students in the class?

Per the Pennsylvania Department of Education, the presumption is that IEP teams begin placement discussions with a consideration of the regular education classroom and the supplementary aids and services that are needed to enable a student with a disability to benefit from educational services. Benefit from educational services is measured by progress toward the goals and objectives of the student's IEP,

not by mastery of the general education curriculum, and is not limited to academic progress alone; therefore, Administration is directed to ensure that special education placement in a more restrictive environment is not justified solely on the basis that the child might make greater academic progress outside the regular education environment.

The law and the Pennsylvania Department of Education policy favor education with non-disabled peers; however, inclusion or education with non-disabled peers is not a foregone conclusion; such a decision remains exclusively with the IEP team as they consider FAPE. An IEP team may choose a more specialized setting if:

1. The student will receive greater benefit from education in a specialized setting than in a regular class.
2. He or she is so disruptive as to significantly impair the education of other students in the class; or
3. The cost of implementing a given student's IEP in the regular classroom will significantly affect other children in the Local Education Agency (LEA).

If, after considering these factors, an IEP team determines that the student needs to be educated in a more specialized setting, the school is required to include the child in school programs with non-disabled children to the maximum extent appropriate. These may include but are not limited to extracurricular activities, assembly programs, recess, lunch, homeroom, etc. Note that a student is not required to "try out" each level of LRE and "fail" before the student moves to a more specialized setting.

Administration is further directed to provide opportunities for teachers to participate in professional development and to become aware of peer-reviewed and research-based practices that can be used to support students in regular classroom settings. In consideration of Pennsylvania Department of Education guidance, Administration is directed to ensure that:

- Program and placement decisions are based on student strengths, potential and needs;
- IEP teams consider the regular classroom with supplementary aids and services before considering a more restrictive environment;
- Staff is aware of this policy on inclusion;
- Supportive team structures are in place to enable general education teachers to effectively educate students with IEPs in their regular classroom as appropriate;
- IEP teams use the most current IEP format;
- Educational placement decisions are made in the proper IEP sequence, which is:

    1. Initial eligibility decision;
    2. Determine FAPE and design the program (i.e. IEP);
    3. Determine whether FAPE can be delivered in the regular classroom with the use of supplementary aids and services;
    4. If the answer to step #3 is "no," then, move to the next step along the continuum of placement options to determine where FAPE can be delivered; and
    5. Correct LRE data is entered.

Administration, teachers and Staff shall be required to adhere to the following:

- Be familiar with a wide array of supplementary aids and services.
- Know the proper IEP decision making sequence.
- Consider the whole range of supplementary aids and services when making placement decisions.
- Understand that modifications to the regular curriculum may be an appropriate means of delivering educational benefit within the regular classroom.
- Address services needed for a student in a single plan.
- Be clear about the supports you need in order to implement any given student's IEP within your regular classroom.
- Be familiar with the continuum of placement options.

Additionally, pursuant to 22 Pa. Code §4.51[1], relating to the State Assessment System:

> "Children with disabilities and children with limited English proficiency shall be included in the State assessment system as required by Federal law, with appropriate accommodations when necessary. As appropriate, the Commonwealth will develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the PSSA or Keystone Exams as determined by each child's individualized education program team under the Individuals with Disabilities Education Act and this part."

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

Legal References:

1. 22 Pa. Code §4.51

Book	Policy Manual
Section	Special Education
Title	Individualized Education Program Policy (IEP)
Code	804
Adopted	October 15, 2020

Board of Trustees Policy

INDIVIDUALIZED EDUCATION PROGRAM POLICY (IEP)

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes and directs that in addition to the federal requirements incorporated by reference, the state regulations require that the IEP of each student with a disability must include when appropriate:

(1) A description of the type or types of support as defined in this paragraph that the student will receive, the determination of which may not be based on the categories of the child's disability alone. Students may receive more than one type of support as appropriate and as outlined in the Individualized Education Plan (IEP) and in accordance with this chapter. Special education supports and services may be delivered in the regular classroom setting and other settings as determined by the IEP team. In determining the educational placement, the IEP team must first consider the regular classroom with the provision of supplementary aids and services before considering the provision of services in other settings.

(i) Autistic support. Services for students with the disability of autism who require services to address needs primarily in the areas of communication, social skills or behaviors consistent with those of autism spectrum disorders. The IEP for these students must address needs as identified by the team which may include, as appropriate, the verbal and nonverbal communication needs of the child; social interaction skills and proficiencies; the child's response to sensory experiences and changes in the environment, daily routine and schedules; and, the need for positive behavior supports or behavioral interventions.

(ii) Blind-visually impaired support. Services for students with the disability of visual impairment including blindness, who require services to address needs primarily in the areas of accessing print and other visually-presented materials, orientation and mobility, accessing public and private accommodations, or use of assistive technologies designed for individuals with visual impairments or blindness. For students who are blind or visually impaired, the IEP must include a description of the instruction in Braille and the use of Braille unless the IEP team determines, after the evaluation of the child's reading and writing needs, and appropriate reading and writing media, the extent to which Braille will be taught and used for the student's learning materials.

(iii) Deaf and hard of hearing support. Services for students with the disability of deafness or hearing impairment, who require services to address needs primarily in the area of reading, communication, accessing public and private accommodations or use of assistive technologies designed for individuals with deafness or hearing impairment. For these students, the IEP must include a communication plan to address the language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and assistive technology devices and services.

(iv) Emotional support. Services for students with a disability who require services primarily in the areas of social or emotional skills development or functional behavior.

(v) Learning support. Services for students with a disability who require services primarily in the areas of reading, writing, mathematics, or speaking or listening skills related to academic performance.

(vi) Life skills support. Services for students with a disability who require services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(vii) Multiple disabilities support. Services for students with more than one disability the result of which is severe impairment requiring services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(viii) Physical support. Services for students with a physical disability who require services primarily in the areas of functional motor skill development, including adaptive physical education or use of assistive technologies designed to provide or facilitate the development of functional motor capacity or skills.

(ix) Speech and language support. Services for students with speech and language impairments who require services primarily in the areas of communication or use of assistive technologies designed to provide or facilitate the development of communication capacity or skills.

(2) Supplementary aids and services

(3) A description of the type or types of personnel support.

(4) The location where the student attends school and whether this is the school the student would attend if the student did not have an IEP.

(5) For students who are 14 years of age or older, a transition plan that includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

(6) The IEP of each student shall be implemented as soon as possible, but no later than 10 school days after its completion.

(7) Every student receiving special education and related services provided for in an IEP shall receive the special education and related services under that IEP, subject to the terms, limitations and conditions set forth in law.

The Charter School ensures that the IEP team review the IEP periodically, but not less than annually, to determine whether the annual goals of the child are being achieved; and revise the IEP, as appropriate, to address any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate. In addition to the requirements incorporated by reference with regard to development, review, and revision of IEP, the Charter School shall designate persons responsible to coordinate transition activities.

The Chief Executive Officer of the Charter School (CEO) or his/her designee is directed to implement all procedures in accordance with this policy.

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

Book	Policy Manual
Section	Special Education
Title	Evaluation and Reevaluation Policy
Code	805
Adopted	October 15, 2020

Board of Trustees Policy

EVALUATION AND REEVALUATION POLICY

In accordance with applicable state and federal regulations, the Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that in order to properly identify a student as eligible, the Charter School must have a process and procedures in place and therefore, directs as follows:

That the Charter School adopts this policy which sets forth procedural requirements for Evaluations and Reevaluations which are necessary to identify specific learning disabilities in accordance with its application for charter. To determine that a child has a specific learning disability, the Charter School shall address whether the child does not achieve adequately for the child's age or meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and scientifically based instruction appropriate for the child's age or State-approved grade-level standards:

(i) Oral expression.

(ii) Listening comprehension.

(iii) Written expression.

(iv) Basic reading skill.

(v) Reading fluency skills.

(vi) Reading comprehension.

(vii) Mathematics calculation.

(viii) Mathematics problem solving.

(2) Use one of the following procedures:

(i) A process based on the child's response to scientific, research-based intervention, which includes documentation that:

(A) The student received high quality instruction in the general education setting.

(B) Research-based interventions were provided to the student.

(C) Student progress was regularly monitored.

(ii) A process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.

(3) Have determined that its findings under this section are not primarily the result of:

(i) A visual, hearing or orthopedic disability.

(ii) Intellectual Disability.

(iii) Emotional disturbance.

(iv) Cultural factors.

(v) Environmental or economic disadvantage.

(vi) Limited English proficiency.

(4) Ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics by considering documentation that:

(i) Prior to, or as a part of, the referral process, the child was provided scientifically-based instruction in regular education settings, delivered by qualified personnel, as indicated by observations of routine classroom instruction.

(ii) Repeated assessments of achievement were conducted at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

The Individual Education Plan (IEP) Team, which consists of a group of qualified professionals and the student's parents, reviews the evaluation materials to determine whether the child is a child with a disability. The Team shall include a certified school psychologist when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury. Other professionals include hearing or visual specialists, a medical doctor, and occupational, physical or speech therapists. The evaluation must include information from the child's teacher(s), such as the results of informal tests and narrative statements describing the student's strengths and needs and also verbal and written input from the parent(s) as to the student's medical, social and academic history and observations from the home.

The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60-calendar days after the agency receives written parental consent for evaluation, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted. The evaluator shall prepare and sign the full report of the evaluation containing information such as: a clear explanation of the testing

and assessment results; a 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; a complete summary of all information obtain or reviewed from sources other than testing conducted by the evaluator; and specified recommendations for educational programming and/or placement, if necessary.

Parents may request an evaluation at any time, and the request must be in writing. The Charter School shall make the Permission to Evaluate form readily available for that purpose. If a request is made orally to any professional employee or administrator of the Charter School, that individual shall provide a copy of the Permission to Evaluate form to the parents within 10-calendar days of the oral request.

Copies of the Evaluation Report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP Team, unless this requirement is waived by a parent in writing.

Reevaluations

Once the child has been identified as being eligible for special education, the child must be reevaluated to determine whether the child's needs have changed. A Reevaluation must be conducted every three years. An exception to this is if a child has mental retardation. For students who have been determined to have mental retardation, reevaluations must occur every two years.

The Reevaluation process begins with a review of existing evaluation data by the IEP Team, which once more includes the parents. The IEP Team shall also include a certified school psychologist when evaluating a child for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.

The information the IEP Team must review includes, but is not limited to, existing evaluation data, evaluations and information provided by the parents, current classroom-based assessments and observations, observations by teachers and services providers, and whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals in the IEP and to participate as appropriate in the general curriculum.

At the end of the review, the IEP Team concludes either that no additional data are needed to determine continued eligibility for special education and related services, or that there is a need for additional data.

When additional data is needed to complete a Reevaluation to determine whether the child continues to be a child with a disability and still in need of special education, Charter School officials must also obtain written permission through a formal Permission to Re-Evaluate form. However, if the Charter School has made "reasonable attempts" to get permission and has failed to get a response, it may proceed with the Reevaluation.

Reasonable attempts must consist of:

- Documented Telephone calls
- Registered (return receipt required) and First Class Mail letters to the parents
- Visits to the home or parents' place of business

The reevaluation time line will be 60-calendar days, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted.

Copies of the reevaluation report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP team, unless this requirement is waived by a parent in writing.

All evaluations (whether an initial evaluation or a reevaluation) needed to determine a child's eligibility for special education services must be provided by the Charter School at no charge to the parents. If a child needs special education, the special programs and related services as determined by the IEP Team will be provided free by the Charter School.

The Chief Executive Officer (CEO) or designee is directed to implement all procedures in accordance with this policy.

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

Legal References:

1. 22 PA Code §§711.21-25
2. Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.
3. Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794
4. CFR Part 300

Book	Policy Manual
Section	Special Education
Title	Transition from Preschool Early Intervention Programs to Charter School Kindergarten or First Grade Programs
Code	806
Adopted	October 15, 2020

Board of Trustees Policy

TRANSITION FROM PRESCHOOL EARLY INTERVENTION PROGRAMS TO CHARTER SCHOOL KINDERGARTEN OR FIRST GRADE PROGRAMS

The Board of Trustees of Chester Community Charter School ("Charter School"), recognizes that Act 212 of 1990, the Early Intervention Systems Act, established Early Intervention services in Pennsylvania for eligible children from age three to the "age of beginners". Age of beginners is defined as the minimum age established by each school district's board of directors for admission to the school district's first grade under 22 Pa. Code 14 §14.101[2]. A transition, without interruption in program, and with appropriate procedural protections, is required under 20 U.S.C. §1419 (IDEA)[3].

To assist in this transition process, the Pennsylvania Department of Education ("PDE") Bureau of Special Education ("BSE") and the Bureau of Early Intervention Services ("BEIS") have developed standardized procedures and forms to be utilized by the Preschool Early Intervention programs, school districts and charter schools throughout the process. If Parents choose to enroll their child in the Charter School or complete the Intent to Register and select the Charter School, then the Charter School must fulfill the following responsibilities for a successful transition for the new school year.

By February 1st of each year, preschool Early Intervention programs must identify the children in their programs who are approaching the age for kindergarten or first grade. During the transition meetings in February, if parents intend to register their child with the Charter School, the following options should be considered by parents and the Charter School team:

(1) Parents and the Charter School can agree to adopt and implement the child's preschool Early Intervention Individualized Education Program for the new school year and, if so, the Charter School would then issue the Notice of Recommended Educational Placement/Prior Written Notice ("NOREP/PWN"), indicating this recommendation. However, the NOREP/PWN should indicate that the IFSP, as adopted, will serve as interim supports for the student, for a period of time of a maximum of sixty (60) days, while the Charter School, as the new LEA, decides on whether to accept, in part or whole, the entire recommended special education program in the IFSP. The Charter School will then determine, through a review of Early Intervention records, if school-age instruments were used to develop the IFSP and if not, then issue a PTE to conduct an evaluation using necessary school-age instruments.

(2) Parents and the Charter School can decide to adopt the preschool Early Intervention Individualized Education Program with revisions. The Charter School and parents would discuss the proposed revisions. The Charter School would then issue the revised Individualized Education Program and Notice of Recommended Educational Placement/Prior Written Notice indicating this recommendation.

(3) Parents and the Charter School will decide if a reevaluation is necessary. the Charter School may conduct a reevaluation consisting of a review of existing data and information prior to the development of an Individualized Education Program. The Charter School is not required to issue the Prior Written Notice and Request for Consent for Reevaluate form to obtain parental consent prior to a reevaluation limited to a review of existing data. The Charter School will notify the parents in writing within a reasonable amount of time after receipt of the Intent to Register form. Charter schools may conduct a reevaluation and develop Individualized Education Programs in accordance with the timelines mandated in 22 Pa. Code Chapter 711[4]. The Charter School and the parents may agree to waive a required reevaluation that is allowed under 34 CFR §300. 303(b)(2)[5], or may agree to implement the existing evaluation or Individualized Education Program.

(4) The Charter School may notify parents using a letter/notice developed by the Charter School. If the team is meeting to review existing evaluation data, the Invitation to Participate in the Individualized Education Program Team Meeting or Other Meeting notice can be used, noting that the meeting is to review data as part of a reevaluation. This review of existing data should commence within a reasonable amount of time after receipt of the Intent to Register.

The Reevaluation Report will summarize the data reviewed during reevaluation, the decision about whether additional evaluation data are needed, and a determination about the child's continued eligibility for special education services. If, through the review of existing evaluation data the Individualized Education Program team as described above determines that additional data are needed, the Charter School will issue the Prior Written Notice and Request for Consent to Reevaluate Form to obtain parental consent to collect the additional data. Within 60 days of the date the Charter School receives parental consent (not including summer days) to collect additional data, the parents will receive a copy of the Reevaluation Report.

(5) Waiving the reevaluation is not part of the reevaluation process. Waiving the reevaluation is recommended by the Charter School, not the Individualized Education Program team. The parents must be in agreement with the determination to waive the reevaluation. Parent signature is required on the Agreement to Waive Reevaluation form.

Within a reasonable period of time from the receipt of the signed Intent to Register form but no later than April 15th, the Charter School will notify parents in writing and initiate one of the options as noted above. Regardless which option is chosen, an Individualized Education Program will be implemented no later than 10 school days after its completion, in order to ensure that the special education programs of young children with disabilities are not interrupted when they transition from preschool Early Intervention programs to school-age programs.

All children currently eligible for special education in preschool Early Intervention and registered with the Charter School will remain eligible for special education in the Charter School unless the Charter School or preschool Early Intervention program completes a reevaluation that determines the child is no longer eligible for special education. If no longer eligible for special education services, the Charter School or preschool Early Intervention program must issue a Notice of Recommended Educational Placement/Prior Written Notice. If parents disagree with the Individualized Education Program offered by the Charter School and initiate a due process hearing or both parties agree to mediation, children who will transition into kindergarten or school age programs must continue to receive the services described in

their preschool Individualized Education Program (ensuring "status quo") pending completion of dispute resolution options of mediations or due process hearings.

It is recommended that the records of children who will be transitioning to the Charter School be requested by the Charter School for transfer from the preschool Early Intervention program in time for the transition meeting. If a transition meeting is not held, the records will be transferred upon the child being registered with the Charter School or when the child is no longer receiving preschool Early Intervention services.

The CEO shall ensure that this transition process is carried out through the Director of Student Services/Special Education Coordinator and any questions should be directed to this latter person.

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

Legal References:

1. Act 212 of 1990
2. 22 Pa. Code 14 §14.101
3. 20 U.S.C. §1419
4. 22 Pa. Code Chapter 711
5. 34 CFR §300. 303(b)(2)

Book	Policy Manual
Section	Special Education
Title	Exclusions: Suspensions and Expulsions Policy
Code	807
Adopted	October 15, 2020

Board of Trustees Policy

EXCLUSIONS: SUSPENSIONS AND EXPULSIONS POLICY

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons as set forth in Chapter 711 of Title 22 of the Pennsylvania Code[1] as well as the Procedural Safeguards Notice available through PaTTAN. The Board of Trustees of the Chester Community Charter School ("Charter School") directs compliance with these requirements and directs the Chief Executive Officer (CEO) or his/her designee to implement procedures necessary to effectuate the following:

AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)[2]

1. **Case-by-case determination**
   Charter School personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

2. **General**
   To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 consecutive school days, remove a child with a disability (other than a child with an intellectual disability) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see **Change of Placement Because of Disciplinary Removals** for the definition, below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of **10** school days in the same school year, the Charter School must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

3. **Additional authority**
   If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination**, below) and the disciplinary change of placement would exceed 10 consecutive school days, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's Individual Education Plan (IEP) Team determines the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under Change of Placement Because of Disciplinary Removals). The Charter School is required to issue a NOREP/Prior Written Notice to parents

prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

4. Services

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A charter school is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by their charter school.

A child with a disability who is removed from the child's current placement for more than 10 consecutive school days must:

a. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for 10 school days during one school year, or if current removal is for 10 consecutive school days or less, and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

5. Manifestation determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for 10 consecutive school days or less and not a change of placement), the Charter School, the parent, and relevant members of the IEP Team (as determined by the parent and the Charter School) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
b. If the conduct in question was the direct result of the Charter School's failure to implement the child's IEP.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that either of those conditions were met, the conduct must be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the Charter School's failure to implement the IEP, the Charter School must take immediate action to remedy those deficiencies.

6. **Determination that behavior was a manifestation of the child's disability**
If the Charter School, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:
    a. Conduct a functional behavioral assessment, unless the Charter School had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
    b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading Special circumstances, the Charter School must return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

7. **Special circumstances**
Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:
    a. Carries a weapon (see the Definitions below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Charter School;
    b. Knowingly has or uses illegal drugs (see the **Definitions** below), or sells or solicits the sale of a controlled substance, (see the **Definitions** below), while at school, on school premises, or at a school function under the jurisdiction of the Charter School; or
    c. Has inflicted serious bodily injury (see the **Definitions** below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or a charter school.

8. **Definitions**
    a. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c))[3].
    b. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
    c. *Serious bodily* injury has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code[4].
    d. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code[5].

9. **Notification**
On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the Charter School must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

Change Of Placement Because Of Disciplinary Removals

A removal of a child with a disability from the child's current educational placement is a change of placement requiring a NOREP/prior written notice if:

1. The removal is for more than 10 consecutive school days; or
2. The removal is for 15 cumulative school days total in any one school year;
3. The child has been subjected to a series of removals that constitute a pattern because:
    a. The series of removals total more than 10 school days in a school year;
    b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;
    c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; and

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the Charter School and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting

The IEP team must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings ***Additional authority*** and ***Special circumstances***, above.

1. General

The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:

a. Any decision regarding placement made under these discipline provisions; or
b. The manifestation determination described above.

the Charter School may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

2. Authority of hearing officer

A hearing officer that meets the requirements described under the sub-heading Impartial Hearing Officer must conduct the due process hearing and make a decision.

The hearing officer may:

a. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading Authority of School Personnel, or that the child's behavior was a manifestation of the child's disability; or
b. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if the Charter School believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

Whenever a parent or charter school files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **Due Process Complaint Procedures, Hearings on Due Process Complaints**, except as follows:

1. The LEA must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.
2. Unless the parents and the Charter School agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

When, as described above, the parent or the Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or the Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading **Authority of School Personnel**, whichever occurs first.

Special Rules for Students with Intellectual Disability
The disciplinary removal of a child with intellectual disability attending a charter school for any amount of time is considered a change in placement and requires a NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with intellectual disability when the disciplinary event involves weapons, drugs, and/or serious bodily injury.

According to certain assurances the Commonwealth entered into related to the PARC consent decree, a charter school may suspend on a limited basis a student with intellectual disabilities who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than intellectual disability could be suspended.

Protections For Children Not Yet Eligible For Special Education and Related Services

1. **General**
   If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the Charter School had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

2. **Basis of knowledge for disciplinary matters**
   A charter school must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:
   a. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel, or a teacher of the child;

b. The parent requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
c. The child's teacher, or other Charter School personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Charter School's director of special education or to other supervisory personnel of the Charter School.

Exception

A charter school would not be deemed to have such knowledge if:

a. The child's parent has not allowed an evaluation of the child or refused special education services; or
b. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

3. Conditions that apply if there is no basis of knowledge

If prior to taking disciplinary measures against the child, a charter school does not have knowledge that a child is a child with a disability, as described above under the sub-headings **Basis of knowledge for disciplinary matters** and **Exception**, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Charter School, and information provided by the parents, the Charter School must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.

B. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

1. The state and federal regulations do not:

a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

2. Transmittal of records

If a charter school reports a crime committed by a child with a disability, the charter school: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and may transmit copies of the child's special education and disciplinary records **only** to the extent permitted by FERPA.

NON-DISCRIMINATION

The Charter School shall not discriminate in its discipline policies or practices on the basis of intellectual ability, status as a person with a disability, proficiency in the English language or any other basis that would be illegal under applicable state and/or federal laws.

The CEO or his/her designee is directed to develop procedures and practices related to the use of positive behavioral interventions and supports, and procedural safeguards and to ensure that those policies and procedures are implemented.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code
2. 34 CFR §300.530
3. 21 U.S.C. 812(c)
4. 18 U.S.C 1365
5. 18 U.S.C 930

Book	Policy Manual
Section	Special Education
Title	Positive Behavior Support Policy
Code	808
Adopted	October 15, 2020
Revised	May 29, 2025

Board of Trustees Policy

POSITIVE BEHAVIOR SUPPORT POLICY

In accordance with applicable state regulations, including Title 22 Pa. Code Chapter 711.46[1], the Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") has established this policy to effectuate a program of positive behavior support at the Charter School. The Charter School has the responsibility to ensure it complies with all applicable statutes and regulations, including training in positive behavioral supports and the use of restraints by authorized personnel.

DEFINITIONS:

Aversive techniques--Deliberate activities designed to establish a negative association with a specific behavior.

Positive behavior support plan--A 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 individualized education program ("IEP") team, and be based on a functional behavior assessment and become part of the student's IEP. These plans include methods that utilize positive reinforcement and other positive techniques to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

Restraints—

(i) The application of physical force, with or without the use of a device, for the purpose of restraining the free movement of a student's body. The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him from one area to another.

(ii) Excluded from this definition are hand-over-hand assistance with feeding or task completion and 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 and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheel chairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition.

POSITIVE BEHAVIOR SUPPORT:

Positive rather than negative measures shall form the basis of positive behavior support programs to ensure that all of the Charter School's students shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints.

Positive techniques required for the development, change and maintenance of behavior shall be the least intrusive necessary.

RESEARCH-BASED PRACTICES:

Behavior support programs must include research-based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.

FUNCTIONAL BEHAVIOR ASSESSMENT:

Behavior support programs and plans shall be based on a functional assessment of behavior ("FBA") and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary.

RESTRAINTS:

The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

In the event that the need to use restraint cannot be reasonably anticipated for a particular student, or the parents/guardians refuse to provide consent therefore, appropriately trained staff may use such restraint when the student is acting in a manner that constitutes a clear and present danger to him/herself, to other students, or to employees.

NOTIFICATION OF USE OF RESTRAINT AND PROCEDURES:

The use of restraints to control the aggressive behavior of an individual student shall cause the Charter School to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints in order to review the effectiveness and appropriateness of the current IEP, unless the parent, 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, reevaluation, a new or revised positive behavior support plan or a change of placement to address the inappropriate behavior.

INCLUSION OF USE OF RESTRAINTS IN A STUDENT'S IEP:

The use of restraints may only be included in a student's IEP when:

(i) Utilized with specific component elements of positive behavior support.

(ii) Used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.

(iii) Staff are authorized to use the procedure and have received the staff training required.

(iv) There is a plan in place for eliminating the use of restraint through application of positive behavior support.

(v) If restraint is included in a student's IEP, parental consent prior to the use of restraint must be obtained.

The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.

PROHIBITION AGAINST PRONE RESTRAINTS:

The use of prone restraints is **prohibited** in educational programs. Prone restraints are those in which a student is held face down on the floor.

RESTRAINT REPORTING AND PROCEDURES:

The Charter School shall maintain and report data on the use of restraints as prescribed by the Secretary of the Pennsylvania Department of Education (PDE). The report is subject to review during cyclical compliance monitoring conducted by the PDE.

MECHANICAL RESTRAINTS:

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students 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. Mechanical restraints must prevent a student from injuring himself or others or promote normative body positioning and physical functioning. Charter School staff must be trained in use of mechanical restraints.

PROHIBITION AGAINST AVERSIVE TECHNIQUES:

The following aversive techniques of handling behavior are considered inappropriate and **shall not** be used in educational programs:

(1) Corporal punishment.

(2) Punishment for a manifestation of a student's disability.

(3) Locked rooms, locked boxes or 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.

(7) Treatment of a demeaning nature.

(8) Electric shock.

TRAINING OF PERSONNEL

The Board of Trustees hereby directs that school personnel be trained each school year on the general use of positive behavior support, de-escalation techniques, and emergency responses.

In addition to general positive behavior support training, when students are identified as in need of these supports, individual teachers and teacher groups are notified and trained accordingly so that they can act in accordance with the student's specific Positive Behavior Support Plan and de-escalation techniques, and respond appropriately in emergencies.

All teachers and appropriately designated staff and contractors shall be properly trained in crisis intervention (example CPI, Safety-Care), but under no circumstance shall restraint be conducted by an unauthorized individual. In other words, only trained personnel (whether direct charter school employees or contracted vendors) who are authorized by the charter school can engage in the use of lawful restraints. Annual refresher courses and documentation of training must be maintained. A minimum of twice a year, if necessary.

Per guidance from the PDE, the core training components the positive support plan and de-escalation (restraint reduction) staff trainings should include:

• The growing concern and potential legal issues surrounding physical restraints;

• How to create a commitment to the reduction of the use of physical restraints;

• How to create a safe environment where positive rather than negative measures form the basis of behavior management programs;

• How staff can avoid taking conflicts personally and avoiding power struggles;

• How to prevent problem behaviors through a system of recognition of signs of anxiety and distress in students and staff;

• How to identify the phases of crisis events and behaviors to interventions;

• How to demonstrate and model de-escalation techniques and other alternatives to physical restraint;

• Effective positive behavior support plans that include methods of utilizing positive reinforcement and other positive techniques to shape replacement behavior(s);

• How to utilize research-based practices that develop and maintain replacement behaviors to enhance student learning and skills for life;

• How to identify risks associated with the use of physical interventions including the signs of physical distress, positional asphyxiation, and the psychological effects of restraint;

• How to implement safe techniques for the use of physical restraints (prone restraints prohibited);

• How to document the incident and comply with notification procedures; and

• How to conduct a post intervention debriefing with student and staff.

REPORTING

Administration should identify a person responsible for reporting restraints; this individual must be specified by job title and is responsible for notifying key administrators regarding the use of a restraint, and who is responsible for entering restraints in any PDE system (RISC SYSTEM) to report on the use of restraints. Administration is further directed to comply with PDE guidelines regarding the reporting of the use of restraints. Staff trained and/or certified in a program of positive behavioral supports and de-escalation techniques, and safe physical management techniques will be designated as the individuals to intervene in crisis management situations that might require restraint of a student. Physical interventions should only be undertaken by staff persons who have successfully completed a comprehensive crisis management course that covers: crisis definition and theory; the use of de-escalation techniques; crisis communication; anger management; passive physical intervention techniques; the legal, ethical, and policy aspects of physical intervention use; decision making related to physical interventions and debriefing strategies.

Parental notification should occur within one school day of a restraint incident unless other procedures are written in the student's IEP.

Any restraint that results in an injury to a student and/or staff person must be reported to the Chief Executive Officer of the Charter School (CEO) who will comply with any requirement to report the injury to the Bureau of Special Education.

ADDITIONAL REQUIREMENTS AND ADMINISTRATIVE PROCEDURES

The CEO or designee is directed to ensure that behavior support programs administered at the Charter School are in accordance with Title 22 Pa. Code Chapter 711[2], including the training of personnel for the use of specific procedures, methods and techniques, and for having written procedures on the use of behavior support techniques and obtaining parental consent prior to the use of restrictive or intrusive procedures or restraints.

The CEO or designee is further directed to make professional development opportunities provided by the Bureau of Special Education of PDE, PATTAN, and/or outside providers available to train staff regarding Positive Behavior Support.

The CEO or designee is charged with using the most updated forms available through the Bureau of Special Education related to positive behavior support, including the use of any forms promulgated for functional behavior assessments and behavior support plans.

REFERRALS TO LAW ENFORCEMENT

An updated functional behavior assessment and positive behavior support plan shall be required subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan.

For a student with a disability who does not have a behavior support plan, subsequent to notification to law enforcement, the Charter School shall convene the student's IEP Team to consider whether a

behavior support plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.

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

Legal References:

1. Title 22 Pa. Code Chapter 711.46
2. Title 22 Pa. Code Chapter 711

Book	Policy Manual
Section	Special Education
Title	Alternate Assessment of Students Policy
Code	809
Adopted	October 15, 2020

Board of Trustees Policy

ALTERNATE ASSESSMENT OF STUDENTS POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") approves that the Chief Executive Officer of the Charter School (CEO) or his/her designee shall ensure that all children with disabilities are included in all general state and district-wide assessment programs, including the Pennsylvania System of School Assessment ("PSSA"), with appropriate accommodations or alternate assessments where necessary and as indicated in their respective Individual Education Plans (IEPs).

An assessment is a valid and reliable measurement of a student's performance on a set of academic standards in a subject area that captures the students understanding of the set as a whole and the central concepts, knowledge and skills of each content area. As part of the new regulations in place since March 1, 2014, Pennsylvania's Core Standards (PA Core Standards) offer a set of rigorous, high-quality academic expectations in English Language Arts and Mathematics that all students should master by the end of each grade level.

In compliance with Chapter 4 (22 Pa Code §4.11)[1], the PA Core Standards are a set of identified learning skills in English Language Arts and Mathematics written by Pennsylvania educators to meet the needs of Pennsylvania's students. They set the benchmarks and guidelines for what a student should learn and master at the end of each grade level. The PA Core Standards are similar to the Common Core State Standards (CCSS). Students in grades 3 through 8 will continue to be assessed through the PSSA, which will include material aligned to the PA Core Standards only as of 2015.

The Pennsylvania Alternate System of Assessment (PASA) is a statewide alternate assessment designed for students with the most significant cognitive disabilities. Specifically, it is intended for those who are unable to participate meaningfully in the PSSA even with accommodations. By administering the PASA to students with severe disabilities, schools achieve compliance with federal laws and the Pennsylvania School Code that require that all students participate in the statewide accountability system.

Students who meet the eligibility criteria for the alternate assessment as determined annually by the IEP team take PASA in grades 3, 4, 5, 6, 7, and 8. The PASA is an individually administered test given each spring to students by their teacher or another certified Test Administrator who knows the student well. Test administration can be adapted so that even students with the most severe disabilities can participate in the assessment and receive a score. Like the PSSA, the PASA is designed to take a snapshot of student's typical performance on a small sample of academic skills derived from the PA Core Standards.

The PASA will only include items related to the Alternate Eligible Content. The educational decisions about content rests with the Charter School IEP team and the decisions are based on individual educational needs and involvement and progress in the general education curriculum. The Alternate Eligible Content is located on the PaTTAN website under Initiatives – Students with Significant Cognitive Disabilities.

The Charter School must maintain information regarding the number of children who: participate in regular assessments; were provided accommodations in order to participate in those assessments; and participate in alternate assessments.

The CEO or his/her designee is directed to develop procedures to ensure that students with disabilities participate in the PSSA or PASA to the extent consistent with applicable law.

The CEO or his/her designee is directed to monitor student participation in statewide assessment to foster participation.

The CEO or his/her designee is directed to provide training opportunities to personnel regarding statewide assessment participation in PSSA and PASA requirements.

The CEO or his/her designee is directed to make Pennsylvania's guidelines regarding statewide assessments available to personnel.

The CEO or his/her designee is directed to develop procedures to prepare students in test-taking techniques prior to test administration.

The CEO or his/her designee is directed to review assessment data and use data to drive any needed program changes. The CEO or his/her designee is directed to report to the Board what changes are recommended and needed.

The CEO or his/her designee must maintain information regarding the performance of children with disabilities on regular assessments and on alternate assessments.

IEPs must include a description of benchmarks or short-term objectives for children who take alternate assessments aligned to alternate achievement standards. IEPs must, if the IEP team determines that the child shall take an alternate assessment on a particular statewide or school-wide assessment of student achievement, provide a statement of why the child cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate for the child.

IEPs must also include a statement of any accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide and district-wide assessments consistent with law. Under Chapter 4, IEP Teams will determine successful completion of graduation requirements for students with disabilities. Students with disabilities may attain the academic standards by completion of their IEPs under the IDEA and/or Chapter 4.

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

Legal References:

1. 22 Pa Code §4.11

Book	Policy Manual
Section	Special Education
Title	Related Services Policy
Code	810
Adopted	October 15, 2020

Board of Trustees Policy

RELATED SERVICES POLICY

The Board of Trustees (Board) of the Chester Community Charter School ("Charter School") recognizes that charter schools must comply with Chapter 711 of Title 22 of the Pennsylvania Code[1] regarding the provision of related services which incorporate the federal regulations at 34 C.F.R. §300.1 et. seq.,[2] which implement the Individuals with Disabilities Education Improvement Act 2004, ("IDEA")[3].

It is the intent of the Board of Trustees to ensure that all students with disabilities have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs and to prepare them for further education, employment, and independent living.

Pursuant to 34 CFR § 300.34[4], related services are transportation and those developmental, corrective and other supportive services that are required to assist a child with a disability to benefit from special education. Such services may include (depending upon the child's need and applicable state regulations):

(1) Speech-language pathology and audiology services,

(2) Interpreting services,

(3) Psychological services,

(4) Physical and occupational therapy,

(5) Recreation, including therapeutic recreation,

(6) Early identification and assessment of disabilities in children,

(7) Counseling services, including rehabilitation counseling,

(8) Orientation and mobility services, and

(9) Medical services for diagnostic or evaluation purposes.

Related services may also include school health services and school nurse services, social work services in schools, and parent counseling and training.

Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device. However, nothing:

(i) Limits the right of a child with a surgically implanted device

(e.g., cochlear implant) to receive related services that are determined by the Individualized Education Plan (IEP) Team to be necessary for the child to receive Free Appropriate Public Education (FAPE).

(ii) Limits the responsibility to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or

(iii) Prevents the routine checking of an external component of a surgically implanted device to make sure it is functioning properly, as required in Sec. 300.113(b) of Title 34 CFR[4].

The Charter School will provide related services to include those services which the (IEP) team determines are necessary for a student after a comprehensive evaluation and the development of an IEP.

Related services are provided to students during normal school hours during the Charter School's regular school year as dictated by the student's IEP or during times and hours as otherwise agreed upon by the student's IEP team and written in the IEP. Related services are provided during the extended school year to the extent extended school year services are applicable for a particular student pursuant to state regulations and the student's IEP. The Charter School may provide related services in the home for students who require related services in the home as part of their IEP. When related services are not provided in the Charter School setting, the Charter School arranges transportation to and from the location of related services in accordance with applicable state and federal regulations.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code
2. 34 C.F.R. §300.1
3. Individuals with Disabilities Education Improvement Act 2004, ("IDEA")
4. 34 CFR § 300.34
5. 34 CFR § 300.113(b)

Book	Policy Manual
Section	Special Education
Title	Section 504 Policy
Code	811
Adopted	October 15, 2020

Board of Trustees Policy

SECTION 504 POLICY

The Board of Trustees of Chester Community Charter School recognizes that all qualified persons with disabilities in the Chester Community Charter School ("Charter School") are entitled to a free and appropriate public education under Section 504 of the Rehabilitation Act of 1973 ("Section 504")[1]. Section 504 is a civil rights statute that prohibits discrimination against individuals with disabilities. Section 504 is applicable to charter schools that receive Federal financial assistance from the U.S. Department of Education for programs and activities.

The Charter School is under an affirmative duty to locate all students who are eligible for Section 504 accommodations pursuant to its Child Find duties. (34 C.F.R. §104.32(a))[2].

The Section 504 regulations define a person with a disability as any person who (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

> A "physical or mental impairment" may include, but is not limited to:
>
> (A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
>
> (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

An impairment in and of itself is not a disability. Per the U.S. Department of Education's Office for Civil Rights (OCR) guidance regarding "Protecting Students with Disabilities," the regulations "do not set forth an exhaustive list of specific diseases and conditions that may constitute physical or mental impairments."

"Major life activity" may include: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. According to the OCR, this list is also not exhaustive.

A student is not "regarded as" an individual with a disability if the impairment is transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less. However, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. A student with such an impairment is entitled to a free appropriate public education under Section 504.

A qualified person with a disability is a person with a disability who is of an age during which it is mandatory under state law to provide such services to persons with disabilities; of an age during which

persons without disabilities are provided such services; or a person for whom a state is required to provide a free appropriate public education under IDEA 2004[3].

All school-age children who are individuals with disabilities as defined by Section 504 are entitled to a free and appropriate public education ("FAPE").

According to the OCR, an appropriate education includes: education services designed to meet the individual education needs of students with disabilities as adequately as the needs of nondisabled students are met; the education of each student with a disability with nondisabled students, to the maximum extent appropriate to the needs of the student with a disability; evaluation and placement procedures established to guard against misclassification or inappropriate placement of students, and a periodic reevaluation of students who have been provided special education or related services; and establishment of due process procedures that enable parents and guardians to receive required notices, review their child's records, and challenge identification, evaluation and placement decisions, and that provide for an impartial hearing with the opportunity for participation by parents and representation by counsel, and a review procedure.

To be appropriate, education programs for students with disabilities must be designed to meet their individual needs to the same extent that the needs of nondisabled students are met. An appropriate education may include regular or special education and related aids and services to accommodate the needs of individuals with disabilities.

The quality of education services provided to students with disabilities must equal the quality of services provided to nondisabled students. Teachers of students with disabilities must be trained in the instruction of individuals with disabilities. Facilities and classrooms must be comparable, and appropriate materials and equipment must be available.

Students with disabilities may not be excluded from participating in nonacademic services and extracurricular activities on the basis of disability. Persons with disabilities must be provided an opportunity to participate in nonacademic services that is equal to that provided to persons without disabilities. These services may include physical education and recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school, and referrals to agencies that provide assistance to persons with disabilities and employment of students.

Students with disabilities and students without disabilities must be placed in the same setting, to the maximum extent appropriate to the education needs of students with disabilities.

A person with a disability must be placed in the regular education environment, unless it is demonstrated that the student's needs cannot be met satisfactorily with the use of supplementary aids and services. Students with disabilities must participate with nondisabled students in both academic and nonacademic services to the maximum extent appropriate to their individual needs.

As necessary, specific related aids and services must be provided for students with disabilities to ensure an appropriate education setting. Supplementary aids may include interpreters for students who are deaf, readers for students who are blind, and equipment to make physical accommodations for students with mobility impairments to the extent required in a cyber-setting.

Section 504 requires the use of evaluation and placement procedures. A physician's medical diagnosis may be considered among other sources in evaluating a student but should not be the sole criteria for determination that Section 504 accommodations are needed. A physician's diagnosis alone does not mean that a Student requires Section 504 accommodations.

An individual evaluation must be conducted before any action is taken with respect to the initial placement of a child who has a disability, or before any significant change in that placement.

The Chief Executive Officer of the Charter School (CEO) shall appoint a Section 504 Coordinator (34 C.F.R. §300.104.7(a))[4], to establish standards and procedures for initial and continuing evaluations and placement decisions regarding persons who, because of a disability, need or are believed to need special education or related services. Procedures must ensure that tests and other evaluation materials: have been validated for the specific purpose for which they are used, and are administered by trained personnel in conformance with the instructions provided by their producer; are tailored to assess specific areas of education need and are not designed merely to provide a single general intelligence quotient; and are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

The 504 Coordinator is directed to draw upon a variety of sources in the evaluation and placement process so that the possibility of error is minimized. All significant factors related to the learning process must be considered. These sources and factors include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior.

Information from all sources must be documented and considered by a group of knowledgeable persons, and procedures must ensure that the student is placed with nondisabled students to the greatest extent appropriate.

Periodic reevaluation is required.

The 504 Coordinator must have in effect procedural safeguards regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. Parents must be told about these procedures. In addition, parents or guardians must be notified of any evaluation or placement actions, and must be allowed to examine the student's records. The due process procedures must allow the parents or guardians of students to challenge evaluation and placement procedures and decisions.

If parents or guardians disagree with the school's decisions, they must be afforded an impartial hearing. A review procedure also must be available to parents or guardians who disagree with the hearing decision. Section 504 neither prohibits nor requires the Charter School to initiate a due process hearing to override a parental refusal to consent with respect to the initial provision of special education and related services. Nonetheless, the Charter School should consider that IDEA no longer permits schools to initiate a due process hearing to override a parental refusal to consent to the initial provision of services.

It is the policy of the Board to provide a free and appropriate public education to each qualified disabled student within the Charter School, regardless of the nature or severity of the disability. Consequently, it is the intent of the Board to ensure that students who are disabled within the definition of Section 504 are identified, evaluated and provided with appropriate educational services.

PROCEDURES

Students who are in need or are believed to be in need of services under Section 504 may be referred for

evaluation by a parent/guardian, teacher, or other certified school employee. Requests should be directed to the Charter School's 504 Coordinator.

The Charter School will consider the referral, and based upon a review of the student's records, including academic, social, testing, and behavioral records, determine whether an evaluation is appropriate. Any student, who, because of a disability, needs or is believed to need special services, will be referred for evaluation. If a request for evaluation is denied, the Charter School will inform the parents or guardian of this decision and of their procedural rights. Section 504 requires informed parental permission for initial evaluations. If a parent refuses consent for an initial evaluation and the Charter School suspects a student has a disability, the IDEA and Section 504 provide that the Charter School may use due process hearing procedures to seek to override the parents' denial of consent.

EVALUATION

The purpose of a student evaluation shall be to determine eligibility for accommodations as a disabled person under Section 504. School districts may use the same process to evaluate the needs of students under Section 504 as they use to evaluate the needs of students under the IDEA.

The Charter School's multi-disciplinary committee should include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. The committee members must determine if they have enough information to make a knowledgeable decision as to whether or not the student has a disability. The Charter School's Section 504 evaluation procedures must ensure that:

- Evaluation materials have been validated for the specific purpose for which they are used and are interpreted and/or administered by trained personnel in conformance with the instructions provided by their producer.

- Tests and the evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.

- The information obtained from all such sources must be documented and all significant factors related to the student's learning process must be considered. These sources and factors may include student records, aptitude and achievement tests, teacher recommendations/input, nurse and/or counselor input, physical condition, social and cultural background, and adaptive behavior. In evaluating a student suspected of having a disability, it is unacceptable to rely on presumptions and stereotypes regarding persons with disabilities or classes of such persons.

Discussions as to eligibility and possible accommodations should:

- Determine if there are reasonable accommodations that can enable the student to participate in learning in the school environment.

- Do not provide different or separate aid unless it is necessary to make benefits or services as effective as those being provided to all other students in the class.

- Do not require the identical result or level of achievement as other students; rather, provide equal

opportunity.

- If the education of a person, in a regular environment with the use of reasonable supplementary aids, cannot be achieved satisfactorily, then the implementation of an IEP may be considered.

- Other students' educational rights may not be significantly impaired by the accommodations.

- The accommodations must be reasonable, must not fundamentally alter the school program, or present undue burden to the school.

- The accommodations being considered are for the child's current placement only.

FINALIZING/IMPLEMENTING SERVICE AGREEMENTS

- No final determination of whether the student is a disabled individual within the meaning of Section 504 will be made without informing the Parent or Guardian of the student concerning the determination.
- It is advisable to discuss what will be in the Service Agreement with Parent/Guardian during the meeting to determine Section 504 eligibility.
- Whether done at a meeting or not, it is advisable to have Parent/Guardian sign a written Service Agreement before implementing it and the Agreement must contain:
    - Brief description of disability and resulting needs of Student;
    - Specific related aids, services curriculum modifications or accommodations that are being proposed;
    - Date services to begin and end or specific commitment to continue services for an indefinite period;
    - If appropriate, procedures to follow in a medical emergency;
- It is advisable that the 504 Team, including Parent/Guardian, meet periodically, and no less than an annual basis, to review Student progress or to meet within the School year if Student not demonstrating progress per teacher observation/assessments;

Note: With regard to a student who is determined to be disabled under Section 504 of the Rehabilitation Act of 1973[1], but who is not determined to be disabled under IDEA[3], the Charter School shall periodically conduct a reevaluation of the student as required by law.

The CEO and/or Section 504 Coordinator is directed to develop procedures necessary to implement this policy in a school setting.

Discipline:

As part of the protections of not being subjected to discrimination or denied benefits of Charter School programs, the Student is afforded protections applicable to eligible special education students pertaining to exclusionary discipline. Such protections include holding a Manifestation Determination to decide if the misconduct is related to the disability, and Informal and Formal Hearings, with the latter having all due process protections pursuant to 22 Pa. Code §12.6[5].

Students Eligible Under Section 504 But No Service Agreement Necessary

Such students do not require a 504 Service Agreement because:

- No accommodations needed in classroom or by School Nurse; or
- As result of mitigation measures, do not require accommodations with such measures including, but not limited to:
    - Medication, medical equipment, hearing aids, low vision devices but NOT eyeglasses or contacts, Assistive Technology, auxiliary aids or services (interpreters, taped texts and other means of delivery of aural or visual material) or learned behavioral or adaptive neurological modifications.

Grievance Procedure:

If a Parent/Guardian believes that the school or any of its staff or schools have inadequately applied the regulations of Section 504, he/she may initiate a grievance with the school's CEO, Section 504 Coordinator. The grievance procedures must explicitly state and make clear to the individual(s) involved that a complaint can be made to the regional office of U. S. Department of Education's Office for Civil Rights (OCR) without going through the school's grievance procedures. However, the 504 Coordinator should attempt to resolve the matter by convening a conference with Parent/Guardian within ten (10) days of receipt of complaint.

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

Legal References:

1. Section 504 of the Rehabilitation Act of 1973
2. 34 C.F.R. §104.32(a)
3. IDEA 2004
4. 34 C.F.R. §300.104.7(a)
5. 22 Pa. Code §12.6

Book	Policy Manual
Section	Special Education
Title	Program Options Policy
Code	812
Adopted	October 15, 2020

Board of Trustees Policy

PROGRAM OPTIONS POLICY

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Chester Community Charter School ("Charter School") recognizes and directs as follows:

It is the Charter School's policy that children with disabilities have available to them the variety of educational programs and services available to nondisabled children.

The Chief Executive Officer of the Charter School (CEO) or designee is directed to implement all procedures in accordance with this policy.

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

Book	Policy Manual
Section	Special Education
Title	Free Appropriate Public Education (FAPE) Policy
Code	813
Adopted	October 15, 2020

Board of Trustees Policy

FREE APPROPRIATE PUBLIC EDUCATION (FAPE) POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") must ensure that Free Appropriate Public Education (FAPE) is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

The determination that a child described above is eligible, must be made on an individual basis by the group responsible within the Charter School for making eligibility determinations.

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

Book	Policy Manual
Section	Special Education
Title	Access to Instructional Materials Policy
Code	814
Adopted	October 15, 2020

Board of Trustees Policy

ACCESS TO INSTRUCTIONAL MATERIALS POLICY

The Pennsylvania State Board of Education adopted the National Instructional Materials Accessibility Standard (NIMAS)[1] as defined in the Education of Individuals with Disabilities Education Improvement Act of 2004 ("IDEA")[2], for the purpose of providing print instructional materials in alternate accessible formats or specialized formats to blind persons or other persons with print disabilities in a timely manner. Pursuant to the state regulations which incorporate the IDEA, the Chester Community Charter School ("Charter School") will adopt NIMAS to ensure the timely provision of high quality, accessible instructional materials to children who are blind or other persons with print disabilities. The NIMAS refers to a standard for source files of print instructional materials created by publishers that may be converted into accessible instructional materials.

In accordance with 22 Pa. Code §711.45[3], the Charter School, shall, in a timely manner, provide print instructional materials in specialized, accessible formats (that is, Braille, audio, digital, large-print, and the like) to children who are blind or other persons with print disabilities, as defined in 2 U.S.C.A.§ 135a[4] (regarding books and sound-reproduction records for blind and other physically handicapped residents; annual appropriations; and purchases).

The Charter School, shall act in a timely manner to provide instructional materials required under 22 Pa. Code §711.45(a)[3] if it takes steps to ensure that children who are blind or other persons with print disabilities have access to their accessible format instructional materials at the same time that students without disabilities have access to instructional materials. The Charter School will not withhold instructional materials from other students until instructional materials in accessible formats are available.

Receipt of a portion of the instructional materials in alternate accessible or specialized format will be considered receipt in a timely manner if the material received covers the chapters that are currently being taught in the student's class.

If a child who is blind or other person with a print disability enrolls in the Charter School after the start of the school year, the School shall take all reasonable steps to ensure that the student has access to accessible format instructional materials within 10 school days from the time it is determined that the child requires printed instructional materials in an alternate accessible or specialized format.

The Charter School may coordinate with the National Instructional Materials Access Center (NIMAC) to facilitate the production of and delivery of accessible materials to children who are blind or other persons with print disabilities. The NIMAC refers to the central repository, established under section 674(e) of the Education of Individuals with Disabilities Education Act, which is responsible for processing, storing and distributing NIMAS files of textbooks and core instructional materials.

Schools coordinating with NIMAC shall require textbook publishers to deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School. Schools that choose not to coordinate with NIMAC may require that publishers deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School.

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

Legal References:

1. National Instructional Materials Accessibility Standard (NIMAS)
2. Disabilities Education Improvement Act of 2004 ("IDEA")
3. 22 Pa. Code §711.45
4. 2 U.S.C.A.§ 135a

Book	Policy Manual
Section	Special Education
Title	Assistive Technology (AT) Policy and Procedures
Code	815
Adopted	October 15, 2020

Board of Trustees Policy

ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES

The Board of Trustees (Board) of the Chester Community Charter School ("Charter School") recognizes that Assistive Technology (AT) devices and/or services may be essential factors in meeting the educational needs of children with disabilities.

Both federal and state special education laws explicitly define Assistive Technology to include both Assistive Technology devices and/or services, the purpose of which are to improve the functional capabilities of a student with a disability. Such Assistive Technology must be provided for a child with a disability, at no cost to parents, if determined by the Individual Education Plan (IEP) team to be necessary for the student to receive a free appropriate public education (FAPE). Such services may be required as part of special education, related services, or supplementary aids and services required to enable a child to be educated in the least restrictive environment.

The Board further recognizes that the IEP team is responsible for determining if an Assistive Technology device and/or service is necessary for a child with a disability to receive FAPE. It is important to remember that Assistive Technology devices and/or services are not always enough by themselves. The IEP team should focus on whether or not Assistive Technology devices and/or services are necessary for the eligible child to meet educational demands and therefore receive FAPE.

Definitions

Assistive Technology device
As defined in both federal and state law, this means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. Assistive Technology devices range from a simple switch for a child with particular physical limitations to a sophisticated vocal output augmentative communication device for a child with severe speech impairment. The term does not include a medical device that is surgically implanted, or the replacement of such device.

Assistive Technology service

As defined in both federal and state law, this means any service that directly assists a child with a disability in the selection, acquisition, or use of an Assistive Technology device. Assistive Technology services are those that are necessary to enable the student and/or IEP Team to use any Assistive Technology services specified in the IEP. Such services may include:

A) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
B) Purchasing, leasing, or otherwise providing for the acquisition of Assistive Technology devices by children with disabilities;

C) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing Assistive Technology devices;
D) Coordinating and using other therapies, interventions, or services with Assistive Technology devices, such as those associated with existing education and rehabilitation plans and programs;
E) Training or technical assistance for a child with a disability or, if appropriate, that child's family;
F) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise involved in the major life functions of that child.

By virtue of these expansive definitions, an exhaustive yet specific list of what constitutes Assistive Technology devices and/or services does not exist.

Guidelines

Consideration of Assistive Technology, in the context of IEP development, review or revision, is intended to be a collaborative process in which team members determine whether AT devices or services are needed for the student to access the general education curriculum or meet IEP goals. Consideration may necessitate that the IEP team include (or have access to) someone who has knowledge about Assistive Technology or who can guide the Team in considering Assistive Technology in the context of what they know about the student. Team members who are considering Assistive Technology should examine available data and observations about the student and ask whether the student may need Assistive Technology:

A) To be in the LRE;
B) To meaningfully participate in the general education curriculum;
C) To participate in activities;
D) To access educational/print materials, including textbooks;
E) To access auditory information;
F) For written communication/computer access;
G) For augmentative communication;
H) To participate in state and local assessments.

Therefore, to the extent that Assistive Technology devices and/or services may be required as part of special education, related services, or supplementary aids or services, a child's IEP must include a statement describing the full extent of devices (e.g., no, low, and high technology and back-up strategies) and service(s) as well as the amount of such service(s). When describing the Assistive Technology needed by the student, it is considered best practice to describe the features rather than the brand name, because most devices and software have multiple features, not all of which may be required by the student to have FAPE. The provision of Assistive Technology devices and/or services may not be made conditional on subsequent approval by entities outside the IEP process (i.e., IU availability, Medical Access Reimbursement, etc.).

All procedural safeguards and time lines set forth in federal and state laws for completing multidisciplinary evaluations, reevaluations, and developing and implementing IEPs are fully applicable to Assistive Technology devices and/or services when they are necessary to ensure eligible children

receive FAPE.

It is the Charter School's responsibility to provide Assistive Technology devices and services when included as part of a student's IEP. State and federal law do **not** require that the Charter School purchase Assistive Technology as needed in the IEP. However, it is appropriate for the Charter School to purchase, rent or borrow Assistive Technology or utilize Assistive Technology that is acquired through the student's insurance. The Charter School may not require the family to utilize insurance or any other funding source. The Charter School remains responsible for any costs related to repair, maintenance, or replacement of required Assistive Technology that is specified in the IEP.

The Chief Executive Officer of the Charter School (CEO) or his/her designee is directed to seek any necessary assistance from the Commonwealth regarding the purchase and payment for Assistive Technology. According to Pennsylvania Department of Education (PDE), the CEO or his/her designee should inform the family not to assume the device will be billed to Medical Assistance (MA), even if a child's MA number is provided on an equipment acquisition form. If the device is billed to MA, the CEO or his/her designee will notify the parents by sending a transfer of ownership letter. When the parents are in receipt of the transfer of ownership letter, the billing process has begun. If the billing is ultimately rejected by MA, the parents will be informed by letter. The CEO or his/her designee may not delay or deny a student's receipt of Assistive Technology while it attempts to secure MA funding and is directed to comply with any applicable procedures as modified by PDE.

The CEO or his/her designee is charged with implementing procedures to ensure that devices are properly maintained and functioning, including hearing aids and external components of surgically implanted medical devices.

Routine checks and tests of those devices will be administered and results logged or otherwise noted when necessary. The CEO or his/her designee is directed to implement a process to address: the need for AT, effective maintenance of all AT devices, the selection of age and developmentally appropriately AT devices, review of recommendations from qualified personnel including speech language pathologists regarding AT, and the maintenance of AT by the Charter School. All AT devices are to be maintained in a manner deemed appropriate for their intended use and purpose as directed by the manufacturer to the maximum extent possible.

The need for AT services and devices are to be identified with specificity in students' IEPs and AT services and devices are to be reviewed at least annually in the course of an IEP team meeting, or as requested by the IEP team and/or parent.

The CEO or his/her designee is directed to have AT devices promptly repaired when needed and in the interim a device or back up plan is to be in place while the device is being repaired/maintained.

The CEO or his/her designee is further directed to have a plan in place to provide AT services without interruption.

The CEO or his/her designee is charged with making personnel aware of the availability of AT resources.

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

Book	Policy Manual
Section	Special Education
Title	Least Restrictive Environment Policy
Code	816
Adopted	October 15, 2020

Board of Trustees Policy

LEAST RESTRICTIVE ENVIRONMENT POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") directs the Chief Executive Officer of the Charter School (CEO) or designee to ensure that, in accordance with applicable state and federal laws and regulations, to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled and that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Least Restrictive Environment ("LRE") means that, to the maximum extent appropriate, a Charter School must educate students with disabilities in the regular classroom with appropriate aids and supports, referred to as "supplementary aids and services, " along with their nondisabled peers in the school they would attend if not disabled, unless a student's Individualized Education Plan (IEP) requires some other arrangement. This requires an individualized inquiry into the unique educational needs of each disabled student in determining the possible range of aids and supports that are needed to facilitate the student's placement in the regular educational environment before a more restrictive placement is considered.

The CEO or designee is directed to ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum of alternative placements may include but is not limited to: instruction in regular classes with or without supplementary aids and services, special classes, special schools, approved private schools, home instruction and instruction in hospitals and institutions to the extent the IEP team determines such placements are appropriate.

These options must be available to the extent necessary to implement the IEP of each disabled student. The placement team must select the option on the continuum in which it determines that the student's IEP can be implemented. Any alternative placement selected for the student outside of the regular educational environment must maximize opportunities for the student to interact with nondisabled peers, to the extent appropriate to the needs of the student. Pursuant to IDEA, parents must be given written prior notice by the Charter School that meets the requirements of the IDEA federal regulations at 34 C.F.R. §300.505[1], as to a reasonable time before a public agency implements a proposal or refusal to initiate or change the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. Consistent with this notice requirement, parents of disabled students must be informed that the public agency is required to have a full continuum of placement options, as well as about the placement options that were actually considered and the reasons why those options were rejected. 34 CFR §§300.504-300.505[1].

The CEO or designee is directed to provide training opportunities for school personnel regarding inclusion.

The CEO or designee is directed to make opportunities available for students to interact with nondisabled peers when they need to be removed for any amount of time from the regular education environment.

The CEO or designee is directed to support participation of students with disabilities in nonacademic and extracurricular activities where appropriate (including transportation).

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

Legal References:

1. 34 C.F.R. §300.505

Book	Policy Manual
Section	Special Education
Title	Homebound Instruction Charter Policy
Code	817
Adopted	October 15, 2020

Board of Trustees Policy

HOMEBOUND INSTRUCTION CHARTER POLICY

In accordance with 22 Pa Code § 11.25[1], the Board of Trustees of the Chester Community Charter School ("Charter School"), sets forth the following policy:

> "(a) A school district, area vocational technical school, charter school, independent school, private school or non-public school may temporarily excuse a student from compulsory attendance on account of illness or other urgent reasons and provide that student homebound instruction while he or she is excused from school. Regulations require that the term "urgent reasons" be strictly construed not to permit irregular attendance at school."
>
> (b) A school district, area vocational technical school, charter or independent school may provide students temporarily excused under this section with homebound instruction for a period not to exceed 3 months. A school district, area vocational technical school, charter or independent school may request approval from the Department to extend the provision of homebound instruction, which shall be reevaluated every 3 months. When a student receives homebound instruction, the student may be counted for attendance purposes as if in school. A school district shall be reimbursed for homebound instruction provided to a student under section 2510.1 of the Public School Code of 1949 (24 P. S. § 25-2510.1)[2].
>
> (c) A school district shall adopt policies that describe the instructional services that are available to students who have been excused under this section. The policies must include statements that define the responsibilities of both the district and the student with regard to these instructional services."

Purpose of Homebound Instruction

The purpose of homebound instruction is to keep students on track academically while the student is temporarily out of school. Homebound instruction is defined in the Pennsylvania Department of Education (PDE) Basic Education Circular ("BEC") as school-supplied one-to-one tutoring for a limited time.

Certification of Teachers Providing Homebound Instruction

Teachers employed for delivering homebound instruction are governed by the same certification regulations as all other teachers. Refer to PDE's Certification Staffing and Policy Guidelines (CSPG) #1, Appropriate Certification in Pennsylvania, Statement 7:

A "homebound instruction" teacher is governed by the same certification regulations as all other teachers. When regularly employed professional staff cannot be assigned to homebound instructions, persons on the substitute

roster holding appropriate certification may be used. If no certified person is available, an emergency certificate may be issued to qualify a person to teach homebound students.

Documentation for Homebound Instruction Request

Since the goal is to rehabilitate a student so that they can return to school, the Charter School may define what is acceptable as an appropriately licensed professional for a specific type of excusal. Accordingly, the Charter School requires written documentation from a physical or mental health provider at the doctoral level or above, who is licensed to practice in Pennsylvania and who is actively treating the student for the medical condition at issue for homebound instruction. PDE's guidance states that a doctor does not "order" homebound instruction but rather provides the diagnosis to enable the school district/charter school to make an informed decision on how to best provide for the student's education. Furthermore, PDE guidance allows the Charter School to require frequent updates on the student's progress, from this appropriately licensed professional, as a condition of continued excusal.

A Charter School may provide homebound instruction for an initial total of three months without consulting or notifying PDE.

Extension: After expiration of the initial three-month period of homebound instruction, it is not necessary for the Charter School to send to PDE the licensed professional's documentation with the extension request; rather, the Charter School must ensure the excuse is reasonable for absence from school and that the student is being treated actively for the condition necessitating the absence.

NOTE: If the need for homebound instruction goes beyond the initial three months, the Charter School should determine whether the student should be evaluated or considered for either an IEP or a 504 Service Agreement.

Pregnant and Parenting Students

Becoming pregnant or being a parent does not, in itself, necessitate that a student receive homebound instruction. Certification of a physician is required for any students, including pregnant or parenting students, who are requesting homebound instruction because of an illness or other urgent reason.

Attendance

A student receiving homebound instruction is counted in both membership and attendance. If a student does not receive homebound instruction during the first three months of a school year, then the student is counted in membership but not in attendance.

PDE defines the following terms:

- ***Membership***: student is on the attendance roles, whether or not he or she physically is present on any given day.

- ***Attendance***: days when a "member" student is counted as present in school.

- ***Inactive Roll***: student is not counted in either membership or attendance.

There is no requirement in the BEC, or otherwise, as to the minimum number of hours of such tutoring/instruction and other methods may be used to provide student with instructional time. PDE's Child Accounting counts an hour of weekly instruction as equivalent to a day of school attendance. Therefore, five hours of weekly instruction are equivalent to five days of school attendance.

However, for every hour less than the total of five hours of homebound instruction provided (or 2.5 hours for half-day attendees), the student is marked as absent – one day for each hour missed. Hours are counted on a weekly basis; a student cannot be counted as present by combining hours from consecutive weeks. For example, three hours of homebound instruction one week and seven hours the next week cannot count as fulltime for the two weeks.

The Charter School may, at their discretion, provide more than five hours of instruction per week without requesting special permission from PDE.

Part-time Attendance

A Charter School may structure homebound instruction for a student such that the student attends school part-time, as his or her condition allows; homebound instruction requests need not be restricted to students who are unable to attend school at all. If it is agreed by the Charter School that a student attends school for partial days, then homebound instruction would be prorated. For example, if a student attends school half-days, only 2.5 hours of homebound instruction is required for the equivalent of five days of instruction

PSSA Testing

A homebound student is required to participate in the Pennsylvania System of School Assessment (PSSA). If the student is incapable of participating at the school, the individual who is providing the homebound instruction should be trained to administer the assessment and then administer the test to the student in his/her home.

PDE Reporting

A charter school may provide homebound instruction for the initial three months of excusal without consulting Pennsylvania Department of Education (“PDE”). Following the initial three months, the charter school must obtain the approval of PDE to extend homebound instruction. Any excusal from compulsory attendance must be reevaluated, at minimum, every three months. The Charter School may have a policy that requires more frequent evaluations.

It is not necessary for the Charter School to send to PDE the licensed professional's documentation with the extension request; the Charter School simply must ensure the excuse is reasonable for absence from school and that the student is being treated actively for the condition necessitating the absence.

Non-attendance without the provision of homebound instruction

If a condition exists which prevents a child from the ability to benefit from study, the student may be entered into the inactive roll with the PDE's approval until such a time as the student may benefit from study. (22 Pa Code § 11.34.)[3]

School Initiated. The Charter School may excuse a school age child from compulsory school attendance upon recommendation of the school physician and a psychiatrist or public school psychologist, or both, and with the approval of PDE. Prior to seeking excusal and approval, the Charter School must provide the child's parents with written notice of both the proposed excusal, including the reasons for the excusal, and an opportunity to be heard. See 22 Pa Code § 11.34[3] and 24 P.S. § 13-1330(2)[4]. Children so excused are entered on the inactive roll.

Other in-home instruction that is not designated as homebound instruction

There are a number of educational options that sometimes are referred to as "homebound instruction" although they do not fit the legal definition of homebound instruction. The following are NOT categorized as "homebound instruction" pursuant to the PDE BEC:

- **Instruction Conducted in the Home**: for special education students for whom an Individualized Educational Plan (IEP) team determines that the instruction of the student is to be conducted in the home; students are counted in both the school membership and school attendance; this is not homebound instruction. (See “Special Education Policy – Instruction in the Home”).

- **Home Education Program (Homeschooling):** usually taught at home by a parent (referred to as the home education supervisor); students are not counted in either the membership or school attendance; this is not homebound instruction. Students enrolled in the Charter School cannot be simultaneously home-schooled as they would be in their school district of residence.

- **Home Study:** for expelled students or students awaiting placement; students are counted in the membership but not the school attendance; this is not homebound instruction.

Audits

As the Charter School may be audited for their provision of homebound instruction, the following information will be maintained and made available for such an audit:

- The documentation from the appropriately licensed practitioner substantiating the need for homebound instruction.
- The listing of the students on homebound instruction and the total amount of time for each student in homebound instruction.

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

Legal References:

1. 22 Pa Code § 11.25
2. 24 P. S. § 25-2510.1
3. 22 Pa Code § 11.34
4. 24 P.S. § 13-1330(2)

Book	Policy Manual
Section	Special Education
Title	Child Find Policy
Code	818
Adopted	October 15, 2020

Board of Trustees Policy

CHILD FIND POLICY

In accordance with the Individuals with Disabilities Education Act[1] and Chapter 711[2] of the regulations of the Pennsylvania State Board of Education, the Board of Trustees of the Chester Community Charter School ("Charter School"), describe the child find activities of the Charter School for the purpose of locating, identifying, and evaluating children with disabilities

The Chief Executive Officer of the Charter School (CEO) or his/her designee shall ensure that the following public awareness activities occur concerning programs and services for children with disabilities who attend the Charter School.

1. Publish once annually a written notice, in a newspaper or other media with circulation adequate to notify parents/guardians of child identification activities, of public special education services and programs, of the manner in which to request services and programs, and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities in accordance with state and federal law.

2. Post conspicuously on the Charter School website home page and in student handbooks or calendars the information described in this policy.

3. Display conspicuously in Charter School buildings, printed circulars or pamphlets containing the information described in this policy.

4. The CEO or his/her designee shall ensure that the following outreach activities occur concerning programs and services for children with disabilities who attend the Charter School.

    - Offer parent and family training and information activities and publicize the availability of such activities to all parents/guardians.

    - Directly provide to physicians, hospitals, mental health professionals, daycare providers, and county agency personnel training or other information concerning the types of special education programs and services available in and through the Charter School and the manner in which parents/guardians can access those services.

- Directly provide periodic training to regular education staff of the Charter School concerning the identification and evaluation of, and provision of special education programs and services to, students with disabilities.

Screening

The CEO or his/her designee shall ensure that screening activities occur at regular intervals to locate and identify students who are thought to be eligible for special education and related services and that information is published or announced in newspapers or other media, or both, with circulation adequate to notify parents/guardians throughout the area of child identification activities and of the procedures followed to ensure confidentiality of information pertaining to eligible students.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. Individuals with Disabilities Education Act
2. Chapter 711

Book	Policy Manual
Section	Special Education
Title	Child Find Notice
Code	819
Adopted	October 15, 2020

CHILD FIND NOTICE
Services for School-Age Students with Disabilities

Chester Community Charter School ("Charter School") provides a free, appropriate, public education ("FAPE") to eligible students. To qualify as an eligible student, the child must be of school age, in need of specially-designed instruction, and meet eligibility criteria for one or more physical or mental disabilities as set forth in the federal Individuals with Disabilities Education Act ("IDEA")[1] and Chapter 711 of the Pennsylvania State Regulations[2].

The Charter School uses identification procedures to determine eligibility of students and provide an appropriate educational program consisting of special education and related services, individualized to meet student needs at no cost to the parents. To identify students who may be eligible for special education, various screening activities are conducted on an on-going basis. These screening activities include: review of group-based data (cumulative records, enrollment records, health records, report cards, ability, and achievement test scores); hearing, vision, physical, and speech/language screening; and review of data by applicable Charter School Teams. When screening results suggest that the student may be eligible for special education services, the Charter School seeks written parental consent to conduct a multidisciplinary evaluation because the Charter School cannot conduct an evaluation or provide an initial provision of special education services without this written permission. For additional information related to consent, please refer the Procedural Safeguards Notice which can be found at the PaTTAN website, www.Pattan.net.

However, Parents who suspect that their child is eligible for special education services may request a multidisciplinary evaluation at any time through a written request to the Principal or Special Education Coordinator. If the parent disagrees with the Evaluation Report, the parent may request an independent education evaluation ("IEE") at public expense. (See IEE Policy and IEE Administrative Procedures attachment).

Once the evaluation process determines eligibility, an Individualized Education Plan ("IEP") Team of Charter School professionals and Parents meet to discuss and determine services to meet the needs of the student and include the annual development of an IEP, bi-annual or tri-annual multidisciplinary re-evaluation, and a full continuum of services, which include Itinerant, Supplemental, or Full-Time Levels of Intervention. The extent of special education services and the location for the delivery of such services are determined by the IEP team and are based on the student's identified needs and abilities, chronological age, and the level of intensity of the specified intervention. The Charter School also provides related services, such as transportation, speech and language therapy, physical therapy, and occupational therapy, required for the student to benefit from the special education program.

Services for Protected Handicapped Students

In compliance with the state and federal law, namely Section 504 of the Rehabilitation Act of 1973[3], the Charter School will provide a free appropriate public education to qualified students with disabilities. Such an education consists of regular or special education and related aids and services designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met. The school program includes extra-curricular activities to the extent that same are offered by the Charter School to students without disabilities. These related services or accommodations are provided without discrimination or cost to the student or family. In order to qualify as a Section 504 protected student, the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program. Services and safeguards for protected Section 504 students are distinct from those applicable to IDEA exceptional students enrolled or seeking enrollment in special education programs.

Confidentiality of Student Records

The Charter School protects the confidentiality of personally identifiable information for all students in accordance with the Family Educational Rights and Privacy Act ("FERPA")[4], state law and the Charter School's student records policy.

Contacts

For additional information regarding any special education or Section 504 issues, please contact the Coordinator of Special Education or Chief Executive Officer of the Charter School (CEO).

Legal References:

1. Individuals with Disabilities Education Act ("IDEA")
2. Chapter 711 of the Pennsylvania State Regulations
3. Section 504 of the Rehabilitation Act of 1973
4. Family Educational Rights and Privacy Act ("FERPA")

Book	Policy Manual
Section	Special Education
Title	Policy for the Prevention of Disproportionate Representation of Racial/Ethnic Groups in Special Education
Code	820
Adopted	October 15, 2020

Board of Trustees Policy

POLICY FOR THE PREVENTION OF DISPROPORTIONATE REPRESENTATION OF RACIAL/ETHNIC GROUPS IN SPECIAL EDUCATION

It is the policy of the Board of Trustees of the Chester Community Charter School ("Charter School") that there shall not be disproportionate representation of racial and/or ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. It is the policy of the Board of Trustees of Charter School to comply with Chapter 711.23 of Title 22 of the Pennsylvania Code[1] regarding student screening and disproportionality.

The Board of Trustees of the Charter School recognizes that failure to recognize and deal with disproportionality results in misclassification or inappropriate placement in special education programs, inappropriate removal from the regular education setting, the core curriculum, or both and therefore a result of students being more likely to encounter a limited curriculum and lower teacher expectations. These students often have more negative post-school outcomes due to lack of participation in post-secondary education and limited employment opportunities. And disproportionate representation of ethnic minority students in special education classes may also result in significant racial separation which could raise concerns of unlawful racial segregation in violation of Title VI.

It is the policy of Charter School that there shall be no disproportionality in regard to any of the following areas per 34 CFR 300.646[2]:

> (1) The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of IDEA[3];
>
> (2) The placement in particular educational settings of these children; and
>
> (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

Charter School directs Administration to utilize such evaluative measures that mitigate against the potential for disproportionate representation as the result of inappropriate identification.

Charter School directs Administration to appropriately identify students for special education and related services by following evaluation and reevaluation procedures mandated by IDEA 2004[4] and its implementing regulations.

Charter School directs Administration to appropriately identify students' disabilities by complying with the screening and child find requirements of Chapter 711 of Title 22 of the Pennsylvania Code[5] and by conducting evaluations and reevaluations in accordance with applicable state and federal laws and regulations.

Charter School directs Administration to ensure that no evaluation or reevaluation procedures, tests or reports are culturally and/or racially biased. Tests and instruments used to identify students shall not be racially or culturally biased.

In accordance with 34 CFR 300.646(b)(2)[2] (relating to disproportionality), as established by the State Department of Education, each charter school and cyber charter school may develop a program of pre-referral intervention services. Such services, would then include:

1. A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act (ESEA)[6] (20 U.S.C.A. § 6368(3))[7], and appropriate instruction in math.
2. For students with academic concerns, an assessment of the student's performance in relation to State-approved grade level standards.
3. For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.
4. A research-based intervention to increase the student's rate of learning or behavior change based on the results of the assessments under paragraph (2) or (3), or both.
5. Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.
6. A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.
7. A determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.
8. Documentation that information about the student's progress as identified in paragraph (5) was periodically provided to the student's parents.

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

Legal References:

1. Chapter 711.23 of Title 22 of the Pennsylvania Code
2. 34 CFR 300.646
3. Section 602(3) of IDEA
4. IDEA 2004
5. Chapter 711 of Title 22 of the Pennsylvania Code
6. Section 1208(3) of the Elementary and Secondary Education Act
7. 20 U.S.C.A. § 6368(3)

Book	Policy Manual
Section	Special Education
Title	Dispute Resolution and Alternative Dispute Resolution Policy
Code	821
Adopted	October 15, 2020

Board of Trustees Policy

DISPUTE RESOLUTION AND ALTERNATIVE DISPUTE RESOLUTION POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") wishes to ensure that disputes between parents and Charter School regarding the identification, evaluation, programming and services available to eligible students are addressed effectively and in accordance with applicable state and federal laws.

Every effort should be made to address and resolve disputes at the Individual Education Plan (IEP) team level if possible. The Chief Executive Officer of the Charter School (CEO) or designee is directed to be aware of alternative dispute resolution procedures and programs, including facilitated IEP team meetings and mediation, and utilize those programs when deemed appropriate.

Included in such resources for the CEO, the Charter School Team and Parents, is the PA Office of Dispute Resolution for information on the following:

Consult Line at 800-879-2301 (Toll-free in Pennsylvania) or 717-901-2145, is a statewide toll-free help line:

- Serving families, advocates, and agencies that have questions about special education for students and young children with disabilities.
- Providing information about special education laws, parents' rights, the formal complaint process, and other dispute resolution options to address concerns so that children with disabilities and students considered gifted receive a free and appropriate public education (FAPE).

Individualized Education Program (IEP) Facilitation
This is a voluntary option that is available when both the Charter School and Parent(s) agree to have a neutral person – the IEP Facilitator – at the IEP meeting to assist in discussing concerns regarding the development of the IEP.

The IEP Facilitator:

- Is not a member of the IEP team, but assists the IEP team to resolve conflicts and disagreements that arise during the meeting.
- Helps to maintain open communication among all IEP team members, maintains impartiality, and does not write the IEP.
- Builds and improves relationships among the IEP team members, and provides opportunities to resolve conflicts as they arise.

IEP Facilitation is more cost-efficient and less stressful than due process.

Mediation
If both parties agree to mediation, the Office for Dispute Resolution will arrange for a neutral, specially-trained mediator to meet with them at a mutually convenient location. The following guidelines apply:

- ODR provides independently contracted mediators to families and school districts.
- The mediator will meet with both parties together (and separately if necessary) to listen to both points of view, in order to understand each side's position.
- Mediation can take place at any time before or during the due process cycle.
- Mediation is not a required process and may not delay or deny a parent the right to a due process hearing.

Neither school officials nor parents may include an attorney at the mediation session.

Resolution Meeting Facilitation
When a parent requests due process, the school and parents must hold a Resolution Meeting within 15 days unless both sides agree to waive the meeting or try mediation instead. If both parties agree to have a neutral person at the resolution meeting, ODR will send a facilitator to assist the parties in reaching agreement.
Benefits of Resolution Meeting Facilitation:

- Builds and improves relationships between parents and schools;
- Encourages parties to identify new options to address unresolved issues;
- Could be less stressful and less expensive than a due process hearing;
- If agreement is reached, the due process hearing might not be needed.

The CEO or designee is responsible for ensuring that any agreements entered into as a result of a Mediation or Resolution Session are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

When alternative dispute resolution is not practical or otherwise appropriate, or when a due process complaint is filed, the CEO or designee is directed to follow applicable state procedures regarding the filing and answering of a due process complaint, including requirements relating to dissemination of procedural safeguards.

The CEO or designee is responsible for ensuring that due process decisions are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

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

Book	Policy Manual
Section	Special Education
Title	Exceptional Student Records Confidentiality Policy
Code	822
Adopted	October 15, 2020

Board of Trustees Policy

EXCEPTIONAL STUDENT RECORDS CONFIDENTIALITY POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the need to protect the privacy rights of the Charter School's exceptional students and their parents. The classification, collection, use, maintenance and dissemination of any information about a student or his or her family raises issues regarding the privacy of that information. Thus, the Charter School shall adhere to the provisions of federal and state laws pertaining to those privacy rights, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA")[1], as amended, and its accompanying regulations; the applicable provisions of the Individuals with Disabilities Education Improvement Act (2004) ("IDEA")[2], as amended, and its implementing regulations; the applicable provisions of the Pennsylvania Public School Code of 1949[3], and the applicable provisions of Chapters 12[4] and 711[5] of the Pennsylvania Administrative Code containing the regulations of the Pennsylvania State Board of Education and other provisions applicable to charter schools. The Chief Executive Officer of the Charter School (CEO) or his/her designee is designated as the administrator responsible for the maintenance, access, use and release of exceptional student records. This policy is to be used in combination with the Charter School's Student Educational Records Policy.

The CEO or his/her designee shall be responsible for the implementation of this policy.

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

Legal References:

1. Family Educational Rights and Privacy Act of 1974 ("FERPA")
2. Individuals with Disabilities Education Improvement Act (2004) ("IDEA")
3. Pennsylvania Public School Code of 1949
4. Chapters 12 of the Pennsylvania Administrative Code
5. Chapters 711of the Pennsylvania Administrative Code

Book	Policy Manual
Section	Special Education
Title	Extended School Year Services (“ESY”) Policy
Code	823
Adopted	October 15, 2020

Board of Trustees Policy

EXTENDED SCHOOL YEAR SERVICES (“ESY “) POLICY

The Board of Trustees directs that the Chester Community Charter School (“Charter School”) comply with the requirements incorporated by reference in 34 CFR §300.106[1] (relating to extended school year services). The Free Appropriate Public Education (FAPE).

ESY Services means special education and related services that are provided to a child with a disability, beyond the normal school year, in accordance with the child’s IEP, and at no cost to the parents of the child.

The Chief Executive Officer of the Charter School (CEO) or designee is directed to ensure that the Charter School uses the following standards for determining whether a student with disabilities requires ESY as part of the student's program:

(1) At each Individual Education Plan (IEP) meeting for a student with disabilities, the charter school shall determine whether the student is eligible for ESY services and if so, make subsequent determinations about the services to be provided.

(2) In considering whether a student is eligible for ESY services, the IEP team shall consider the following factors, however, no single factor will be considered determinative:

> (i) Whether the student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors which occurs as a result of an interruption in educational programming (Regression).
>
> (ii) Whether the student has the capacity to recover the skills or behavior patterns in which regression occurred to a level demonstrated prior to the interruption of educational programming (Recoupment).
>
> (iii) Whether the student's difficulties with regression and recoupment make it unlikely that the student will maintain the skills and behaviors relevant to IEP goals and objectives.
>
> (iv) The extent to which the student has mastered and consolidated an important skill or behavior at the point when educational programming would be interrupted.
>
> (v) The extent to which a skill or behavior is particularly crucial for the student to meet the IEP goals of self-sufficiency and independence from caretakers.
>
> (vi) The extent to which successive interruptions in educational programming result in a student's withdrawal from the learning process.

(vii) Whether the student's disability is severe, such as autism/pervasive developmental disorder, serious emotional disturbance, severe mental retardation, degenerative impairments with mental involvement and severe multiple disabilities.

Reliable sources of information regarding a student's educational needs, propensity to progress, recoupment potential and year to year progress may include the following:

(1) Progress on goals in consecutive IEPs.

(2) Progress reports maintained by educators, therapists and others having direct contact with the student before and after interruptions in the education program.

(3) Reports by parents of negative changes in adaptive behaviors or in other skill areas.

(4) Medical or other agency reports indicating degenerative-type difficulties, which become exacerbated during breaks in educational services.

(5) Observations and opinions by educators, parents and others.

(6) Results of tests, including criterion-referenced tests, curriculum-based assessments, ecological life skills assessments and other equivalent measures.

The Charter School will not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

The need for ESY services will not be based on any of the following:

(1) The desire or need for day care or respite care services.

(2) The desire or need for a summer recreation program.

(3) The desire or need for other programs or services that while they may provide educational benefit, are not required to ensure the provision of a FAPE.

Students with severe disabilities such as autism/pervasive developmental disorder, serious emotional disturbance; severe mental retardation; degenerative impairments with mental involvement; and severe multiple disabilities require expeditious determinations of eligibility for ESY services to be provided as follows:

(1) Parents of students with severe disabilities shall be notified by Charter School of the annual review meeting to ensure their participation.

(2) An IEP review meeting must occur no later than **February 28** of each school year for students with severe disabilities.

(3) The notice of recommended educational placement (NOREP) shall be issued to the parent no later than **March 31** of the school year for students with severe disabilities.

(4) If a student with a severe disability transfers into Charter School after the dates in paragraphs (2) and (3), and the ESY eligibility decision has not been made, the eligibility and program content must be determined at the IEP meeting.

The eligibility for ESY services of all students with disabilities shall be considered at the IEP meeting. ESY determinations for students other than those described above as having severe disabilities are not subject to the timelines for students with the severe disabilities described above. However, determinations for those other students shall still be made in a timely manner.

If the parents disagree with Charter School's recommendation on ESY, the parents will be afforded an expedited due process hearing in accordance with applicable laws. Parents are to be provided with the required procedural safeguards notice.

ESY programs are to be individualized with regard to the amount of services and individually appropriate goals and related services.

In cases where ESY is denied, evidence to support the denial is to be made part of the student's file.

The CEO or designee is directed to develop procedures consistent with this policy and applicable laws.

TIMELINES CONTAINED IN THIS POLICY MAY BE CHANGED BY THE PENNSYLVANIA DEPARTMENT OF EDUCATION AND THE SCHOOL MUST FOLLOW.

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

Legal References:

1. 34 CFR §300.106

Book	Policy Manual
Section	Special Education
Title	Special Education Personnel Training Policy
Code	824
Adopted	October 15, 2020

Board of Trustees Policy

SPECIAL EDUCATION PERSONNEL TRAINING POLICY

The Board of Trustees of Chester Community Charter School (CCCS) directs that the Chief Executive Officer of the Charter School (CEO) or his/her designee shall ensure that in-service training appropriately and adequately prepares and trains Chester Community Charter School ("Charter School") personnel to address the special knowledge, skills and abilities to serve the unique needs of children with disabilities in the Charter School, including those with low incidence disabilities.

Personnel must be fully informed about their responsibilities for implementing applicable state and federal special education laws in the Charter School environment and are provided with technical assistance and training necessary to assist them in this effort.

Training must be a part of the Charter School's Professional Development Plan and Act 48 credits are to be made available to all applicable personnel.

Trainings are to be administered in areas including but not limited to: positive behavior support, reading, free and appropriate public education in the Least Restrictive Environment, Transition, and At/Low Incidence disabilities, confidentiality, Functional Behavioral Assessments, Manifestation Determinations, de-escalation techniques and emergency responses.

Appropriate instructional changes must take place as a result of the trainings.

Personnel should be asked about their training needs on a regular basis.

Pursuant to 22 Pa Code §711.5[1], instructional paraprofessionals are to receive 20 hours of staff development activities related to their assignment each year. An instructional paraprofessional is a charter school or cyber charter school employee who works under the direction of a certificated staff member to support and assist in providing instructional programs and services to students with disabilities. This support and assistance includes one-on-one or group review of material taught by certificated staff, classroom management and implementation of positive behavior support plans. Services may be provided in a special education class, regular education class or other instructional setting as provided in the student's Individualized Education Plan (IEP).

Pursuant to 22 Pa Code §711.5[1], personal care assistants are to receive 20 hours of staff development activities related to their assignment each school year (the 20 hours of training may include training required by any school-based ACCESS program, if applicable). A personal care assistant provides one-to-one support and assistance to a student, including support and assistance in the use of medical equipment (for example, augmentative communication devices; activities of daily living; and monitoring health and behavior). A personal care assistant may provide support to more than one student, but not at the same time. Personal care assistants shall provide evidence of 20 hours of staff development activities

related to their assignment each school year. The 20 hours of training may include training required by the school-based access program.

Pursuant to 22 Pa Code §711.5[1], educational interpreters are to receive 20 hours of staff development activities relating to interpreting or transliterating services annually. 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 at a charter school or cyber charter school, consistent with the Sign Language Interpreter/Transliterator State Registration Act[2].

The CEO or his/her designee is directed to implement procedures necessary to ensure:

(1) Personnel training needs are addressed;

(2) General education and special education personnel receive training and professional development;

(3) Personnel are to have the skills and knowledge necessary to meet the needs of students with disabilities.

(4) Educational research, materials and technology are to be acquired and disseminated to teachers, administrators, and related services personnel as needed.

Parent Training: Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations. Such parent training would be included in the student's IEP as a Related Service.

Administration is directed to maintain appropriate documentation of trainings offered and attendance by all Charter School personnel.

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

Legal References:

1. 22 Pa Code §711.5
2. Sign Language Interpreter/Transliterator State Registration Act

Book	Policy Manual
Section	Special Education
Title	Parent Training Policy
Code	825
Adopted	October 15, 2020

Board of Trustees Policy

PARENT TRAINING POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") directs that the Chief Executive Officer of the Charter School (CEO) or designee ensure that Charter School parents are afforded opportunities for training and information sharing in order to address the special knowledge, skills and abilities needed to serve the unique needs of children with disabilities.

Parent training includes, but is not limited to:

1) Assisting parents in understanding the special needs of their child;
2) Providing parents with information about child development; and
3) Helping parents acquire the necessary skills that will allow them to support the implementation of their child's Individualized Education Plan (IEP).

Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations. Such parent training would be included in the student's IEP as a Related Service.

Parents must receive thorough and accurate training to ensure that they understand the special education process and their procedural safeguards. For example, parents need to be informed of the options they have if they disagree with a decision the Charter School has made. Additionally, the Charter School must provide information about community organizations that offer support and assistance to parents of students with disabilities. Access to this information assists parents with such topics as parental rights, successful transitioning of their young adult child from school to adult life, and networking opportunities, such as how to effectively work in partnership with the Office of Vocational Rehabilitation (OVR) and other community agencies designed to assist youth with transition and disability issues.

Parents need to know who to contact when they have questions about their children's academic, behavioral, and social/emotional progress or if they seek assistance with participating in the development of their children's IEP.

The Charter School may include the many resources that are available from the Pennsylvania Department of Education, Bureau of Special Education (BSE), the Pennsylvania Training and Technical Assistance Network (PaTTAN), ConsultLine, Pennsylvania's federally funded parent centers, Office of Developmental Programs (ODP), Office of Vocational Rehabilitation (OVR), and advocacy organizations. Moreover, unique to Pennsylvania is the State and Local Task Force system, which provides an ongoing parent/educator/provider committee structure to work on solving local special

education issues. Such organizations may be able to distribute information in multiple media formats explaining to parents what services they provide and how parents may contact them.

The Charter School will be open to parent input regarding parent trainings offered and will organize training sessions during the academic school year.

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

Book	Policy Manual
Section	Special Education
Title	Surrogate Parent Policy
Code	826
Adopted	October 15, 2020

Board of Trustees Policy

SURROGATE PARENT POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") must ensure that an individual is assigned to act as a surrogate of a child when no parent or person acting as the parent can be identified, or Charter School, after reasonable efforts, cannot locate the parent, or the child is an unaccompanied homeless youth as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434 a(6)[1].

20 U.S.C. § 1401[2] Definitions:

The term "Parent" means –

a) A natural, adoptive, or foster parent of a child (unless a foster parent is prohibited by state law from serving as a parent);
b) A guardian (but not the State if the child is a ward of the State);
c) An individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or
d) Except as used in sections 1415(b)(2)[3] and 1439(a)(5)[4] of this title, an individual assigned under either of those sections to be a surrogate parent.

42 U.S.C. § 11434A McKinney-Vento Homeless Assistance Act[1], Education for Homeless Children and Youths – Definitions:

The term "homeless children and youths" means –

a) Individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1) of this title)[5]; and
b) Includes:
    i. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or, are awaiting foster care placement;
    ii. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C)[5] of this title;
    iii. Children and youths who are living in cars, parks, public spaces, abandoned buildings, sub-standard housing, bus or train stations, or similar settings; and,
    iv. Migratory children (as such term is defined in section 6399 of title 20)[6] who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

The Charter School must have a method of determining whether or not a child needs a surrogate parent, and for assigning a surrogate parent to the child as well as ensuring that surrogates are trained and have adequate knowledge to serve in this capacity.

The Charter School may select a surrogate parent in any way permitted under State law, but must ensure that a person selected as a surrogate is not an employee of the State Educational Agency ("SEA"), Charter School or any other agency that is involved in the education or care of the child, such as the child welfare agency, adoption agency, etc. This means that a "house parent," or other employee of a public child welfare agency or private child welfare provider agency, school district, charter school, state educational agency, or a facility where the child lives is not eligible. Whenever possible, a surrogate parent should be someone who already knows and has a trusting relationship with the youth and must have knowledge and skills that ensure that he or she will adequately represent the child.

For a child who is a ward of the State (in Pennsylvania this would be a foster child or a child in the custody of a public child welfare agency, as Pennsylvania does not have a definition of a "ward of the state"), a surrogate may be appointed by a judge overseeing the child's care or by Charter School. The surrogate must have no personal or professional interest that conflicts with the interest of the child the surrogate parent represents. The surrogate parent must have knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, educational placement and provisions of FAPE to the child.

When Does the Charter School need to appoint a surrogate?

1) No parent, guardian, current foster parent, or relative caregiver (relative acting in place of the parents with whom the child lives) can be located
2) Parent's right to make educational decisions for the child have been terminated by the court, and no guardian, current foster parent, or relative caregiver (relative with whom the child lives) can be located and the child does not have a court-appointed education decision maker or surrogate parent.
3) The child is an unaccompanied homeless youth under 42 U.S.C. § 11434A.

If a child is or may be eligible for special education or early intervention services, the IDEA requires the child's school district, charter school, cyber charter school or early intervention agency to ensure that the child has an active birth or adoptive parent or other person authorized by the IDEA or a court to make decisions for him or her. The person who is designated to act as the "parent" under the IDEA is entitled to participate in all of the meetings and make all relevant decisions. If the charter school cannot locate a biological or adoptive parent or other IDEA Parent from the list below, then it must appoint a "surrogate parent" within 30 calendar days. In some cases, a child may appear to have more than one IDEA parent from the list below and the Charter School will need to determine which person is the legally-authorized decision maker.

Under the IDEA, potential IDEA Parents include:

- A biological or adoptive parent;
- A foster parent;
- An individual who has the authority to act as the child's parent or who has the authority to make education decisions for the child (such as an Educational

Decision Maker "EDM");
- A family member with whom the child lives who is acting as a parent (such as a grandparent or stepparent);
- A guardian who is legally responsible for the child's welfare (but not any employee of a child welfare agency); or
- A surrogate parent assigned by the local educational agency (such as the school district or charter school).

If a court has not limited the biological/adoptive parent's authority to make education decisions, the Charter School must recognize that parent as the person authorized to make education decisions for the child so long as he or she is "attempting to act as the parent." If the parent is not "attempting to act as the parent" (for example, is not responding to notices or attending meetings), and the child has a foster parent or one of the other potential "IDEA parents" listed above, the Charter School must then treat that person as the child's IDEA Parent and allow that person to participate in meetings, give or deny consent, and make early intervention or special education decisions for the child. The "IDEA Parent" can challenge the Charter School's proposals through the mediation and due process hearing procedures.

If the child has a "parent" under the IDEA (see list above), the Charter School does not need to "appoint" that person as the child's surrogate parent. Unlike a juvenile court judge, who can appoint another person as EDM to act in the best interest of the child even if the child has a parent, a Charter School cannot appoint another person to make decisions for the child if the child has a "parent." If, however, a court has appointed an EDM, the EDM makes educational decisions for the child regardless of whether the biological/adoptive parent wants to serve in that role or whether there are other potential "parents" under the IDEA who are ready to serve that role. *If a court has appointed an EDM, that person trumps all other potential "parents" under the IDEA.*

The Charter School must take steps to ensure that the child's rights are protected if:

1) The Charter School does not know who the parent is;

2) The Charter School cannot locate the parent after making reasonable efforts to get in touch with them, such as calling and sending letters on multiple occasions;

3) The child has no "parent" under the IDEA (see above); or

4) The child is an "unaccompanied homeless youth" as defined by 42 U.S.C. § 11434A[1]

Once a Charter school has determined that an enrolled child needs a surrogate parent, it must assign a surrogate parent within 30 calendar days. To meet its 30-day obligation, a Charter School should try to maintain a pool of trained surrogate parents who are available for children in need. Charter Schools may enter into interagency agreements with its local child welfare agency to identify children in need of surrogate parents and potential candidates to fill this role.

<u>Exceptions to General Rule Prohibiting Caseworker/Employee of Agency to be Surrogate:</u>

There are two exceptions to the general rule that an EDM or surrogate parent cannot be an employee of an agency involved in the care or education of the child for children aged 3 or older:

1) A caseworker or other agency employee can consent to an initial evaluation in very limited circumstances. Written consent of a parent is required before a child can first be evaluated to determine eligibility for special education services. However, the IDEA permits a school to start the initial evaluation without obtaining parent permission if the child is in the custody of the child welfare agency, is not living with the parent or with a foster parent, and *one* of the following applies:

- The school documents that it has made repeated attempts but cannot locate the parents;
- The parents' rights have been terminated; or
- The birth parents' rights to make education decisions have been suspended by a judge and the judge has appointed an individual to consent to the initial evaluation.

NOTE: In this limited circumstance only, the judge can appoint a person to give this consent who is an employee of an agency involved in the education or care of the child, such as the county or a private provider child welfare agency. However, if the child is ultimately determined to be eligible, that person cannot consent to starting special education services. Therefore, the Charter School or the court must immediately begin the process of appointing an EDM or surrogate parent who can consent to the provision of special education services while determining if the child is eligible.

2) A temporary surrogate parent can be appointed for an "unaccompanied homeless youth." These are youth who are not in the physical custody of a parent or guardian and who do not have a fixed, regular, and adequate nighttime residence. For such youth, the staff of an emergency shelter, transitional shelter, independent living program, or street outreach program may be appointed as a "*temporary* surrogate parent" (even if that person is an employee of an agency involved in the care or education of the youth) *until such time as a surrogate parent who meets the usual requirements can be appointed.*

Who can be a Surrogate Parent?

1) A person of good character;

2) A person at least 18 years of age;

3) A person who possesses reasonable abilities to make decisions regarding a student's educational needs;

4) A person committed to acquainting his/herself with a student's educational needs, the student's rights under the Individuals with Disabilities Education Act, and the Pennsylvania educational system;

5) A person committed to advocating a free appropriate public education for the child in the least restrictive environment and agree to fulfill the responsibilities listed below;

6) A person who has no vested interest that would conflict with the interests of the student;

7) A person is not an employee of any agency responsible for the education of care of the child; and

8) A person who lives within geographic proximity to the student, which will enable that person to discharge his/her obligations as a surrogate parent.

Responsibilities of a Surrogate Parent:

1) Participate in the surrogate training session(s);

2) Request and participate in all applicable meetings relating to the provision of services and educational placement of the child (including individualized education program (IEP) meetings, evaluation reviews and manifestation determinations, etc.);

3) Approve or disapprove of the student's IEP;

4) Engage in ongoing communication, verbally or in writing with the student, the student's teacher and the student's school;

5) Assert student's rights to due process and to compliance with the IEP as appropriate;

6) Contact the surrogate parent trainer if further assistance is required or if surrogate parent no longer wishes to assume the educational responsibility for the child;

7) Ensure the child receives a free appropriate public education in the least restrictive environment.

The Chief Executive Officer of the Charter School (CEO) or designee is directed to develop procedures that may be necessary to implement this policy.

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

Legal References:

1. McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434 a(6)
2. 20 U.S.C. § 1401
3. 20 U.S.C. § 1415(b)(2)
4. 20 U.S.C § 1439(a)(5)[4]
5. 20 U.S.C § 11302(a)(1)
6. 20 U.S.C § 6399

Book	Policy Manual
Section	Special Education
Title	Psychological Services Policy
Code	827
Adopted	October 15, 2020

Board of Trustees Policy

PSYCHOLOGICAL SERVICES POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") directs that the Chief Executive Officer of the Charter School (CEO) or designee ensure that psychological services be made available to eligible students in accordance with Chapter 711 of Title 22 of the Pennsylvania Code[1] as follows:

Psychological services may include:

(1) Administering psychological and educational testing, and other assessment procedures;

(2) Interpreting assessment results;

(3) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;

(4) Planning and managing a program of psychological services, including psychological counseling for children and parents;

(5) Obtaining, integrating and interpreting information about child behavior and conditions related to learning; and

(6) Assisting in developing positive behavioral intervention strategies.

The CEO or designee is directed to explore such services as are available both within the school setting and of school funded services obtained from outside agencies.

Parents are not to be charged for psychological services that students require as a related service in accordance with applicable laws.

The CEO or designee is directed to advise the Board regarding psychological service needs of the school's students as well as related service needs, such as transportation.

Administration is directed to ensure appropriate psychological services are obtained for students in accordance with applicable state and federal laws and regulations.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code

Book	Policy Manual
Section	Special Education
Title	Physical Education Policy
Code	828
Adopted	October 15, 2020

Board of Trustees Policy

PHYSICAL EDUCATION POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that physical education services, specially designed if necessary, must be made available to every child with a disability receiving Free Appropriate Public Education (FAPE), unless the Charter School enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades to the extent allowed by applicable laws and regulations.

Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless the child is enrolled full time in a separate facility; or the child needs specially designed physical education, as prescribed in the child's Individualized Education Plan (IEP).

If specially designed physical education is prescribed in a child's IEP, the Charter School must provide the services directly or make arrangements for those services to be provided through other public or private programs.

The child with a disability who is enrolled in a separate facility must receive appropriate physical education services.

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

Book	Policy Manual
Section	Special Education
Title	Service Animals in School Policy
Code	829
Adopted	October 15, 2020

Board of Trustees Policy

SERVICE ANIMALS IN SCHOOL POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") adopts this Policy regarding Service Animals in School in accordance with applicable provisions of: Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101[1], and its implementing regulations at Section 28 C.F.R. Part 35[2]. Additionally, this Policy addresses requirements and considerations regarding service animals under applicable provisions and implementing regulations of Section 504 of the Rehabilitation Act (Section 504), 29 U.S.C. § 794[3]; and applicable provisions and implementing regulations of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), 20 U.S.C. § 1400[4].

The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from Charter School programs, activities and services, and to ensure that the Charter School does not discriminate on the basis of disability.

Service Animals in School:

Parents/Guardians of students with disabilities who believe the student needs to bring a service animal to school in order to receive a free and appropriate public education shall notify the Chief Executive Officer of the Charter School (CEO) or designee. The appropriate school personnel shall evaluate the request to use the service animal in school, gather necessary information and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodating needs. 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.

Pursuant to Section 28 C.F.R. § 35.106[5]: a public entity shall make information regarding services, programs or activities applicable to applicants, participants, beneficiaries and other interested persons, in such a manner as to apprise such persons of the protections against discrimination assured them.

Generally, the Charter School will modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability. The term "disability" is defined under Section 28 C.F.R. § 35.1[6]

If the Charter School properly excludes a service animal under 28 C.F.R. § 35.136(b)[7], the CEO shall give the individual with a disability the opportunity to obtain services and accommodations without having the service animal on the premises. 28 C.F.R. § 35.136(c)[7].

A service animal **must** be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective

performance of work or tasks, in which case the service animal **must be otherwise under the handler's control** (e.g., voice control, signals, or other effective means). 28 C.F.R. § 35.136(d)[7].

The Charter School is not responsible for the care or supervision of a service animal. 28 C.F.R. § 35.136(e)[7].

The Charter School shall not ask about the nature or extent of a person's disability, but may require the following information in order to determine whether an animal qualifies as a service animal and before a service animal shall be allowed in a Charter School building, or on Charter School property or vehicles. The owner or handler of the animal shall submit to the CEO or designee a written request and the following documentation from a certified professional:

(1) Verification of the need for a service animal.

(2) What work or task the animal has been trained to perform in relation to the individual's disability.

(3) Proof of current vaccinations and immunizations of the service animal.

Generally, the Charter School may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). 28 C.F.R. § 35.136(f)[7].

Direct and Immediate Threats:

The Charter School reserves the right to exclude an individual if that individual presents a direct and immediate threat to others in the building or school. 28 C.F.R. § 35.139(a)[8]. To make this determination, the Charter School will make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. 28 C.F.R. § 35.139(b)[8]. The Charter School will not rely solely on speculation, stereotypes or generalizations about individuals with disabilities. 28 C.F.R. § 35.130(h)[9].

The Charter School may exclude a service animal from District buildings, property and vehicles under the following circumstances:

- Presence of the animal poses a direct threat to the health and safety of others.
- Owner or handler is unable to control the animal.
- Presence of the animal would require a fundamental alteration to the program.
- Animal is not housebroken. 28 C.F.R. § 35.136(b)[7].

Access to Charter School areas/ Admission Of Service Animals To Public Events:

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a place of public accommodation where members of the public, program participants, clients, customers, patrons, or invitees, as relevant, are allowed to go. 28 C.F.R. § 35.136(g)[7]. This right of access does not extend to the schools generally or to other activities that are not open to the general public.

The Charter School shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the Charter School normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. 28 C.F.R. § 35.136(h)[7].

Delegation of Responsibility

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. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.

3. Damages to Charter School buildings, property and vehicles caused by the animal.

4. Injuries to students, employees, volunteers and visitors caused by the animal.

5. Annual submission of documentation of vaccinations and immunizations.

Students with Disabilities:

In addition to the requirements and parameters regarding service animals above, the decision as to whether to allow an animal in school for a student with a disability under Section 504 or IDEA, even if that animal does not meet the definition of a "service animal" shall be made on a case by case basis in accordance with applicable state and/or federal laws and regulations, including applicable sections of Section 504 and/or IDEA and ADA.

The parent or guardian of a student with a disability, who believes that an animal is necessary to ensure a free and appropriate public education to the student, is directed to notify the CEO or the Student's IEP team or Section 504 team in accordance with applicable state and federal laws and regulations and in accordance with this policy.

Such a request for an animal in school shall be evaluated and made in accordance with applicable state and federal laws and regulations, including: ADA, Section 504, IDEA and/or Chapter 711 of Title 22 of the Pennsylvania Code.

In an effort to fully understand the scope of the request and need, the Charter School reserves all rights applicable under Section 504 and/or IDEA to request documentation and/or relevant information regarding such requests, to the extent those rights are not specifically precluded by other applicable regulations.

Notice and Appeal

The CEO shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in Charter School buildings or vehicles or at School-sponsored events or test sites are informed of the Board Policy and any procedures governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal the decision in accordance with applicable Student Complaint Process Policy.

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

Legal References:

1. 42 U.S.C. § 12101
2. 28 C.F.R. Part 35
3. 29 U.S.C. § 794
4. 20 U.S.C. § 1400
5. 28 C.F.R. § 35.106
6. 28 C.F.R. § 35.1
7. 28 C.F.R. § 35.136
8. 28 C.F.R. § 35.139
9. 28 C.F.R. § 35.130

Book	Policy Manual
Section	Special Education
Title	Intensive Interagency Approach Policy
Code	830
Adopted	October 15, 2020

Board of Trustees Policy

INTENSIVE INTERAGENCY APPROACH POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes the duty of the Chief Executive Officer of the Charter School (CEO) or designee to identify, issue reports as to and provide a free and appropriate public education ("FAPE") for all students with disabilities including those students needing intensive interagency approaches. FAPE must also be available to all children, including children with disabilities who have been suspended or expelled from the Charter School.

Intensive interagency coordination to students with disabilities occurs when the Charter School has determined that the students cannot be appropriately educated in a public educational setting and have waited more than 30 days for the provision of an appropriate educational placement. This system is also aimed at providing assistance to students who are at substantial risk of waiting more than 30 days for an appropriate educational placement.

The system of intensive interagency coordination is not intended to replace the local interagency process. In the vast majority of situations requiring interagency efforts, local Individualized Education Plan (IEP) and Interagency teams do not require additional assistance to assure the provision of appropriate educational programs and placements for the students they serve. Intensive interagency coordination is designed for the rare situations when the local teams are not able to arrange for the placements of students in the public educational setting and the students have waited or are at risk of

The Charter School has a crucial role in identifying which students require intensive interagency coordination, since these are students whom the Charter School has determined cannot currently be served in the public educational setting.

The Charter School shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and that special classes, separate schooling or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

If there is a dispute about the appropriateness of the student's program or placement, this dispute must be resolved through mediation and/or due process hearing procedures. Program and/or placement disputes cannot be resolved through intensive interagency coordination.

The Charter School must identify any students currently on instruction conducted in the home or students with disabilities on homebound instruction and comply with PA Department of Education reporting requirements so that the Department can determine whether these students require intensive interagency coordination.

The CEO or designee shall have procedures to ensure that services are located for difficult to place students.

The CEO or designee shall utilize the Regional Interagency Coordinators to assist in interagency planning and to mitigate and/or eliminate barriers to placement.

The CEO or designee shall ensure that training is provided regarding interagency approaches.

Where appropriate, other child serving systems, such as mental health, mental retardation, child protective services, juvenile probation, and drug-alcohol treatment services will be consulted by the Charter School Team for difficult to place students.

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

Book	Policy Manual
Section	Special Education
Title	Independent Educational Evaluations Policy
Code	831
Adopted	October 15, 2020

Board of Trustees Policy

INDEPENDENT EDUCATIONAL EVALUATIONS POLICY

The Board of Trustees of Chester Community Charter School recognizes that in accordance with applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code[1], a parent has the right to obtain an independent educational evaluation ("IEE") of his or her child if the parent disagrees with an evaluation by the Chester Community Charter School ("Charter School") to the extent permitted by law, including the right of the Charter School, to file a due process complaint to show that its evaluation is appropriate and to contest the need for an independent evaluation.

If a parent requests an IEE, the Chief Executive Officer (CEO) or designee is directed to provide the parent with information about where the parent may obtain an IEE and about the Charter School's criteria that apply to IEEs. As this policy contains information about the Charter School's criteria, this policy should be provided to parents upon request.

An Independent Educational Evaluation or IEE is defined under applicable requirements as an evaluation conducted by a qualified examiner who is not employed by the Charter School.

Public expense is defined as follows: the Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA 2004[2].

A parent has the right to an IEE of his or her child at public expense if the parent disagrees with an evaluation of the child obtained by the Charter School, SUBJECT TO THE FOLLOWING CONDITIONS:

If a parent requests an IEE at public expense, the Charter School must, without unnecessary delay, either: (1) File a due process complaint to request a hearing to show that its evaluation of the child is appropriate; or (2) Provide an IEE at public expense, unless the Charter School demonstrates in a hearing that the evaluation obtained did not meet the Charter School's criteria.

The CEO or designee is directed to notify parents when declining the parent's request for an IEE at public expense and the reason for denial of the IEE via a written PWN/NOREP accompanied by a Procedural Safeguards Notice.

The CEO or designee must not unreasonably delay either providing the IEE at public expense or initiating due process to defend the Charter School's Evaluation Report.

The CEO or designee is directed to 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 make that list reasonably available to any parent who requests it.

If the Charter School initiates a due process hearing and the final decision is that the Charter School's evaluation is appropriate, the parent still has the right to an independent evaluation, but not at public expense and therefore the Charter School is not responsible for the cost nor any other public source.

If a parent requests an evaluation at public expense, the Charter School shall ask in writing for the parent's reason why he or she objects to the public evaluation. However, it must be made clear that the explanation by the parent may not be required and the Charter School may not unreasonably delay either providing the independent evaluation at public expense or initiating a hearing to defend its evaluation.

A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

If a parent obtains an independent evaluation at private expense the results of the evaluation must be considered by the Charter School Team, if it meets the Charter School's criteria, in any decision made with respect to a determination of eligibility, and/or bases of eligibility pursuant to IDEA and Chapter 711 and the provision of FAPE to the child. The IEE Report may be presented as evidence at a hearing relating to the child.

If an independent evaluation is at public expense, the criteria under which the evaluation is obtained including the location of the evaluation and qualifications of the examiner must be the same as the criteria that the Charter School uses when it initiates an evaluation to the extent that those criteria are consistent with the parents' right to an independent evaluation. These criteria must be made known to the parent.

The Charter School may not impose conditions or timelines related to obtaining an evaluation at public expense.

All evaluations performed must take into account the child's English language skills and ethnicity to ensure that the testing and evaluation will not be unfair or discriminatory. Tests must be given in the child's native language or mode of communication (such as Braille or sign language) of the child, unless it is clearly not feasible to do so.

Evaluations must also take into account the child's disability to be sure the test measures what it is supposed to measure.

The specific tests used in the evaluation process depend upon the problems the child is experiencing. In most cases, the child will be given several tests to help find strengths and needs. The Charter School teacher(s) and other School IEP team member input must be considered. Information that parents provide must also be included in the evaluation.

Evaluators must be properly certified and qualified to administer the tests, assessments and evaluation techniques used. Such certification and qualification requirements must meet those mandated in Pennsylvania.

Evaluation techniques must be consistent with the most up to date techniques commonly practiced in the evaluator's field. Evaluations must not be racially, culturally or otherwise biased or discriminatory. Recommendations must be based upon the child and must not be generalized.

A complete copy of the independent evaluation report must be made available to the IEP team.

Parents are to be given a release of records so that information from the Charter School (including records, observations and other information gathered regarding the child) about the child may be disclosed to the independent evaluator.

The Charter School will comply with and monitor changes in all state and federal time lines, procedures and due process requirements throughout the entire independent evaluation process. In the event that there are changes in state or federal law with regard to any part of this policy, Charter School will comply with state and federal law.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code
2. Part B of IDEA 2004

Book	Policy Manual
Section	Special Education
Title	Independent Educational Evaluations (IEE) Administrative Procedures Policy
Code	832
Adopted	October 15, 2020

Board of Trustees Policy

INDEPENDENT EDUCATIONAL EVALUATIONS (IEE) ADMINISTRATIVE PROCEDURES POLICY

A parent who disagrees with an evaluation performed or obtained by the Chester Community Charter School ("Charter School") may request an independent educational evaluation (IEE) at public expense to the extent allowed by applicable state and federal regulations. If the request is received verbally, the staff member who receives the IEE request shall inform the parent that the staff member is forwarding the request to the Chief Executive Officer of the Charter School ("CEO") or his/her designee. The staff member is to forward the request to the CEO without delay.

The CEO or his/her designee shall take the following steps to the extent that they remain consistent with applicable state and federal regulations regarding IEEs:

The CEO may, upon receipt of the request for an IEE, request that the parent state her reasons for disagreement with the evaluation conducted or proposed by the Charter School. The CEO shall not require the parents to do so, however, and shall not delay the process for providing or disputing an IEE.

Within ten school days of receipt of a request for an IEE in writing from a parent, the CEO of the Charter School shall issue a Notice of Recommended Educational Placement (NOREP) and Procedural Safeguards Notice to the Parent in which the CEO either approves or denies the request for the IEE.

If the parent refuses to consent to the decision not to provide an IEE, the CEO or his/her designee must file a Due Process Hearing Request with the Office for Dispute Resolution and notify the parent in writing that the Charter School has done so. The parent must be copied on the Due Process Hearing Request in the same manner as it is sent to the Office for Dispute Resolution. The parent must be provided with a copy of the Procedural Safeguards Notice upon filing of a Due Process Hearing Request.

If the CEO consents to provide an IEE, the parent must receive a PWN/NOREP which sets for the School's decision along with a Permission to Re-evaluate which should state what the Charter School is proposing by way of testing and lastly, a Procedural Safeguards Notice. The written documentation must also include the following:

(1) The Charter School will pay for an IEE provided the IEE meets all of the requirements of an appropriate evaluation as defined in the enclosed Charter School IEE policy. (The IEE policy will also be included with the written documentation).

(2) The CEO shall provide a list of qualified independent evaluators to the parent in the discipline requested.

(3) The Charter School will not pay for the IEE until the CEO receives from the evaluator a complete copy of a report of that evaluation and determines that the evaluation meets all of the requirements of the Charter School's policy.

(4) A request that the parents 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 is not required to do so and that the Charter School would pay any cost not covered by such sources;

(5) If the evaluation has already been conducted and paid for, the correspondence shall advise the parent that the Charter School will not reimburse the parent for the IEE until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation meets all of the requirements of the Charter School IEE policy and documentation substantiating that the parent paid for or is responsible to pay for the costs of the evaluation requested to be reimbursed.

(6) The IEE shall be reviewed by the student's Individual Education Plan (IEP) and/or Multi-Disciplinary Evaluation (MDE) team and considered with respect to the provision of Free Appropriate Public Education (FAPE) to the student. Where necessary and/or warranted as required by law, a Team meeting shall be convened to discuss the results of the IEE and any changes in the provision of FAPE proposed as a result of the IEE.

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

Book	Policy Manual
Section	Special Education
Title	Annual Public Notice of Special Education Services and Programs and Rights for Student with Disabilities And Notification of Rights Under the Family Educational Rights and Privacy Act ("FERPA") 2020-2021
Code	833
Adopted	October 15, 2020

Chester Community Charter School

Annual Public Notice of Special Education Services and Programs and Rights for Students with Disabilities And Notification of Rights under the Family Educational Rights and Privacy Act

All children with disabilities residing in the Commonwealth, regardless of the severity of their disabilities, and who are in need of special education and related services, are to be located, identified and evaluated. This responsibility is required by a federal law called the Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 *et. seq.* ("IDEA")[1].

Chapter 711 of Title 22 ("Chapter 711")[2] of the Pennsylvania Code requires the publication of a notice to parents regarding public awareness activities sufficient to inform parents of the Chester Community Charter School ("the Charter School") of available special education services and programs and how to request those services and programs as well, as of systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in the Charter School.

In addition, the federal Family Educational Rights and Privacy Act of 1974 ("FERPA")[3], which protects confidentiality, requires educational agencies to notify parents annually of their confidentiality rights.

The Charter School fulfills its duties with this Annual Notice and has incorporated several sections of the PaTTAN Procedural Safeguards Notice and other applicable guidelines from the Pennsylvania Department of Education ("PDE") into the Board-approved Child Find Notice and Policies and Procedures described below.

The Charter School directs parents to the procedural safeguards notice from PaTTAN available at the Charter School's main office for additional information regarding rights and services.

Parents may contact the Charter School's **CEO or his/her designee** at any time to request a copy of the Procedural Safeguards Notice or with any other questions about special education services, screenings, policies, or procedures. The Procedural Safeguards Notice is provided to parents of special education students by the Charter School once per school year or: (1) upon initial referral or parent request for evaluation; (2) upon receipt of the first State complaint under 34 CFR §§300.151[4] through 300.153[5] and upon receipt of the first due process complaint under §300.507[6] in a school year; (3) when a decision is made to take a disciplinary action that constitutes a change of placement of a child with a

disability because of a violation of a code of student conduct; and (4) upon parent request. [34 CFR §300.504(a)][7].

The purpose of this Annual Notice is to comply with the Charter School's obligations under Chapter 711 of Title 22 of the Pennsylvania Code[2] and to describe: (1) the types of disabilities that might qualify the child for special education; (2) the special education programs and related services that are available; (3) the process by which the Charter School screens and evaluates such students to determine eligibility; (4) the special rights that pertain to such children and their parents or legal guardians; and (5) the confidentiality rights that pertain to student information.

A copy of this Annual Notice is also available on the Charter School's website.

Qualifying for Special Education Related Services

Under IDEA, children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need special education and related services: intellectual disability; hearing impairment, including deafness; speech or language impairment; visual impairment, including blindness; emotional disturbance; orthopedic impairment; autism; traumatic brain injury; other health impairment; specific learning disability; deaf-blindness; or multiple disabilities. To the extent applicable in a Local Education Agency ("LEA"), children from 3 years through school age can receive early intervention services if: the student has a developmental delay or disability as defined by the IDEA; and, because of this delay/disability, the student requires special education. Developmental delays can include one or more of the areas of cognitive, physical, communication, social, emotional, or adaptive development. For more information about early intervention and special education services, parents should contact the school.

IDEA provides legal definitions of the disabilities that qualify a student for special education and related services. Such definitions may differ from those terms used in medical or clinical practice or common usage.

Section 504 Services

Under Section 504 of the federal Rehabilitation Act of 1973 ("Section 504")[8], some school-age children with disabilities who do not meet the eligibility criteria outlined above might be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program and otherwise qualify under the applicable state and federal laws, including Chapter 711[2] and Section 504[8].

The Charter School must ensure that qualified handicapped students have equal opportunity to participate in the school's program and activities to the maximum extent appropriate for each individual student. In compliance with applicable state and federal laws, the Charter School provides to each qualifying protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and activities to the maximum extent appropriate to the student's abilities and to the extent required by the laws.

These services and protections for "protected handicapped students" may be distinct from those applicable to eligible or thought-to-be eligible students. The Charter School or the parent may initiate an evaluation if they believe a student is a protected handicapped student. For further information on the evaluation procedures and provision of services to protected handicapped students, parents should contact the school.

Least Restrictive Environment ("LRE")

The Charter School ensures that children with disabilities are educated to the maximum extent possible in the regular education environment or "least restrictive environment." To the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Special classes, separate schooling, or other removal of students with disabilities from the general educational environment occurs only when the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services cannot be achieved satisfactorily. Programs and services available to students with disabilities might include: (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant services by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting. This is a team decision, which includes the Charter School and the Parents.

Depending on the nature and severity of the disability and least restrictive environment consideration, the Charter School could provide special education programs and services as determined appropriate by the Individualized Education Program ("IEP") team, in locations such as: (1) the classroom/building the child would attend if not disabled; (2) an alternative regular class either in or outside the school; (3) a special education center operated by an Intermediate Unit; (4) an approved private school or other private facility licensed to serve children with disabilities; (5) a residential school; (6) approved out-of-state program; or (7) the home. This is a team decision, which includes the Charter School and the Parents.

Special education services are provided according to the educational needs of the child, not the category of disability. Types of services that may be available, depending upon the child's disability and needs might include, but are not limited to: (1) learning support; (2) life skills support; (3) emotional support; (4) deaf or hearing-impaired support; (5) blind or visually-impaired support; (6) physical support; (7) autistic support; (8) multiple disabilities support; (9) speech and language support; (10) extended school year support; and (11) vision support. This is a team decision, which includes the Charter School and the Parents.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services that a child may require include, but are not limited to: speech and language therapy; transportation; occupational therapy; physical therapy; school nursing services; audiology services; parent counseling or training; certain medical services for diagnostic or evaluation purposes; social work services; and recreation. Some students may also be eligible for extended school year services if determined needed by their IEP teams in accordance with Chapter 711[2] regulations.

The Charter School, in conjunction with parents, determines the type and intensity of special education and related services that a particular child needs based on the unique program of special education and related services that the Charter School develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team. The participants in the IEP team are dictated by IDEA. The parents of the child have the right to be notified of and to be offered participation in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant, but reviewed at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational benefit to the student. In accordance with IDEA, there may be situations in which the Charter School may hold an IEP team meeting if the parents refuse or fail to attend the IEP team meeting.

IEPs generally contain: (1) a statement of the student's present levels; (2) a statement of measurable annual goals established for the child; (3) a statement of how the child's progress toward meeting the annual goals will be measured and when periodic reports will be provided; (4) a statement of the special education and related services and supplementary aids and services, and a statement of the program modifications or supports for School personnel that will be provided, if any; (5) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in activities; (6) a statement of any individual appropriate accommodations that are necessary to measure the performance of the child on State and School assessments; and (7) the projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services or modifications.

Beginning no later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include appropriate measurable postsecondary goals and transition services needed to assist in reaching those goals. The Charter School must invite the child to the IEP team meeting at which the transition plan is developed.

Beginning no later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights, if any, that will transfer to the child on reaching the age of majority.

Screening and Evaluation Procedures for Children to Determine Eligibility

The Charter School has established a system of screening which may include pre-referral intervention services to accomplish the following:

A) Identification and provision of initial screening for students prior to referral for a special education evaluation.

B) Provision of peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum.

C) Identification of students who may need special education services and programs.

The screening process includes:

- Hearing and vision screening in accordance with Section 1402 of the Public School Code of 1949 (24 P. S. § 14-1402)[9] for the purpose of identifying students with hearing or vision difficulty so

that they can be referred for assistance or recommended for evaluation for special education.

- Screening at reasonable intervals to determine whether all students are performing based on grade- appropriate standards in core academic subjects.

The Charter School has established and implements procedures to locate, identify, and evaluate children suspected of being eligible for special education. These procedures involve screening activities that may also include, but are not limited to: review of data and student records; motor screening; and speech and language screening. The Charter School assesses the current achievement and performance of the child, designs school-based interventions, and assesses the effectiveness of interventions. If the concern can be addressed without special education services, or is the result of limited English proficiency or appropriate instruction, a recommendation may be made for interventions other than a multidisciplinary team evaluation.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation should not be considered to be an evaluation for eligibility for special education and related services. Parents have the right to request a multidisciplinary team evaluation at any time, regardless of the outcome of the screening process.

Except as indicated above or otherwise announced publicly, screening activities take place on-going at periods throughout the school year. Screening is conducted at the Charter School, unless other arrangements are necessary or arranged.

If parents need additional information regarding the purpose, time, and location of screening activities, they should call or write the CEO or his/her designee.

Screening or pre-referral intervention activities may not serve as a bar to the right of a parent to request an evaluation at any time, including prior to or during the conducting of screening or pre-referral intervention activities.

Disproportionality

In accordance with Chapter 711[2], in the event that the Charter School would ever meet the criteria in 34 CFR § 300.646[10] (relating to disproportionality), as established by the State Department of Education, the services that would be required would then include:

A) A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act (ESEA) (20 U.S.C.A. § 6368(3))[11], and appropriate instruction in math.

B) For students with academic concerns, an assessment of the student's performance in relation to State-approved grade-level standards.

C) For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.

D) A research-based intervention to increase the student's rate of learning or behavior change based on the results of the assessments above.

E) Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.

F) A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.

G) A determination as to whether the student's needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.

H) Documentation that information about the student's progress as identified in above was periodically provided to the student's parents.

Evaluation

An evaluation under IDEA involves the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent that may assist in determining whether the child is a child with a disability and the content of the child's IEP. The Charter School does not use any single measure or assessment as a sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child. Technically sound instruments are used to assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

Parental consent must be obtained by the Charter School prior to conducting an initial evaluation to determine if the child qualifies as a child with a disability, and before providing special education and related services to the child. Parental consent for an evaluation shall not be construed as consent for their child to receive special education and related services. The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation is not considered to be an evaluation for eligibility for special education and related services; therefore, parental consent is not required in this instance.

The law contains additional provisions and due process protections regarding situations in which parental consent for an initial evaluation is absent or refused. This is discussed more fully below and in the PaTTAN Procedural Safeguards Notice. If you have any questions about where to obtain a copy of the PaTTAN Procedural Safeguards Notice, kindly contact the CEO or his/her designee**.**

The evaluation process is conducted by a Multi-Disciplinary Team ("MDT"), which is formed based on the student's needs and includes a teacher, other qualified professionals who work with the child, the parents and other members as required by law. The Multi-Disciplinary Evaluation ("MDE") process must be conducted in accordance with specific timelines and must include protective procedures. For example, tests and procedures used as part of the Multi-Disciplinary Evaluation may not be racially or culturally biased.

The MDE process culminates with a written report called an Evaluation Report ("ER"). This report makes recommendations about a student's eligibility for special education based on the presence of a disability and the need for specially designed instruction.

Parents who think their child is eligible for special education may request, at any time, that the Charter School conduct a Multi-Disciplinary Evaluation. **Requests for a Multi-Disciplinary Evaluation must be made in writing to the CEO or his/her designee.**

If a parent makes an oral request for a Multi-Disciplinary Evaluation, the Charter School shall provide the parent with a form(s) for that purpose. If the public school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as mediation.

Reevaluations are conducted if the Charter School determines that the educational or related services' needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or if the child's parent or teacher requests a reevaluation. A reevaluation may occur not more than once a year, unless the parent and the Charter School agree otherwise; and must occur at least once every 3 years, unless the parent and the Charter School agree that a reevaluation is unnecessary. Students with an intellectual disability must be reevaluated at least once every two years under State law.

Educational Placement

The determination of whether a student is eligible for special education is made by an IEP team. The IEP team includes: the parents of a child with a disability; not less than one regular education teacher, if the child is, or may be, participating in the regular education environment; not less than one special education teacher, or when appropriate, not less than one special education provider; a representative of the Charter School who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, is knowledgeable about the general education curriculum, and is knowledgeable about the availability of resources of the Charter School; an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above; other individuals, at the discretion of the parent or the agency, who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and whenever appropriate, a child with a disability.

Additionally, the Charter School must invite the child with a disability to attend the child's IEP Team meeting if a purpose of the meeting includes the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals. If the child does not attend the IEP Team meeting, the Charter School must take other steps to ensure that the child's preferences and interests are considered. IEP team participation is directly addressed by IDEA regulations.

If the student is determined to be eligible for special education, the IEP team develops a written education plan called an IEP. The IEP shall be based in part on the results of the Multi-Disciplinary Evaluation. When the IEP team decides that a student is not eligible for special education, recommendations for educational programming in regular education may be developed from the Evaluation Report (ER).

Placement must be made in the "least restrictive environment", as described more fully above, in which the student's needs can be met with special education and related services. All students with disabilities must be educated to the maximum extent appropriate with children who are not disabled.

Parents and Surrogate Parents

For purposes of this Notice, the Charter School considers parents to be biological or adoptive parents of a child; a foster parent; a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child; an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; or a surrogate parent.

A surrogate parent must be appointed when no parent can be identified; a public agency, after reasonable efforts, cannot locate a parent; the child is a ward of the State under the laws of Pennsylvania, or the child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434a(6)[1]. A person selected as a surrogate parent must not be an employee of the SEA, the Charter School, or any other agency that is involved in the education or care of the child; has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and has knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. Reasonable efforts must be made to ensure the assignment of a surrogate parent not more than 30 days after it is determined that the child needs a surrogate parent.

Prior Written Notice

The Charter School will notify the parent within a reasonable time before the Charter School before the Charter School takes the following action(s), pursuant to the Notice of Recommended Educational Placement/Prior Written Notice ("NOREP/PWN") regarding the child's educational program. For more information, see the annotated NOREP/PWN on the PaTTAN website or available at the Charter School office.

1. Type of action taken:

☐ Proposes initial provision of special education and related services (For this action, the school may not proceed without your written consent in Section 8 of this document)

☐ Refusal to initiate an evaluation (Must issue *Procedural Safeguards Notice*)

☐ Proposes to change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education (FAPE)

☐ Refusal to change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education (FAPE)

☐ Change of placement for disciplinary reasons (Must issue *Procedural Safeguards Notice*)

☐ Due process hearing, or an expedited due process hearing, initiated by LEA

☐ Graduation from high school

☐ Exiting special education

—

☐ Exiting high school due to exceeding the age eligibility for a free appropriate public education (FAPE)

☐ Extended School Year (ESY) services
☐ Response to request for an independent educational evaluation (IEE) at public expense

☐ Other [to be determined by the IEP Team]

In Pennsylvania, prior written notice is provided by means of a Prior Written Notice Form/Notice of Recommended Educational Placement ("NOREP"). You should be given reasonable notice of this proposal or refusal so that if you do not agree with the Charter School you may take appropriate action. Reasonable Notice means ten (10) days.

The prior written notice must:

A) Describe the action that the Charter School proposes or refuses to take;

B) Explain why the Charter School is proposing or refusing to take the action;

C) Describe each evaluation procedure, assessment, record, or report the Charter School used in deciding to propose or refuse the action;

D) Include a statement that you have protections under the procedural safeguards provisions in Part B of IDEA[12];

E) Tell how you can obtain a description of the procedural safeguards if the action that the Charter School is proposing or refusing is not an initial referral for evaluation;

F) Include resources for you to contact for help in understanding Part B of the IDEA[12];

G) Describe any other choices that your child's IEP Team considered and the reasons why those choices were rejected; and

H) Provide a description of other reasons why the Charter School proposed or refused the action.

The notice must be:

A) Written in language understandable to the general public; and
B) Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.
C) If your native language or other mode of communication is not a written language, the Charter School will ensure that:
D) The notice is translated for you orally or by other means in your native language or other mode of communication;
E) You understand the content of the notice; and
F) There is written evidence that A) and B) above have been met.

Native language, when used with an individual who has limited English proficiency, means the following:

A) The language normally used by that person, or, in the case of a child, the language normally used by the child's parents;
B) In all direct contact with a child (including evaluation of a child), the language normally used by the child in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the mode of communication is what the person normally uses (such as sign language, Braille, or oral communication).

Parental Consent

Consent means (34 CFR §300.9)[13]:

A) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or through another mode of communication;

B) The parent understands and agrees, in writing, to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the record (if any) that will be released and to whom; and

C) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time.

If a parent revokes consent, that revocation is not retroactive (i.e., it does **not** negate an action that has occurred after the consent was given and before the consent was revoked).

If the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the Charter School is **not** required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

WHEN IS PARENTAL CONSENT NEEDED?

Parental consent is needed in the following instances:
1. When the Charter School proposes to initiate the provision of special education services to the child; and,
2. When the Charter School seeks to evaluate or re-evaluate the child.

Initial Evaluations

The Charter School cannot conduct an initial evaluation of a child to determine whether they are eligible under Part B of the IDEA to receive special education and related services without first providing parents with prior written notice of the proposed action and without obtaining parental consent as described above, under the heading Parental Consent.

The Charter School will make reasonable efforts to obtain parents informed consent for an initial evaluation to decide whether the child is a child with a disability. Parental consent for initial evaluation does not mean that parent has also given consent to start providing special education and related services to the child. If parent has refused to provide consent or failed to respond to a request to provide consent

for an initial evaluation, the Charter School may, but is not required to, seek to conduct an initial evaluation of the child by utilizing mediation or due process complaint, resolution meeting, and impartial due process hearing procedures. The Charter School will not violate obligations to locate, identify, and evaluate the child if an evaluation of the child is not pursued in these circumstances.

Special rules for Initial Evaluation of Wards of the State

Under Pennsylvania law, 34 CFR § 300.45[14] if a child is designated a ward of the state, the whereabouts of the parent are not known or the rights of the parent have been terminated in accordance with State law. Therefore, someone other than the parent has been designated to make educational decisions for the child.

For initial evaluations only, if the child is a ward of the State and is not residing with the child's parent, the Charter School is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if:

A) Despite reasonable efforts to do so, the public agency cannot discover the whereabouts of the parent of the child;

B) The rights of the parents of the child have been terminated in accordance with State law; or

C) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

Consent for an initial evaluation should, therefore, be obtained from the individual so designated to make educational decisions for the child.

Ward of the State, as used in the IDEA, encompasses two other categories, so as to include a child who is:

A) A foster child who does not have a foster parent;

B) Considered a ward of the State under State law; or

C) In the custody of a public child welfare agency.

Initial Placement in Special Education

The Charter School must obtain informed parental consent before providing special education and related services to a child for the first time. The Charter School must make reasonable efforts to obtain informed parental consent before providing special education and related services to a child for the first time.

If parents do not respond to a request to provide consent for their child to receive special education and related services for the first time, or if parents refuse to give such consent, the Charter School may not use the procedural safeguards (i.e. mediation, due process complaint, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the special education and related services as recommended by the child's IEP Team may be provided to the child without parental consent.

If parents refuse to give consent for their child to start receiving special education and related services, or if they do not respond to a request to provide such consent and the Charter School does not provide the child with the special education and related services for which consent is sought, the Charter School:

A) Is not in violation of the requirement to make FAPE available to the child for its failure to provide those services to the child; and

B) Is not required to have an IEP meeting or develop an IEP for the child for the special education and related services for which consent was requested.

Reevaluations

The Charter School must obtain informed parental consent before a child is reevaluated, unless:

A) The Charter School took reasonable steps to obtain parental consent of a child's reevaluation; and

B) Parent did not respond.

Parental consent is **not** required before:

A) Reviewing existing data as part of an evaluation or a reevaluation; or

B) Administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children.

If parents refuse to consent to their child's reevaluation, the Charter School may, but is not required to, pursue the child's reevaluation by using the mediation, due process complaint, resolution meeting, and impartial due process hearing procedures to seek to override parental refusal to consent to a child's reevaluation. As with initial evaluations, the Charter School will not violate obligations under Part B of the IDEA[12] if it declines to pursue the reevaluation in this manner.

The Charter School may **not** use parental refusal to consent to one service or activity in order to deny parents or their children any other service, benefit, or activity.

WHAT EFFORTS WILL THE CHARTER SCHOOL MAKE TO OBTAIN PARENTAL CONSENT?

The Charter School will take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including:

A) Notifying parents of the meeting early enough to ensure that they will have the opportunity to attend; and

B) Scheduling the meeting at a mutually agreed upon time and place.

If the Charter School is unable to convince parents to attend an IEP Team meeting, the meeting may still be conducted; however, the Charter School must maintain documentation of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, for reevaluation and to locate parents of wards of the State for initial evaluations. The documentation will include a record of attempts in these areas, such as:

A) Detailed records of telephone calls made or attempted and the results of those calls;

B) Copies of correspondence sent to the parents and any responses received; and

C) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

Disagreements with an Evaluation

A) General

1) As described below, parents have the right to obtain an independent educational evaluation (IEE) of their child if they disagree with the evaluation of their child that was obtained by the Charter School. The Charter School must provide parents who request an IEE with information about where they may obtain an IEE and about the Charter School's criteria that apply to IEEs.

B) Definitions

1) **Independent educational evaluation** means an evaluation conducted by a qualified examiner who is not employed by the Charter School and responsible for the education of the child in question.

2) **Public expense** means that the Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to parent, consistent with the provisions of Part B of the IDEA[12] , which allow each State to use whatever State, local, Federal and private sources of support are available in the State to meet the requirements of Part B of the Act.

C) Parent right to evaluation at public expense

1) A parent has the right to an IEE at the public expense if the parent disagrees with an evaluation obtained by the Charter School, subject to the following conditions:

2) If a parent requests an IEE at public expense, the public agency must, without unnecessary delay, either:

a) File a due process complaint to request a hearing to show that its evaluation is appropriate; or

b)Provide an IEE is provided at public expense, unless the Charter School demonstrates in a hearing that the evaluation obtained by the parent did not meet the Charter School criteria.

c)If the Charter School files a due process complaint notice to request a hearing and the final decision is that the Charter School's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

If a parent requests an IEE, the Charter School may ask for the parent's reason why he or she objects to the public evaluation. However, the Charter School may not require the parent to provide an explanation and may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation. A parent is entitled to only

one IEE at public expense each time the Charter School conducts an evaluation with which the parent disagrees.

D) Parent-Initiated Evaluations

1) If a parent obtains an IEE at public expense or shares an evaluation with the Charter School that was obtained at private expense, the results of the evaluation:

   a) Must be considered by the Charter School, if it meets the Charter School criteria, in any decision made with respect to the provision of FAPE to the child; and

   b) May be presented by any party as evidence at a due process hearing regarding the child.

E) Charter School Criteria

1) If an IEE is conducted at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Charter School uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE.

2) Except for the criteria described above, the Charter School may not impose conditions or timelines related to obtaining an IEE at public expense.

F) Requests for evaluations by hearing officers

1) If a hearing officer requests an IEE of your child as part of a due process hearing, the cost of the evaluation must be at public expense.

ANNUAL NOTICE OF RIGHTS REGARDING STUDENT RECORDS: CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION (34 CFR §300.622)

Unless the information is contained in education records, and the disclosure is authorized without parental consent under the Family Educational Rights and Privacy Act ("FERPA"), parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies. Except under the circumstances specified below, parental consent is not required before personally identifiable Part B of the IDEA[12].

Parental consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34CFR§300.611)[15]

A) Related to the confidentiality of information, the following definitions apply:

1) *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

2) *Education records* means the type of records covered under the definition of "education records" in 34 CFR Part 99[16] (the regulations implementing FERPA).

3) *Participating agency* means any Charter School, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA[12].

4) *Personally identifiable* (34 CFR § 300.32)[17] means information that has:

a) The name of the child, the child's parent, or other family member;

b) The address of the child;

c) A personal identifier, such as the child's social security number or student number; or

d) A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

B) Parent Access Rights (34 CFR §300.613)[18]

1) The Charter School must permit parents to inspect and review any education records relating to their child that is collected, maintained, or used by the Charter School under Part B of the IDEA[12]. The Charter School must comply with such parental request without unnecessary delay and before any meeting regarding an IEP, or hearing pursuant to 34 CFR § 507[19] (relating to due process complaints); 34 CFR § 530[20] (relating to discipline); 34 CFR § 531[21] (relating to an interim alternative educational setting for services); 34 CFR § 532[22] (relating to Appeals); or a resolution session pursuant to 34 CFR § 300.510[23], and in no case more than 45 calendar days after a parental request has been made.

2) The parental right to inspect and review education records includes:

a) The right to a response from the Charter School to reasonable requests for explanations and interpretations of the records;

b) The right to request that the Charter School provide copies of the records containing the information if failure to provide those copies would review the records; and

c) The right to have a representative of the parent inspect and review the records.

C) The Charter School may presume that parent has authority to inspect and review records relating to their child unless advised that the parent does not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.

1) If any education **record includes information on more than one child**, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

2) On request, the Charter School must provide parent with a list of the types and locations of education records collected, maintained, or used by the Charter School.

D) Other Authorized Access (34 CFR §300.614)[24]

1) The Charter School must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

E) Fees (34 CFR §300.617)[25]

1) The Charter School may charge a fee for copies of records that are made for parents under Part B of the IDEA, if the fee does not effectively prevent parents from exercising their right to inspect and review those records. The Charter School may not charge a fee to search for or to retrieve information under Part B of the IDEA.

F) Amendment of Records at Parent's Request (34 CFR §300.618)[26]

1) A parent who believes that information in the education records regarding their child collected, maintained, or used under Part B of the IDEA is inaccurate, misleading, or violates the privacy or other rights of the child, may request the Charter School to amend the information. The Charter School must decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the Charter School refuses to amend the information in accordance with the request, it must inform the parent of the refusal and advise the parent of the right to a hearing for this purpose.

G) Opportunity for a Records Hearing (34 CFR §300.619)[27] the Charter School must, on request, provide parents an opportunity for to challenge information in education records regarding their child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

1) Hearing Procedures (34 CFR §300.621)[28] A hearing to challenge information in education records must be conducted according to the following procedures for such hearings under FERPA, 34 CFR § 99.22[29]:

a) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.

b) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.

c) The hearing may be conducted by any individual, including an official of the educational agency or institution, who does not have a direct interest in the outcome of the hearing.

d) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

e) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.

f) 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.

H) Result of Hearing (34 CFR §300.620)[30] If, as a result of the hearing, the Charter School decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must amend the information accordingly and inform the parent in writing. If, as a result of the hearing, the Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Charter School must inform parent of their right to place in the records a statement commenting on the information or providing any reasons for disagreeing with the decision of the participating charter school. Such an explanation placed in the child's records must:

1) Be maintained by the Charter School as part of the records of the child as long as the record or contested portion is maintained by the Charter School; and
2) If the Charter School discloses the records of the child or the challenged portion to any party, the explanation must also be disclosed to that party.

I) Safeguards (34 CFR §300.623)[31]

1) Charter School must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at the Charter School must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding State policies and procedures regarding confidentiality under Part B of the IDEA and FERPA. The Charter School must maintain, for public inspection, a current listing of the names and positions of those employees within the Charter School who may have access to personally identifiable information.

J) Destruction of Information (34 CFR §300.624)[32]

1) The Charter School must inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child, and the information must be destroyed at the request of parents. However, a permanent record of the child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

2) In addition, as of July 2018, PDE advises that the following will occur:

a) one year from the date on which student results are delivered for the Pennsylvania System of School Assessment ("PSSA"), and Pennsylvania Alternative System of Assessment ("PASA") – PDE will destroy or have destroyed all test booklets; and,

b) three years from the date on which the assessment is completed for the PSSA, PDE will also destroy or have destroyed all answer booklets, and, for the PASA, PDE will also destroy or have destroyed all media recordings.

PROCEDURES FOR DISCIPLINARY EXCLUSION OF CHILDREN WITH DISABILITIES.

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons:

AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)[33]

Case-by-Case Determination

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

General

To the extent that they also take such action for children without disabilities, school personnel may, for not more than **10 consecutive school days**, remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than **10 consecutive school days** in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see ***Change of Placement Because of Disciplinary Removals*** for the definition, below) or **exceed fifteen (15) cumulative school days in a school year**. Once a child with a disability has been removed from his or her current placement for a total of **10 school days** in the same school year, the Charter School must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading ***Services***.

Additional Authority

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see ***Manifestation determination***, below) and the disciplinary change of placement would exceed **10 consecutive school days**, the Charter School may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under ***Services***. The child's IEP Team may determine the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for **more than 10 cumulative school days** in a school year can be considered a pattern so as to be deemed a change in educational placement (explained under ***Change of Placement Because of Disciplinary Removals***). The Charter School is required to issue a NOREP/Prior Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or more than 15 cumulative days).

Services

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. The Charter School is only required to provide services to a child with a disability who has been removed from his or her current placement for **10 school days or less** in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by the Charter School.

A child with a disability who is removed from the child's current placement for **more than 10 consecutive school days** must:

A) Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and

B) Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.

After a child with a disability has been removed from his or her current placement for 10 school days during one school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement (see definition below), **then** school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team will determine the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Manifestation Determination

Within **10 school days** of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP Team (as determined by the parent and the Charter School) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

A) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

B) If the conduct in question was the direct result of the Charter School's failure to implement the child's IEP.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that either of those conditions was met, the conduct must be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the Charter School's failure to implement the IEP, the Charter School must take immediate action to remedy those deficiencies.

Determination that behavior was a manifestation of the child's disability

If the Charter School, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

A) Conduct a functional behavioral assessment, unless the Charter School had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or

B) If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading **Special Circumstances**, the Charter School must return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

Special Circumstances

Whether or not the behavior was a manifestation of the child's disability, School personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

A) Carries a weapon (see the Definitions below) to school or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of the Charter School;

B) Knowingly possesses or uses illegal drugs (see the **Definitions** below), or sells or solicits the sale of a controlled substance, (see the **Definitions** below), while at school, on school premises, or at a school function under the jurisdiction of the Charter School; or

C) Has inflicted serious bodily injury (see the Definitions below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the Charter School.

Definitions

A) *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c))[34].

B) *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

C) *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code[35].

D) *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code[36].

Notification

On the date it makes the decision to make a removal that is a change of placement of the child with a disability because of a violation of a code of student conduct, the Charter School must notify the parents of that decision, and provide the parents with a Procedural Safeguards Notice.

Change of Placement Because Of Disciplinary Removals (34 CFR §300.536)[37]

A removal of a child with a disability from the child's current educational placement is a **change of placement** requiring a NOREP/prior written notice if:

A) The removal is for more than 10 consecutive school days; **or**

B) The removal is for 15 cumulative school days total in any one school year;

C) The child has been subjected to a series of removals that constitute a pattern because:

1) The series of removals total more than 10 school days in a school year;

2) The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals; and

3) Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the Charter School and, if challenged, is subject to review through due process and judicial proceedings.

Determination of Setting (34 CFR §300.531)[21]

The child's IEP Team must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the heading ***Special circumstances***, above.

Appeal (34 CFR §300.532)[22]

A) The parent of a child with a disability may file a due process complaint to request a due process hearing if he or she disagrees with:

1) Any decision regarding placement made under the discipline provisions; or

2) The manifestation determination described above.

The Charter School may file a due process complaint to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

Authority of Hearing Officer

An impartial hearing officer must conduct the due process hearing and make a decision. The hearing officer may:

A) Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading *Authority of School Personnel*, or that the child's behavior was a manifestation of the child's disability; or

B) Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if the Charter School believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.
Whenever a parent or the Charter School files a due process complaint to request such a hearing, a hearing must be held in accordance with the following:

A) The Charter School must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.

B) Unless the parents and Charter School agree in writing to waive the resolution meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

Placement During Appeals (34 CFR §300.533)[38]

When the parent or the Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or until the expiration of the time period specified in 34 CFR §300.530(c) or (g) l[33], whichever occurs first, unless the parent and the Charter School agree otherwise.

Special Rules for Students with an Intellectual Disability

The disciplinary removal of a child with an intellectual disability attending the Charter School for any amount of time is considered a change in placement under 22 Pa. Code §14.143[39] and requires NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with an intellectual disability when the disciplinary event involves weapons, drugs, and/or serious bodily injury.

According to certain assurances the Commonwealth entered into related to the PARC consent decree, the Charter School may suspend, on a limited basis, a student with an intellectual disability who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than an intellectual disability could be suspended.

Protections For Children Not Yet Eligible For Special Education and Related Services (34 CFR §300.534)[40]

A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct, may assert any of the protections provided for a child with a disability if the Charter School had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action.

Basis of Knowledge for Disciplinary Matters

The Charter School must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

A) The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel of the Charter School, or a teacher of the child;

B) The parent requested an evaluation related to eligibility for special education and related services under Part B of the IDEA[12]; or

C) The child's teacher, or other Charter School personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Charter School's CEO or his/her designee or to other supervisory personnel of the Charter School.

Exception

The Charter School would not be deemed to have such knowledge if:
The child's parent has not allowed an evaluation of the child or refused special education services; or the child has been evaluated and determined to not be a child with a disability under Part B of the IDEA[12].

Conditions that apply if there is no basis of knowledge

If, prior to taking disciplinary measures against the child, the Charter School does not have knowledge that a child is a child with a disability, as described above under the sub-headings ***Basis of knowledge for disciplinary matters*** and ***Exception***, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors. However, if a request is made for an evaluation of a child during the time in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by School authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Charter School and information provided by the parents, the Charter School must provide special education and related services in accordance with Part B of the IDEA[12], including the disciplinary requirements described above.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR §300.535)

A) The state and federal regulations do not:

1) Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or

2) Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Transmittal of records

If the Charter School reports a crime committed by a child with a disability, the Charter School must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the Charter School reports the crime and may transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

THIS ANNUAL NOTICE AND STATEMENT OF POLICY AND PROCEDURES HAS BEEN WRITTEN IN ACCORDANCE WITH CHAPTER 711 OF TITLE 22[2] OF THE PA CODE AND INCORPORATED INFORMATION FROM APPLICABLE PDE AND STATE FORMS AND SOURCES INCLUDING THE PATTAN PROCEDURAL SAFEGUARDS NOTICE.

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH LANGUAGE. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE DIRECTOR OF SPECIAL EDUCATION OF CHARTER SCHOOL FOR AN EXPLANATION. CHARTER SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, CHARTER SCHOOL WILL ARRANGE FOR OTHER COMMUNICATION (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

THIS NOTICE IS ONLY A SUMMARY OF THE SPECIAL EDUCATION SERVICES, EVALUATION AND SCREENING ACTIVITIES, AND RIGHTS AND PROTECTIONS PERTAINING TO CHILDREN WITH DISABILITIES, CHILDREN THOUGHT TO BE DISABLED, AND THEIR PARENTS AND IS ONLY A SUMMARY OF THE CONFIDENTIALITY RIGHTS REGARDING STUDENT INFORMATION.

FOR MORE INFORMATION OR TO REQUEST EVALUATION OR SCREENING OF A CHARTER SCHOOL STUDENT CONTACT THE CEO OF THE CHARTER SCHOOL OR HIS/HER DESIGNEE.

NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT THE INFORMATION CONTAINED IN PDE'S CURRENT "PROCEDURAL SAFEGUARDS NOTICE" WHICH IS AVAILABLE THROUGH THE CHARTER SCHOOL FOR PARENTS/GUARDIANS TO REVIEW. NOTHING IN THIS NOTICE IS INTENDED TO CONFLICT WITH OR SUPPLANT APPLICABLE STATE AND/OR FEDERAL LAWS.

Legal References:

1. Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 *et. seq.* ("IDEA")
2. Chapter 711 of Title 22 ("Chapter 711")
3. Family Educational Rights and Privacy Act of 1974 ("FERPA")
4. 34 CFR § 300.151
5. 300.153
6. §300.507
7. 34 CFR §300.504(a)
8. Rehabilitation Act of 1973 ("Section 504")
9. 24 P. S. § 14-1402
10. 34 CFR § 300.646
11. 20 U.S.C.A. § 6368(3)
12. Part B of IDEA
13. 34 CFR §300.9
14. 34 CFR § 300.45
15. 34CFR§300.611
16. 34 CFR Part 99
17. 34 CFR § 300.32
18. 34 CFR §300.613
19. 34 CFR § 507
20. 34 CFR § 530
21. 34 CFR § 531
22. 34 CFR § 532
23. 34 CFR § 300.510
24. 34 CFR §300.614
25. 34 CFR §300.617
26. 34 CFR §300.618
27. 34 CFR §300.619
28. 34 CFR §300.621
29. 34 CFR § 99.22
30. 34 CFR §300.620
31. 34 CFR §300.623
32. 34 CFR §300.624
33. 34 CFR §300.530
34. 21 U.S.C. 812(c)
35. Paragraph (3) of subsection (h) of section 1365 of title 18, United States Code
36. Paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code
37. 34 CFR §300.536
38. 34 CFR §300.533
39. 22 Pa. Code §14.143
40. 34 CFR §300.534

Book	Policy Manual
Section	Student
Title	Student Conduct and Discipline Policy
Code	900
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT CONDUCT AND DISCIPLINE POLICY

Purpose:

The Board of Trustees of Chester Community Charter School (the "Board") has the authority to make reasonable and necessary rules governing the conduct of students in Chester Community Charter School (the "Charter School"). The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. The Board acts within those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of the Charter School. Authorized discipline of Charter School students shall not include corporal punishment.

Authority

Accordingly, the Board's adoption of a Student Code of Conduct, which contains student rights and responsibilities as well as levels of misconduct and resulting discipline, is within its grant of authority from the General Assembly. The rules contained within this policy are to be implemented in a consistent and non-discriminatory manner and are a rational means of accomplishing the legitimate school purpose of a safe and orderly environment in which students may be instructed.

All students enrolled in the Charter School are entitled to share in its educational and related programs to the extent of their abilities without regard to race, color, sex, sexual orientation, national origin, religion or handicap. Every student is expected to behave at school and in school-related activities in accordance with public laws, school rules and lawful directions of assigned staff, and to deal fairly and courteously with fellow students, staff and the public.

The Board directs the Charter School administration to ensure that all Charter School students are protected from any unlawful and excessive force used by teachers and school authorities for discipline purposes. The Charter School and its teachers and employees could be at risk of liability and criminal punishment by engaging in corporal punishment. For the above reasons, the Charter School strictly prohibits any corporal punishment on any student for disciplinary infractions. Teachers and employees may only use reasonable force to quell a disturbance, obtain possession of weapons or other dangerous objects, and for the purposes of self-defense or for the protection of persons or property.

The Chief Executive Officer of the Charter School (CEO) and/or his or her designee shall develop and disseminate reasonable rules to carry out the purpose of this policy. The CEO and/or his or her designee is responsible for publishing and distributing to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct and the sanctions that may be imposed for violations of those rules. These rules shall comply with applicable public law and shall include the following elements:

(a) Standards of student conduct shall inform students and staff what conduct is acceptable and what is prohibited. These standards shall apply to students while traveling to and from school, at school and in all school-related activities and shall be appropriate to students' ages.

(b) Disciplinary sanctions shall state which staff may employ what sanctions to penalize and correct students who violate reasonable standards of conduct. Discipline must be rationally related to the offense, designed to teach responsibility for one's actions and applied without discrimination on account of race, color, sex, sexual orientation, national origin or religion.

Authorized sanctions shall not include corporal punishment of students. Corporal Punishment is defined as physically punishing a student for an infraction of the disciplinary policy. 22 Pa. Code § 12.5[1]. It is a form of physical discipline that is intended to cause pain and fear and in which a student is spanked, paddled, or hit on any part of the body with a hand or instrument. 22 Pa. Code § 12.16[2].

Exceptions to use of force: Teachers and Charter School employees may only use reasonable force under the following circumstances:

- To quell a disturbance;
- To obtain possession of weapons or other dangerous objects; and,
- For the purpose of self-defense or for the protection of persons or property.

22 Pa. Code § 12.5[1].

Penalties: If a teacher or an employee of the Charter School engages in corporal punishment or techniques, he or she is subject to discipline as outlined in the employee handbook, which may or may not include termination of employment at the Charter School.

Due Process: Procedures to enforce standards of conduct and apply disciplinary sanctions shall provide for due process by giving students notice of the offense charged and an opportunity to respond. The extent of appeal to review the application of any discipline shall be reasonably related to the weight of the sanction.

Discipline Records: Student records shall reflect disciplinary action to the extent necessary to support educational and counseling objectives with appropriate safeguards for proper use and limited dissemination.

Special Education Students: Special education students are afforded appropriate protection of their due process rights through a separate document, "Positive Behavioral Supports Policy."

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

Legal References:

1. 22 Pa. Code § 12.5
2. 22 Pa. Code § 12.16

Book	Policy Manual
Section	Student
Title	Student Rights Policy
Code	901
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT RIGHTS POLICY

The Board of Trustees (Board) of the Chester Community Charter School (Charter School) recognizes the importance of protecting all students' rights. In an effort to ensure that the rights of all students are respected, the Board establishes this Policy. This policy sets forth guidelines by which student rights are to be determined consistent with laws that are applicable to the Chester Community Charter School ("Charter School").

2. Authority

   (a) The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of students of the Charter School. 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 these guidelines.

3. Guidelines

   (a) Attendant upon the rights established for each student are certain responsibilities, which include respect for the rights of others, and compliance with all Charter School rules and regulations.

4. Delegation of Responsibility

   (a) The Chief Executive Officer of the Charter School (CEO) or his/her designee shall develop and promulgate administrative procedures consistent with applicable law and Board policy and to ensure that student rights under varying conditions are properly described. Such procedures shall be reviewed and updated when required.

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

Book	Policy Manual
Section	Student
Title	Enrollment Policy
Code	902
Adopted	October 15, 2020

Board of Trustees

ENROLLMENT POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") recognizes that its enrollment policy must reflect current requirements of the Pennsylvania Public School Code and 22 Pa. Code, Chapter 11[1], the Pennsylvania Charter School Law at 24 P.S. §17-1723-A[2], Pennsylvania Public School Code, and Pennsylvania Department of Education's ("PDE") Basic Education Circulars on Enrollment of Students and Charter School Law. Therefore, the Charter School, as a public charter school, complies with these enrollment procedures to ensure that both resident and eligible non-residents are promptly enrolled through the policy provisions set forth below.

Every child of school age who is a resident of a Pennsylvania school district is entitled to a public school education. Resident students include those residing with their parent(s) and non-resident students living with a Pennsylvania school district resident who is supporting the child gratis and seeking enrollment. Once the required enrollment documentation described below is provided, the Charter School must enroll non-resident children and permit them to attend school. The Charter School will accept applications during its open enrollment period until September 30th of each academic year. Any enrollment applications received after September 30th will not be considered for the then current academic year. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the Charter School's receipt of the required documents, if a space exists pursuant to the school's Admission/Lottery Policy.

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), a Pennsylvania school district resident, or any other person having charge or care of the child, the Charter School shall require that the following information be documented before enrolling the child and allowing the child to attend school:

1. Proof of the child's age

Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism – notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.

2. Immunizations required by law

Acceptable documentation includes: either the child's immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.

3. Proof of residency

Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, or Department of Transportation identification card. While more than one form of residency confirmation may be required, the Charter School should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. See the paragraph on Homeless Students for guidance in that situation. (Also see attached Residency Affidavit.)

4. Parent Registration Statement

A sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted to any school entity. The Charter School may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, the Charter School may wait to enroll a student until a current period of expulsion has expired.

5. Home Language Survey

All students seeking first time enrollment in a school shall be given a home language survey in according with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey.

Documents Which May Be Requested But Not As a Condition of Enrollment - Items Which May Be Requested

Although the Charter School may ask for any of the information below, the Charter School may not require it as a condition of enrolling or admitting a child and a child's enrollment or attendance may not be delayed until these documents are provided. Among the documents that the Charter School may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, a school district may not require that a physical examination be conducted as a condition of enrollment.

Registration Form

A registration form, filled out by families for student enrollment, may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Failure to complete this form will not be made a condition of the student's enrollment.

Documentation Required From Other Sources

The Charter School is also entitled by law to receive information on an enrolling student from the previous school, public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, the Charter School, as the receiving local educational agency, will not require this information as a precondition to enrollment and will not delay a student's admission for lack of this information.

Student Education Records

Upon enrollment, the Charter School contacts the student's former school for a copy of the student's education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by the Charter School. School districts shall enroll students within 5 business days regardless of receipt of records from the previous districts.

Disciplinary Records

Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have 10 days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment or school attendance. A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement.

However, pursuant to the PDE Basic Education Circulars cited to above, and as interpreted by the PDE PennLink Clarification of February 1, 2012, the Charter School is not required to accept a student on active period of expulsion:

> "During the enrollment process and prior to admission to a charter school, the parent, guardian or person having control of a student shall provide a sworn statement stating whether the student was previously or is presently suspended or expelled from any public or private school for any offense involving weapons, alcohol or drugs or for the willful infliction of injury to another person or for any act of violence committed on school property. The school from which the student was suspended or expelled and the dates of the suspension or expulsion must be provided. Any willful false statement shall be a misdemeanor of the third degree.
>
> Charter schools should make certain they obtain this statement during the enrollment process. **If,** *(emphasis added)*, a charter school accepts a suspended or expelled student, the student's school district of residence is not required to pay the charter school for that student's enrollment until the suspension or expulsion period has passed and the student has met all the conditions imposed during the suspension or expulsion. However, the suspending or expelling school and the charter school may enter into an agreement for providing an education for a student less than 17 years of age or older, up to age 21."
>
> Specifically, the Penn Link Clarification states in part with regard to this issue:

"In addition, charter and cyber charter schools are not required to enroll a student who has been expelled by the resident school district unless the expelling school district expressly agrees in writing to pay the charter or cyber charter school for that student."

Prohibited Requests - Items Which May Not Be Requested

For both enrollment and also for residency determinations, the Charter School will not request or require any of the following: a social security number; the reason for a child's placement if not living with

natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. The Charter School will not inquire as to the immigration status of a student as part of the admissions process.

Student Classifications for Education Entitlement

Resident Students and Court Orders or Custody Agreements

The Charter School may require a parent/guardian to provide a custody or dependency order when the child is being enrolled at the Charter School pursuant to parent relying on court order or custody agreement as the basis for enrollment. The Charter School will not require a custody order or agreement as a condition of enrollment in any circumstances other than the circumstance specified above. (See attached Affidavit of Custody).

Students Living With a Resident Adult other than a Parent

When a child is living with an adult other than a parent, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that adult's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, the Charter School shall require the resident to file **only one** of the following:

1. **A sworn and notarized statement** from the resident of the school district

indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (See Attachment B for a model statement), **or**

2. **Appropriate legal documentation to show dependency or guardianship**,

which may include a custody order. The Charter School may require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, the Charter School will enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. (See attached Affidavit of Support), if a space exists pursuant to the school's Admission/Lottery Policy.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain.

Foster Children

While the Public School Code provisions governing nonresident children placed in foster care are not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will

use such Public School Code provisions for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

Nonresident Children Living in Facilities or Institutions

A child living in a district in which there is located a licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for the care or training of children or adolescents, shall be admitted to that district's schools if living at or assigned to the facility or institution. If the school district or residence of a child living at or assigned to a facility or institution cannot be determined, but the child is determined to be a resident of the Commonwealth, the child shall be permitted to attend the public schools of the district. This includes a child placed by the child's resident parents or guardians at a facility or institution and subsequently abandoned or deserted.

Emancipated Minors

An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll at Charter School without any additional assistance from an adult.

Homeless Students

The Charter School will ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who are "awaiting foster care placement" and "unaccompanied homeless youth."

Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians.

Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, Charter School administration will consult with the respective county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."

Homeless youth are entitled to immediate enrollments, if a space exists pursuant to the Admissions/Lottery Policy and their families are not required to prove residency regarding school enrollment. These students are considered residents of the district where they are presently residing, or continue their education in the district of prior attendance.

Pre-Adoptive and Adoptive Students

The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the respective school district.

School-Age Children of Military Personnel

When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period of time, the students are entitled to attend school in the school district in which they are residing.

Other Issues Related To Enrollment

Address Confidentiality Program (ACP)

Some families may enroll a student using an ACP card, which lists a post office box as their address. This is their legal address and the Charter School will not require additional information about their residence. School records from the student's former school will be forwarded through the ACP.

Age

Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 if identified pursuant to the Individuals with Disabilities Education Act of 2004. The Charter School will not refuse admission to a child who meets the age requirement. Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma ("GED"), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department of Education will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

Children and Families with Limited English Proficiency

Children and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the student in school promptly per applicable federal law.

Twins and Multiple Siblings

While the Public School Code provision governing twins and multiple

siblings is not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use the Public School Code provision for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

Submitting Enrollment Complaints to the Department Of Education

When a dispute arises regarding enrollment of a student, the person attempting to enroll the child or the Charter School may bring the dispute to the attention of the Department's School Services Unit . A complaint may be filed by mail, email or by phone with written follow up. After receipt of a complaint, a Department representative will contact the Charter School, family or other involved parties to determine the facts, whether the child is entitled to enrollment at the Charter School and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to the Charter School and the individual who filed the complaint.

If the Charter School does not enroll the student within five (5) school days after receiving the written determination and space exists pursuant to the school's Admissions/Lottery Policy, the Department will issue a letter to the Charter School requesting its position on the situation. The Charter School will have five (5) school days to respond to the request. If the Charter School refuses to enroll the student or does not respond, the matter will be forwarded to the Department's Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if the Charter School's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

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

Legal References:

1. 22 Pa. Code, Chapter 11
2. 24 P.S. §17-1723-A

Book	Policy Manual
Section	Student
Title	Student Promotion and Retention Policy
Code	903
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT PROMOTION AND RETENTION POLICY

The Chester Community Charter School ("Charter School") Board of Trustees recognizes that the educational growth of students will vary and that students should be placed in the educational setting appropriate to their needs at the various stages of their development.

It is the policy of the Board that each student shall be moved forward in a continuous pattern of educational growth that corresponds with his/her own development and the system of grade levels and academic standards established for each grade and in accordance with the goals and objectives of a student's Individual Education Program or Section 504 Plan, if applicable. A student shall be promoted when s/he has successfully:

- Completed the course requirements at the presently assigned grade/level.
- Achieved the academic standards established for the present grade/level, based on the professional judgment of his/her teachers and the results of assessments.
- Demonstrated proficiency to move ahead to the educational program of the next level/grade.
- Demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience at the next learning level/grade.

The Chief Executive Officer of the Charter School ("CEO") shall develop procedures for promotion and retention of students which assure that every effort will be made to remediate the student's difficulties before s/he is retained. The procedures shall be published at the school and made known to students and parents.

The recommendation of the classroom teacher/teachers and CEO or his/her designee shall be considered for promotion or retention of a student.

Parents shall be informed reasonably in advance of the possibility of retention of a student within a grade.

The CEO or his/her designee shall be assigned the final responsibility for determining the promotion or retention of each student and will make that determination after consultation with the student's teacher(s) and relevant members of any IEP and/or multidisciplinary team, where applicable.

GUIDELINES FOR PROMOTION AND RETENTION

I. CRITERIA FOR PROMOTION AND NON-PROMOTION

"Retention in grade level" and "failure" causing retention in grade level are not synonymous in concept. Retention in grade level implies that a pupil is receiving instruction appropriate to his "ability" to learn

and "perform", although the instructional level may be significantly below the expected "average" norm. The pupil's second year in the same grade would continue at the point in which instruction terminated in the first year.

"Failure" connotes completing a program unsatisfactorily. Charter School employees shall exercise all available options not to place a pupil in a setting where failure is predictable. As a pupil matures and likewise demands more independence, he/she may choose not to comply with minimal standards of mandated program, although he/she has evidenced that his/her performance could be satisfactory. All effort shall be directed toward changing the "attitudes" that have led to failure.

Standard policy of Charter School shall be to promote a pupil to the next grade level if, in the judgment of the teacher(s) and CEO or his/her designee, the pupil's achievement and performance have been satisfactory at the expected level of learning and if the higher grade level is more easily able to accommodate the pupil at the appropriate level of instruction.

A pupil is retained in the present grade level, if in the judgment of the student's teacher(s), CEO or his/her designee and in consultation with the appropriate members of the professional staff, it is believed that the pupil can benefit by the retention, and if that present grade level can appropriately accommodate the pupil at the appropriate level of instruction.

Factors that may be considered in retention/failure of pupils include at the discretion of the CEO or his/her designee the following:

a. Academic potential
b. Achievement/Performance on school-based, State and/or local assessments
c. Attitude/Interest
d. Chronological age
e. Development - physical, emotional, social
f. Previous retention
g. Excessive unexcused absenteeism
h. Completion of curriculum/content
i. Completion of alternative methods of instruction (tutoring, summer school, etc.)

The following schedule is intended to outline the planning, evaluation and study that precedes the final recommendation for promotion or non-promotion of pupils.

GUIDELINES

1. First marking period
   a) Report card
   b) Parent Conference

2. Mid-Year
   a) If, at the mid-point of the school year, the above reports have indicated unsatisfactory progress, a special study of these pupils with the intent of making an all-out effort to aid the pupil in qualifying for promotion will be implemented.
   b) A Parent-Teacher conference shall be held for each pupil reported.

c) When necessary, reports on pupil enrolling during the second semester are to be made as soon as possible.

3. Additional marking period
   a) Decisions on promotions and non-promotions will be made during grade-level meetings and/or in conjunction with input from the Instructional Support Team to insure greater uniformity of decisions on promotions and non-promotions.
   b) Parent-Teacher conference is to be held for purpose of official notification of non-promotion.
   c) Conference is to be held with child prior to report cards.
   d) The pupil's promotion and non-promotion is to be indicated on the report card and cumulative folder.

No student will be allowed to take the next sequential course without successfully completing the prerequisite unless specifically allowed by the CEO or his/her designee. Students failing a required course must repeat the course in the regular school program or through the CEO or his/her designee approved make-up alternative as determined appropriate by the CEO or his/her designee (such as Summer school program). Exceptions will be granted by the CEO or his/her designee when it is determined to be in the best interest of the student or school.

Special Education student promotion and retention will be guided by the Student's IEP or Section 504 Plan and in accordance with Chapter 711 of Title 22 of the Pennsylvania Code[1] as well as in accordance with the principles set forth above to the extent consistent with applicable state and federal regulations.

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

Legal References:

1. Chapter 711 of Title 22 of the Pennsylvania Code

Book	Policy Manual
Section	Student
Title	Anti-Bullying Policy
Code	904
Adopted	October 15, 2020

Board of Trustees Policy

ANTI-BULLYING POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the importance of providing all students and employees with a safe school and learning environment in order to promote the educational process. The Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards as well as to promote positive interaction among students through participation in Charter School sponsored groups or organizations. Bullying, cyberbullying and hazing like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and participate in the School community and the Charter School's ability to educate its students in a safe environment. Therefore, in order to ensure and promote a safe learning environment, it shall be the policy of Charter School to maintain an educational environment that is intolerant of bullying, cyberbullying or hazing in any form.

Since students learn by example, school administrators, faculty, staff and volunteers are directed to demonstrate appropriate behavior, treat others with civility and respect and to refuse to tolerate bullying, cyberbullying or hazing. This policy pertains to all students and staff, regardless of their status. This policy also applies to all students and staff whose conduct out of school materially and substantially interferes with the educational process at Charter School.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion. Training will be provided to teachers, administrators, and staff on a quarterly basis. Trainings will be conducted by the building designee "bullying response specialist" as well as outside providers to address needs communicated by the school around this issue.

Definitions

Bullying and **Cyberbullying** are defined as an intentional electronic, written, verbal or physical act, or a series of acts:

1. directed at another student or students;
2. which occurs in a "school setting", or occurs outside of school and the Charter School reasonably forecasted that the outside-of-school conduct would materially interfere with or substantially disrupt the educational process or program in the school, and the outside-of-school conduct does in fact materially interfere with or substantially disrupt the educational process or program in the school;
3. that is severe, persistent or pervasive; and
4. that has the effect of doing any of the following:
   - substantially interfering with a student's education;
   - creating a threatening environment; or

- substantially disrupting the orderly operation of the school.

Bullying and cyberbullying shall encompass acts that occur outside a school setting if those acts meet the requirements found in (1), (3) and (4) listed above.

School Setting shall mean in the Charter School, on Charter School grounds, on Charter School property, using Charter School equipment and technology, on the Charter School's server or the Charter School's electronic, web-based, Internet or online programs, in Charter School vehicles, at designated bus stops or at any activity sponsored, supervised or sanctioned by the Charter School and any time spent necessarily traveling to and from these locations. Additionally, any student whose out of school conduct materially interferes with or substantially disrupts the educational process in the school is also subject to this policy.

Cyberbullying

Cyberbullying is often seen by sending harmful or cruel material, text messages and/or images or engaging in other forms of social aggression and bullying using the Internet, cell phones, personal digital assistants ("PDAs") or other technology resources.

All students, staff, volunteers and contractors shall comply with the Charter School's Acceptable Use and Internet Safety Policy, which is required under the Children's Internet Protection Act ("CIPA"), and review the Charter School's Social Media and Networking Guidelines Policy when using any technology resources.

Cyberbullying via the Internet is seen with any one or more of a number of methods, including, but not limited to:

- Email sent to the intended victim;
- Blog entries regarding the intended victim;
- Posts on social networking websites, including, but not limited to, Facebook, Instagram or MySpace;
- Posting victim's pictures on the Internet or networking websites with derogatory phrases or questions attached to them;
- Using instant messaging tools to harass victims;
- Creating an Internet parody of the intended victim;
- Creating fake Internet profiles for the victim on a public website;
- Creating or accessing an unauthorized website which harasses or bullies the victim;
- Using camera phones and/or digital cameras to take embarrassing photographs of students and/or staff and posting them online;
- Excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

Cell phones are also often used for cyberbullying for things such as calling or text messaging the victim and/or using a victims' cell phone to text or call another victim using harassing language.

The use of the Internet or Charter School email does not necessarily have to involve the creation of the offensive materials. Rather, the person creating the offensive material may do it on a home computer and then use Charter School's computers to take such actions as accessing it, viewing it, displaying it for others to see, disseminating copies of it to others or otherwise publicizing the contents.

Charter School strictly prohibits the above conduct and any conduct by any student or staff that creates or intends to create an intimidating, threatening, offensive or hostile learning environment.

Hazing

On May 24, 2016, Sections 2 and 4 of the Act of December 15, 1986 (P.L.1595, No.175), known as the Anti-Hazing Law, were amended to apply this Law to public and private secondary schools as defined below. The amended Anti-Hazing Law[1] was passed by the Legislature and went into effect on July 25, 2016. The following words and phrases when used in this Act shall have the meanings as set forth in the amended Anti-Hazing Law as passed by the Legislature:

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

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

Guidelines

Students shall conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

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

Since bystander support of bullying, cyberbullying and hazing can bolster these types of behaviors, the Charter School prohibits both active and passive support for acts of bullying, cyberbullying and hazing. The staff should encourage all students to refuse to engage in these acts and to report them immediately to the Chief Executive Officer of the Charter School (CEO) of the Charter School.

Reporting Procedures

Any student who feels he or she has been the victim of bullying or cyberbullying or hazing shall have the right to file a complaint. Complaints should be reported to the CEO. Complaints may also be reported directly to a teacher, guidance counselor, or other administrator who shall immediately report the incident to the CEO in order to protect the alleged victim and for prompt investigation.

Any staff who sees any incidents of bullying or cyberbullying or hazing must immediately report the incident(s) to the CEO. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. It shall be the responsibility of the CEO to investigate promptly and thoroughly any and all bullying, cyberbullying or hazing complaints received or referred by other individuals and to make recommendations based upon the investigation.

The Board requires the CEO to be responsible for determining whether an alleged act constitutes a violation of this policy. In determining whether alleged conduct constitutes bullying or cyberbullying or hazing, the totality of circumstances, nature of the conduct, and context in which the alleged conduct occurred shall be investigated. If the investigation results in a substantiated charge, the Charter School shall take prompt corrective action to ensure the bullying, cyberbullying and/or hazing ceases and will not reoccur.

Reports to the CEO may be made anonymously, but formal disciplinary action *may not* be based solely on the basis of an anonymous report.

Upon receipt of a report of alleged act in violation of this policy, the CEO shall immediately notify the parent or guardian of the perpetrator of the bullying, cyberbullying and/or hazing and the parent or guardian of the victim of the alleged incident(s).

Consequences for Violations

Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of bullying, cyberbullying or hazing may range from positive behavioral interventions up to and including in school or out of school suspension from the Charter School or expulsion or other disciplinary removal from the Charter School, in the case of a student, or suspension or termination in the case of an employee, as set forth in the Charter School's Student Code of Conduct or Employee Handbook.

The Anti-Hazing Law also allows for the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines and the imposition of probation, suspension [or]**,** dismissal or expulsion.

In the case of an organization which authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus or other school property or to otherwise operate under the sanction or recognition of the Charter School.

All penalties imposed under the authority of this section shall be in addition to the penalty imposed by the criminal laws of this State or for violation of any other Charter School rule to which the violator may be subject. If the bullying, cyberbullying and/or hazing constitute criminal activity, police will be notified in accordance with the Charter School's Memorandum of Understanding with local law enforcement. This may lead to a criminal investigation and criminal charges against the student or staff. Consequences for a student who commits an act of bullying, cyberbullying or hazing shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the

Charter School's Student Code of Conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act.

The following intervention strategies for protecting victims may be followed as needed:

- Supervise and discipline offending students fairly and consistently;
- Provide adult supervision at Charter School testing sites or other sites used by the Charter School, at any activity sponsored, supervised or sanctioned by the Charter School during any breaks, lunch times, bathroom breaks and in the hallways during times of transition;
- Maintain contact with parents and guardians of all involved parties;
- Provide counseling for the victim if assessed that it is needed;
- Inform school personnel of the incident and instruct them to monitor the victim and the offending party for indications of harassing, intimidating and bullying, cyberbullying and/or hazing behavior. Personnel are to intervene when prohibited behaviors are witnessed; and
- Check with the victim daily to ensure that there have been no incidents of retaliation from the offender or other parties.

Retaliation Prohibited

The Board strictly prohibits retaliation or reprisal against any person who reports bullying, cyberbullying and/or hazing incidents. Retaliation includes, but it is not limited to, any form of intimidation, reprisal or harassment used against a person who reports, in good faith, incident(s) of bullying, cyberbullying or hazing. Disciplinary action against any person who retaliates or engages in reprisals for reporting such behavior(s) may include sanctions up to and including expulsion or suspension for students and termination for staff engaging in such prohibited conduct. The consequences and appropriate remedial action shall be determined after consideration of the nature, severity, and circumstances of the act.

False Accusations

The Board prohibits any person from falsely accusing another of bullying, cyberbullying or hazing. The consequences and appropriate remedial action for a student found to have falsely accused another of bullying, cyberbullying or hazing may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for an employee found to have falsely accused another of bullying, cyberbullying or hazing shall be disciplined in accordance with Charter School policies, procedures, and agreements.

Disabled Students

For those students who meet the disability definitions of IDEA and/or Section 504, both Section 504 and Title II protect these disabled students from bullying or hazing by teachers, other school employees, and third parties. Such prohibited behavior can trigger a school's obligation to address disability-based harassment, remedy a denial of a free and appropriate public education ("FAPE"), or both. The U.S. Department of Education's Office of Civil Rights ("OCR") would find a disability-based harassment violation under Section 504 and Title II when: (1) a student is bullied or hazed based on a disability; (2) the bullying or hazing is sufficiently serious to create a hostile environment; (3) school officials know or should know about the bullying or hazing; and (4) the school does not respond appropriately.

Annual Distribution of Information

The Board requires Charter School officials to annually disseminate the policy to all school staff, students, volunteers, independent contractors and parents along with a statement explaining that it applies to all applicable acts of bullying and cyberbullying and hazing that occur in the Charter School, on Charter School grounds, on Charter School property, using Charter School equipment and/or technology, on Charter School servers or Charter School electronic, web-based, Internet or online programs, in Charter School vehicles, at designated bus stops or at any activity or organization sponsored, supervised or sanctioned by the Charter School and any time spent necessarily traveling to and from these locations. Additionally, any student or staff's out of school conduct that materially and substantially interferes with the educational process in the Charter School is also subject to this policy.

The Charter School is required to post this policy on its website and make the policy available in every classroom. This policy shall also be posted at a prominent location within every Charter School building where such notices are usually posted. The Charter School shall ensure this policy and its procedures for reporting bullying, cyberbullying and hazing incidents are regularly reviewed with students and staff.

Compliance

As required by the Federal Broadband Data Improvement Act of 2008, the Charter School shall educate elementary and secondary school aged students with computer access to the Internet about appropriate online behavior, including online interaction with other individuals on social networking websites, such as Facebook and MySpace, and in chat rooms and educate them regarding cyberbullying awareness and response.

The Board of Trustees directs the Administration to develop any procedures necessary to implement this policy and to develop appropriate prevention, intervention and education strategies related to bullying and cyberbullying.

Acts of bullying and cyberbullying are prohibited by and a violation of the Charter School's Acceptable Use and Internet Safety Policy and its Child Internet Protection Act (CIPA) Policy.

The Charter School will comply with all applicable federal and state laws relating to bullying and cyberbullying and hazing, including, but not limited to, the requirements delineated in the Pennsylvania Charter School Law, 24 P.S. § 1701-A, *et seq*.,[2] the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. § 254(h) and (l)[3], and the Neighborhood Children's Internet Protection Act (N-CIPA)[4] and any applicable implementing regulations and the PA Anti-Hazing Law (P.L. 1595, No.175)[1].

The Charter School will also comply with Chapter 711 of Title 22 of the Pennsylvania Code[5], the Public School Code, the applicable House Bill 1067 Public School Code amendments[6] relating to safe schools and bullying, and applicable provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)[7] and its applicable implementing regulations regarding the discipline of special education students and thought-to-be eligible students who engage in an act of bullying.

Specifically, with regard to the PA Safe Schools Act, Charter School administration shall annually provide the following information with the Safe School Report

1. Board's Anti-Bullying Policy.

2. Report of bullying incidents.

3. Information on the development and implementation of any bullying prevention, intervention or education programs.

Training

To ensure bullying does not occur on school campuses, the Charter School will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.

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

Legal References:

1. Anti-Hazing Law
2. 24 P.S. § 1701-A, *et seq.*
3. 47 U.S.C. § 254(h) and (l)[3]
4. The Neighborhood Children's Internet Protection Act (N-CIPA)
5. Chapter 711 of Title 22 of the Pennsylvania Code
6. House Bill 1067 Public School Code amendments
7. Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004)

Book	Policy Manual
Section	Student
Title	Anti-Violent Behavior Policy
Code	905
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

ANTI–VIOLENT BEHAVIOR POLICY

The Board of Trustees (Board) of the Chester Community Charter School (Charter School) recognizes the importance of providing a safe and secure environment for all students and staff. In an effort to combat violent behavior affecting our community, the Board establishes this Policy to give students, parents, staff and the community at large a clear statement concerning the Charter School stand against violent behavior and the consequences that will follow violation of the policy. (See also the Charter School Anti-Weapons Policy.)

Objectives

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

Definition of Violence

- Violence occurs whenever anyone harms – or threatens to harm – a person's body, feelings, or possessions.
- A simpler definition for children: Violence is any mean word, look, sign, or act that hurts a person's body, feelings, or things.
- The act need not be deliberate. Unintentional violence is included in the definition and subject to the consequences as set forth in the Charter School's Code of Conduct.

No one is entitled to be violent. No form of violence will be tolerated from anybody at the Charter School, on Charter School -sponsored transportation, or at Charter School -sponsored activities away from the Charter School.

No Charter School student, staff member, or any other person shall be allowed – at any time, for any reason, whether in a Charter School building, on Charter School grounds, on school buses, or anywhere else during Charter School -sponsored events – to intimidate, threaten to harm, or cause harm to any person or property. Such unacceptable behavior includes, but is not limited to:

(a) Physical violence: Any act that does harm to a person or property by means of physical action. Physical violence against another person is any act that does bodily harm or that disregards potential harm. Physical violence against property is any act that damages, or

that disregards potential damage to public or private property, whatever its monetary value.

(1) Examples of physical violence against a person include but are not limited to: blocking a path, forcing sex, grabbing, groping, hazing, hitting, slapping, punching, beating, kicking, stamping, pinching, prodding, jabbing, pulling hair, pushing, shoving, shooting, slashing, spitting, stabbing, torturing, and using a pet to attack or frighten.

(2) Examples of physical violence against property include but are not limited to: breaking restroom fixtures, breaking windows, defacing lockers, plugging up drains, writing graffiti, dumping books, strewing papers, gouging a name into furniture, injuring or killing a pet, playing "keep away" with possessions, ruining clothes, scratching the paint on a car or bike, slashing tires, spoiling homework, spraying with a hose or an aerosol can, throwing rocks/books, furniture.

(b) Social violence: Social behavior that hurts a person is violent. Much of it is a variety of ostracism: forced exclusion, treating a person as an "other" or one who doesn't exist.

(1) Examples of social violence are conning a student out of money or into doing something, ignoring a child's request for help, making fun of a person's cherished beliefs, poisoning someone's mind against another person, "protecting" a student for a fee, shunning a youngster on the playground, sabotaging a friendship, stealing, touching a person in an unwelcome manner, violating a person's human rights or civil liberties.

(2) Examples of verbal violence are breaking a confidence, revealing a secret, calling a person names, constantly criticizing a person, deriding a heartfelt belief, heckling a speaker, insulting a person's ethnic identity, insulting a person's religious or nonreligious identity, insulting somebody's loved one, lying, making a demeaning comment to a person's face, making animal sounds or other noises intended to demean, making fun of a person's ability/body/clothing, making fun of a person's idea or opinion, malicious gossiping, mimicking or mocking, ordering a person around, ridiculing, shaming, speaking in an ominous tone of voice, spreading a nasty rumor, taunting, threatening to damage possessions, threatening to do bodily harm, threatening to kill, using profanity, using sarcasm, writing a derogatory comment in a public place, writing a note to scare someone or to get someone into trouble.

(c) Visual violence: Visual violence overlaps physical, social, and verbal violence. The perpetrator wants the recipient to see and feel intimidated by the action.

(1) Examples of visual violence are displaying a threatening tattoo, displaying an effigy or a voodoo doll, displaying a weapon, displaying gang colors in a

threatening way, drawing degrading pictures of a person, exposing genitals, making sexually suggestive movements, glaring ("if looks could kill. . ."), gesturing obscenities/fake punches/gang signs/secret signs, posturing the body in a threatening manner, mimicking, showing intimate snapshots or videotapes, smirking/sneering, stalking, peeping, voyeurism, staring deliberately, sticking a finger down the throat to insult someone, sticking out the tongue as a hateful gesture, threatening with a fist.

(d) Cyber violence: Cyber violence takes place using electronic technology. Electronic technology includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. It is used to harass, threaten, embarrass, or target another person.

Examples of cyber violence or bullying include mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.

The administration of the Charter School will determine appropriate consequences for violating this policy in accordance with the Charter School's Code of Conduct. Consequences may include any or all of the following:

- Administering approved disciplinary practices or procedures
- Notifying the Chief Executive Officer of the Charter School
- Notifying parents, guardians, or legal custodians
- Notifying law enforcement officials
- Making a Safe Schools Act report and any other required reports including Safe 2 Say, which is located on the Charter School website.
- Suspension from school
- Recommendation for expulsion by the Board of Trustees

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

Book	Policy Manual
Section	Student
Title	Anti-Weapons Policy
Code	906
Adopted	October 15, 2020

Board of Trustees Policy

ANTI–WEAPONS POLICY

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

Objectives

- To ensure the safety of students and staff, their property, and the property of the Charter School.

- To maintain a safe, supportive, nurturing, non-punitive school environment highly conducive to learning.

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

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

The two exceptions to this policy are:

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

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

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

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

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

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

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

Book	Policy Manual
Section	Student
Title	Terroristic Threats Policy
Code	907
Adopted	October 15, 2020

Board of Trustees Policy

TERRORISTIC THREATS POLICY

Purpose

The Chester Community Charter School ("Charter School) Board of Trustees ("Board") recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of Charter School students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

Definitions

Communicate – shall mean to convey in person or by written or electronic means, including telephone, electronic mail, internet, facsimile, text message and similar transmissions.

Terroristic Threat - shall mean a threat to commit violence communicated either directly or indirectly with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience.

Terroristic Act - shall mean an offense against property or involving danger or harm to another person.

Terroristic Threat Inquiry – a thorough review of a threat situation as of type and level of threat by a team of appropriate school professionals.

Authority

The Board prohibits Charter School students from making terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or property owned, leased, or being used by the Charter School.

In the case of a student with a disability, including a student for whom an evaluation is pending, the Charter School shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.

Delegation of Responsibility

The Board directs the Chief Executive Officer of the Charter School (CEO) to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act which includes immediately calling 911 and following the Charter School's Crisis Plan after receiving a report of such a threat.

Such action shall be in compliance with state law and regulation and with procedures set forth in the Memorandum of Understanding with local law enforcement and the Charter School's Plan. The CEO

shall annually by July 31st, report all incidents of terroristic threats to the Office of State Schools in accordance with the PA Safe Schools Act.

The CEO shall be responsible for developing regulations to implement this policy.

Guidelines

Staff members and students shall be made aware of their responsibility for informing the CEO or other Administrator regarding any information or knowledge relevant to a possible or actual terroristic threat.

The Administrator shall immediately inform the CEO after receiving a report of such a threat.

The CEO 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 local police department that has jurisdiction over the Charter School's property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.

The CEO 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 CEO or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the Charter School property has been or may be notified of the incident. The CEO or designee shall document attempts made to reach the parent/guardian.

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

Book	Policy Manual
Section	Student
Title	Student Attendance and Punctuality Policy
Code	908
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT ATTENDANCE AND PUNCTUALITY POLICY

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

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

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

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

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

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

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

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

Book	Policy Manual
Section	Student
Title	Truancy Elimination Policy
Code	909
Adopted	October 15, 2020

Board of Trustees Policy

TRUANCY ELIMINATION POLICY

The Chester Community Charter School (the "Charter School") believes that good attendance is essential if students are to achieve and reach their potential. Each day is important for learning. Parents are required to ensure their son/daughter maintains good attendance.

Truancy - Overview

A child is "truant" if he/she has three (3) or more school days of unexcused absence during the current school year. An unexcused absence is any absence from school without an acceptable excuse (as articulated in the Charter School's Student/Parent Handbook), or without any reason at all. This also includes any student who leaves class without the permission of the teacher. An out of school suspension shall be considered an excused absence.

A child is "habitually truant" if he/she has six (6) or more school days of unexcused absences during the current school year.

A child is not considered truant if he/she is absent from school due to not meeting the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C[1] (relating to immunization), or the student has not received from the CEO or his/her designee a medical or religious exemption from immunization under 28 Pa. Code § 23.84[2] (relating to exemption from immunization). 22 Pa. Code. Chapter 11.20[3].

When a child demonstrates truant behavior, the Charter School will schedule a school/family conference to discuss the cause of the child's truancy and develop a mutually agreed upon Attendance Improvement Plan to resolve truant behavior. The plan can include a myriad of options for the elimination of truancy that are mutually agreed upon by the participants.

For the first and second unexcused absences, the Charter School will send the parent/guardian a notice of the unexcused absence as well as attach a copy of the legal penalties for violation of compulsory attendance requirements. In addition to stating the legal consequences, the name and telephone number of a school contact person will be included.

For the third unexcused absence, the Charter School will send the parent/guardian notice by certified mail within 10 school days of the child's third unexcused absence that the child has been truant. This notice shall 1) include a description of the consequences that will follow if the child becomes habitually truant in the future; 2) will be in the mode and language of communication preferred by the person in parental relation; and 3) include the offer of an Attendance Improvement Conference.

Procedure when child is habitually truant:

- Habitually truant children under fifteen (15) years of age: The Charter School will refer the child to either: 1) a school-based or community-based attendance improvement program; or 2) the county children and youth agency (CYS) for services or possible disposition as a dependent child under the Juvenile Act. Additionally, the Charter School may file a citation against the parent/guardian of a habitually truant child under fifteen (15) years of age in a magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled.

- Habitually truant children fifteen (15) years of age and older: The Charter School will either: 1) refer the child to a school-based or community-based attendance improvement program; or 2) file a citation against the student or parent/guardian in the appropriate magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled. If a habitually truant child aged fifteen (15) or older incurs additional absences after a school refers that child to an attendance improvement program or the child refuses to participate in an attendance improvement program, the Charter School may refer the child to the local CYS agency for possible disposition as a dependent child.

In all cases, regardless of age, where the Charter School refers a habitually truant child to a magisterial district court or CYS, the Charter School will provide verification that it convened and held an Attendance Improvement Conference.

The Charter School will report unexcused absences directly to PDE through the Pennsylvania Information Management System (PIMS).

Children who are habitually truant from school while subject to compulsory school attendance are subject to an assessment to determine if there is a need for general protective services. Children will not be referred to the county children and youth agency for assessment as possibly needing services until after the Charter School has made a formal effort to involve the family and child in resolving the cause of the truant behavior.

School Attendance Improvement Conference and the Attendance Improvement Plan

The Attendance Improvement Plan is developed cooperatively with involved stakeholders through an Attendance Improvement Conference, which is required upon the Charter School's notice to the child's parent/guardian following the child's third unexcused absence. The Charter School will invite the following individuals to the conference:

- The child;
- The person in parental relation to the child;
- Other individuals identified by the person in parental relation who may be a resource (e.g. a grandparent, sibling, family friend, advocate, community member, etc.);
- Appropriate school personnel;
- Appropriate service providers, if applicable (e.g. case managers, behavioral health providers, probation officers, children and youth practitioners, etc.).

The Charter School is permitted to proceed with the Attendance Improvement Conference and Attendance Improvement Plan without the child's parent present at the Conference.

Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, the Board of Trustees directs the CEO or designee to work with the Charter School's teachers to implement a plan of action that includes but not limited to:

- Sharing and reviewing the Charter School's policy on attendance and student responsibilities with students and families;
- Contacting a child's parent/guardian upon the child's absence from school;
- Meeting individually with students to discuss reason(s) for absence;
- Following up with the Chief Executive Officer of the Charter School (CEO) (or assigned attendance officer);
- Making referrals to guidance counselors; and
- Collaborating with Student Assistance Teams as appropriate.

The Attendance Improvement Conference engages all participants involved in the child's life to explore possible solutions to increase the child's attendance. Maintaining open communication between the child and adults will facilitate positive outcomes.

The purpose of the Attendance Improvement Conference is to discuss the cause(s) of the truancy and to develop a mutually agreed upon plan to assure regular attendance. Issues to be addressed at the Attendance Improvement Conference will include but not be limited to:

- Appropriateness of the child's educational environment;
- Possible elements of the school environment that inhibit student success;
- Child's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the child's attendance.

The participants in the Attendance Improvement Conference should work collaboratively to conduct a holistic assessment to determine the reason(s) the child is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the child to succeed both socially and academically. This Attendance Improvement Conference also provides an opportunity to ensure that both the child and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements.

The Charter School will not impose discipline for truant behavior that excludes the child from the classroom, including in-school suspension, out-of-school suspension or expulsion.

The primary goal of the Attendance Improvement Conference is the development of a comprehensive Attendance Improvement Plan which is understood by, agreed upon and supported by the child, the parent/guardian, the Charter School representatives and all other conference participants. The Attendance Improvement Plan should include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the Charter School and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and behavioral health supports from the Charter School and/or community organization(s);
- Identification of the school environment issues that affect the child's success and solutions to address these issues;
- Explanation of the child's strengths and responsibilities related to the Attendance Improvement

Plan;
- Explanation of the family's strengths and responsibilities related to the Attendance Improvement Plan;
- Clarification of method(s) used for monitoring the effectiveness of the Attendance Improvement Plan;
- Explanation of the consequences for each stakeholder if the Attendance Improvement Plan is not fully implemented;
- Discussion of the benefits for successfully implementing the Attendance Improvement Plan; and
- Following up and reporting the outcome of the Attendance Improvement Plan.

The Attendance Improvement Plan substantiates efforts made by the Charter School, the family and other vested third parties to assist the child in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the good faith effort between the Charter School and the child's family should future action be required.

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

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

Legal References:

1. 28 Pa. Code Chapter 23, Subchapter C
2. 28 Pa. Code § 23.84
3. 22 Pa. Code. Chapter 11.20
4. 24 P.S. 13-1327

Sample Letters to Parent of Absent/Truant Student (all letters should be on Charter School letterhead, and dated):

First Unexcused Absence

Parent/Guardian Name

Address

City, PA Zip Code

Dear <PARENT'S (OR GUARDIAN'S) NAME>,

<STUDENT NAME> was absent without an approved excuse on <DATE>. This letter is sent to make you aware of this absence. Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. Pennsylvania law and school policy require regular daily attendance. When absences accumulate, it may ultimately result in academic difficulty for <STUDENT NAME>.

We share a common goal to ensure that your child reaches <HIS/HER> full potential. All absences are counted as unexcused until the Chester Community Charter School receives a written excuse explaining the reason for the absence. If a written excuse is not received within three days, the absence will permanently be added to the student's file as unexcused. This letter serves as our first communication regarding <STUDENT NAME>'s unexcused absences. All unexcused absences need to be reported to the Pennsylvania Department of Education directly. If <STUDENT NAME> has six (6) unexcused absences, Chester Community Charter School can take legal action, including but not limited to, filing a citation in the local magisterial district court.

In addition, any absences of ten cumulative days will require a written excuse that indicates <STUDENT NAME> was seen by a doctor or medical practitioner. Enclosed are the penalties for violation of compulsory attendance requirements.

If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure <STUDENT NAME>'s educational success.

Sincerely,

<CEO or Attendance Officer>

cc: Attendance Officer

Guidance Counselor

Student File

(Enclosures: 24 P.S. 13-1327)[4]

Second Unexcused Absence

Parent/Guardian Name

Address

City, PA Zip Code

Dear <PARENT'S (OR GUARDIAN'S) NAME>,

This letter is to inform you that <STUDENT NAME> was absent without an approved excuse from school on <DATE>. This is the second unexcused absence recorded this year. Attendance requirements are meant to benefit your child's educational experience. I appreciate your cooperation in trying to improve your child's school attendance and in helping <STUDENT NAME> complete missed assignments on those occasions when <STUDENT NAME> must be absent.

If <STUDENT NAME> accumulates one additional unexcused absence or the equivalent, the Chester Community Charter School will request that <STUDENT NAME> and parent participate in a student attendance improvement conference. The laws in the Commonwealth of Pennsylvania and Chester Community Charter School's truancy policy require that every child of compulsory school age attend school daily. A child must present a written excuse from the parent/guardian or medical practitioner within three days of an absence or the absence will be counted as unexcused. Mental, physical or other urgent reasons can be considered excuses for absences. Enclosed are penalties for violation of compulsory attendance requirements.

I strongly encourage you to contact us to discuss ways to ensure your child's school attendance. Continued unexcused absences could lead to notification of truancy by the Chester Community Charter School to the magisterial district judge, as well as a referral to the local children and youth agency. You may request a school-family conference at this time to explore possible solutions to your child's unexcused absences. If you have any questions, please call my office at <PHONE>.

Sincerely,

<CEO or Attendance Officer>

(Enclosures: 24 P.S. 13-1327)[4]

cc: Attendance Officer

Guidance Counselor

Student File

Third Unexcused Absence (sent via certified mail and return receipt requested)

Parent/Guardian Name

Address

City, PA Zip Code

OFFICIAL NOTICE OF CHILD'S TRUANCY

Dear <PARENT'S (OR GUARDIAN'S) NAME>:

This letter is to officially notify you that <STUDENT NAME> has been absent from Chester Community Charter School without an excuse on the following dates: <DATE 1, DATE2, and DATE 3 (add subsequent dates as appropriate)>. These absences are unexcused and, therefore, constitute a violation of the compulsory attendance provision of the Public School Code (24 P.S. 13-1327).

You are therefore notified of your child's repeated unexcused absences and strongly encouraged to ensure that your child receives no subsequent unexcused absences. The series of unexcused absences constitute a summary offense under the Public School Code for which penalties may be imposed against you as parent or guardian. Act 138 of 2016 provides for up to a $750 fine and allows the court to impose parent education classes with your daughter or son and community service sentences for parents of a truant child who do not show that they took reasonable steps to ensure the child's school attendance. Act 138 also provides that truant students lose their driver's license for ninety (90) days for the first offense, and six (6) months for the second offense.

Be advised that the process for development of an Attendance Improvement Plan for your child has now begun, which requires your participation in an attendance improvement conference. If your child receives six (6) unexcused absences, Chester Community Charter School may initiate a proceeding against you before a magisterial district judge, and a referral for general protective services made to the local children and youth agency. Please refer to the enclosed sections in the Public School Code for specific penalties for violation of compulsory attendance requirements for both you and your child.

Sincerely,

<CEO >

(Enclosures: 24 P.S. 13-1327)[4]

cc: Attendance Officer

Guidance Counselor

Book	Policy Manual
Section	Student
Title	Disciplinary Exclusions and Hearings Policy
Code	910
Adopted	October 15, 2020

Board of Trustees Policy

DISCIPLINARY EXCLUSIONS AND HEARINGS POLICY

In accordance with 22 Pa Code §§12.6, 12.7 and 12.8[1], the following definitions guide the Chester Community Charter School ("Charter School"), in suspending and/or excluding students from school as a consequence of student's violation(s) of the Charter School Code of Conduct. Exclusions affecting certain students with disabilities shall be governed by 22 Pa Code §711[2].

Exclusion from School: may take the form of suspension or expulsion;

(1) Suspension is exclusion from school for a period of from one (1) to ten (10) consecutive school days.

(i) Suspensions may be given by the Chief Executive Officer of the Charter School ("CEO") or his/her designee.

(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents or guardians shall be notified immediately in writing when the student is suspended.

(iv) When the suspension exceeds three (3) school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements of the Pennsylvania Code.

(v) Suspensions may not be made to run consecutively beyond the ten (10) school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the Board of Trustees ("Board").

(2) Expulsion is exclusion from school by the Board for a period exceeding ten (10) school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing pursuant to the Pennsylvania Code.

(i) During the period prior to the hearing and decision of the Board in an expulsion case, the student shall be placed in his/her normal class except as set forth in subsection (ii).

(ii) If it is determined after an informal hearing that a student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing

within the period of a suspension, the student may be excluded from school for more than ten (10) school days. A student may not be excluded from school for longer than fifteen (15) school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

(iii) Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.

(2) Within thirty (30) days of action by the Board, the parents or guardians shall submit to the Charter School written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, the Charter School, within the (10) days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals with Disabilities Education Act 2004.

(3) If the approved educational program is not complied with, the Charter School may take action in accordance with 42 Pa.C.S. Chapter 63[3] (relating to the Juvenile Act) to ensure that the child will receive a proper education. See Pennsylvania Code § 12.1(b)[4] (relating to free education and attendance).

Exclusion from classes—in-school suspension

(1) A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.

(2) Communication to the parents or guardian shall follow the suspension action taken by the Charter School.

(3) When the in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the CEO or his/her designee shall be offered to the student and the student's parent or guardian prior to the eleventh (11th) school day in accordance with the procedures in the Pennsylvania Code.

(4) The Charter School has the responsibility to make provision for the student's education during the period of the in-school suspension.

Hearings

(a) *General*. Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.

(b) *Formal hearings*. A formal hearing is required in all expulsion actions. The hearing may be held before the Board or an authorized committee of the Board, or a qualified hearing examiner appointed by the Board. When a committee of the Board or a hearing examiner conducts the hearing, a majority vote of the entire Board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

(1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.

(2) At least three (3) days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.

(3) The hearing shall be held in private unless the student or parent requests a public hearing.

(4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.

(5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.

(6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his/her own behalf.

(8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.

(9) The proceeding shall be held within fifteen (15) school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:

(i) Laboratory reports are needed from law enforcement agencies.

(ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his/her rights under the Individuals With Disabilities Education Act 2004 (20 U.S.C.A. § § 1400—1482)[5].

(iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

(c) Informal *hearings*. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

(1) The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

(2) The following due process requirements shall be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right to speak and produce witnesses on his/her own behalf.

(v) The Charter School shall offer to hold the informal hearing within the first five (5) days of the suspension.

Attendance/School Work During Suspension And Prior To Expulsion

Students serving an out-of-school suspension are responsible to make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines. Students who are facing an expulsion hearing in their home district 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 Charter School may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others. Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education. The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the home district 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 home district shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

Discipline of Students with Disabilities

The Charter School shall comply with the Individuals with Disabilities Education Improvement Act (IDEA 2004)[5] and any applicable federal and state statutes or regulations when disciplining students with disabilities. Students with disabilities who engage in inappropriate behavior, disruptive or prohibited activities, and/or conduct injurious to themselves or others shall be disciplined in accordance with their Individualized Education Programs (IEP), behavioral intervention plan, Title 22 Chapter 711[2] and relevant portions of Chapter 12[1] of the State Board of Education Regulations, IDEA 2004[5], Section

504 of the Rehabilitation Act of 1973[6], Title II of the Americans with Disabilities Act of 1990[7], and any other applicable federal or state law.

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

Legal References:

1. 22 Pa Code §§12.6, 12.7 and 12.8
2. 22 Pa Code §711
3. 42 Pa.C.S. Chapter 63
4. Pennsylvania Code § 12.1(b)
5. 20 U.S.C. § 1400—1482
6. Section 504 of the Rehabilitation Act of 1973
7. Title II of the Americans with Disabilities Act of 1990

Book	Policy Manual
Section	Student
Title	ESL Policy
Code	911
Adopted	October 15, 2020

Board of Trustees Policy

ESL POLICY

Purpose:

In accordance with the Board of Trustee's ("Board") philosophy to provide a quality educational program to all students, the Chester Community Charter School ("Charter School") shall provide an appropriately planned instructional program for identified students whose dominant language is not English. When the Every Student Succeeds Act (ESSA)[1] was signed on December 10, 2015, reauthorizing the Elementary and Secondary Education Act of 1965 (which was amended by the No Child Left Behind Act of 2001), it changed the terminology to identify such students as English Learners (ELs). English Learners ("ELs") are the students who require English as a Second Language ("ESL") service by the Charter School.

The purpose of the program shall be to increase the English language proficiency of ELs so they can attain the state academic standards within the ESL program setting as well as within the regular classroom environment, to provide equal opportunities for ELs to participate in extra-curricular activities, and to provide the cultural, social and emotional supports for ELs to adapt to this new cultural setting.

Authority

The Board declares it to be their policy to provide an equal opportunity for all students, including ELs, to achieve their maximum potential through the curriculum, instruction, and programs offered in the Charter School. At no time shall the Charter School, including the Board, permit, condone, encourage or facilitate discrimination against students during the course of recruitment, admissions and enrollment, instruction, counseling and daily interactions with Charter School faculty and staff. Equal Education Opportunity Act, 20 U.S.C.A. § 1703[2]; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.[3]

Definition:

ESSA defines an "English learner" as an individual who, among other things, has difficulties in speaking, reading, writing, or understanding the English language that may be sufficient to deny the individual the ability to meet challenging state academic standards. The term "English learner," when used with respect to an individual, means an individual — (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties

in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual — (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society. (ESEA Section 8101(20))[1].

ELs are from diverse linguistic and cultural backgrounds. The Charter School must equip them with the skills to function, compete, and prosper in American society. EL students must develop academic skills along with their general program peers while also learning English. As EL students are in transition from their native language to English, the emphasis must be on developing academic skills that comply with Pennsylvania State Standards.

Responsibility:

The Charter School shall adopt an instructional program for each EL student for the purpose of facilitating the student's achievement of English proficiency and academic standards ("ESL Program"). 22 Pa. Code. § 4.26[4]. All students who may be ELs must be assessed within the first thirty (30) days of enrollment at the Charter School. The CEO and the director of the ESL Program ("ESL Director") shall implement and supervise an ESL Program that meets the legal requirements for ESL Program compliance under federal and Pennsylvania law:

1. Based on an educational theory recognized as sound by some experts in the field or considered by experts as a legitimate experimental strategy;
2. Reasonably calculated, including provisions for resources and personnel, to implement the theory effectively; and
3. Evaluated and adjusted where needed to ensure language barriers are actually being overcome.

20 U.S.C.A. § 6812[5]. The ESL program will come under the direction of the ESL Director. The ESL Director will be responsible for the assurance of the implementation of the program and that proper Charter School policies and procedures are being followed. The CEO and the ESL Director will be responsible for informing Charter School staff with instructional strategies and cultural needs of students who will receive ESL instruction. ESL teaching resource materials will be obtained by the ESL Director and kept in his/her office for reference for both program and non-program teachers.

All teachers instructing within the ESL Program shall hold the requisite certification and endorsements required by Pennsylvania law. Bilingual teachers must demonstrate academic language proficiency both in English and in the language of instruction. 22 Pa. Code §403[6]; 20 U.S.C.A. §6826[7].

Language Instruction Educational Programs ("LIEPs") Title III of the ESEA[8] replaces the expectation in the ESEA, as amended by NCLB, that LIEPs be "scientifically based" with a new expectation – that LIEPs be "effective." A LEA must:

- Use Title III funds for effective approaches and methodologies for teaching ELs (ESEA Section 3115(a))[8];
- Increase the English proficiency of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing (A) English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1))[8];

- Use Title III funds in ways that build its capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards (ESEA Section 3113(b)(3)(E))[8]; and
- Include in its local plans for a Title III sub grant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1))[8].

ESL Program:

The goals of the Charter School's ESL Program are to assist the EL students in using English, per 20 U.S.C.A. §6812[5]:

1. To communicate in social settings;
2. To achieve academically in all content areas; and
3. In socially and culturally appropriate ways.

The CEO and the ESL Director shall implement and supervise the ESL Program, and further ensure that the ESL Program meets the legal requirements for ESL program compliance. The CEO and the ESL Director, in conjunction with appropriate certified ESL teachers, shall develop and disseminate written procedures regarding the ESL Program. The procedures shall include, but will not be limited to, the following:

1. Detailed program goals;
2. Student enrollment procedures (i.e., Home Language Survey);
3. Assessment procedures within 30 days of enrollment for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for EL students in the general education classroom;
5. Grading policies; and
6. List of resources, including support agencies and interpreters.

20 U.S.C.A. § 6826[7]. The ESL Program shall include daily instruction for EL students, supporting the ESL Program's goals, and will receive curriculum aligned with Pennsylvania standards. 22 Pa. Code. § 4.26[4]. Language instruction shall correspond to each EL student's English proficiency level, which shall include both direct language instruction and adaptation of instruction in all content classes. The exact hours of direct language instruction will be determined based on each EL student's needs. All ESL instruction shall be part of each EL student's daily schedule, and will not interfere with or prohibit each EL student's instruction in all grade level content classes.

EL students will be placed in all appropriate grade level content classes. Each EL student will receive instruction in all content areas, as other students in the class. Each EL student will receive additional supplemental support and instruction from ESL teachers periodically for Language Arts class and for necessary content area classes. An ESL teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help each EL student achieve academic success in the classroom. During the initial period of language acquisition and development, the Charter School may grade the EL student on a pass/fail basis.

The Pennsylvania English Language Proficiency Standards shall be incorporated in both ESL instruction and grade level content classes.

Program Goals and Objectives:

The Charter School has developed the following goals and objectives for the ESL Program.

Goal 1: To use English to communicate in social settings.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to participate in social interactions. This will be evidenced by observation of ELL students in cooperative learning activities, playground interactions and personal conversation.

Objective: By the end of the school year, EL students will improve and increase their ability to interact, through and with spoken and written English for personal expression and enjoyment. This will be evidenced by personal writing journals and book choice with reading log.

Goal 2: To use English to achieve academically in all content areas.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to interact in the classroom, evidenced by conversations with ESL teachers, observations of students in cooperative group settings, and observations of students in social interactions, report cards and test results.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to obtain, construct and provide subject matter information in spoken and written form. This will be evidenced by an increase in standardized testing content area scores, a portfolio of EL student work, and ESL teachers' observations of the EL students' ability to pose questions and have discussions in content area classes.

Goal 3: To use English in socially and culturally appropriate ways.

Objective: By the end of the school year, EL students will improve and increase their ability to use the appropriate language variety, register, and genre according to the audience, purpose and setting. This will be evidenced by EL student academic presentations, observations of EL students' social conversations with peers, and conversations with ESL teachers.

Objective: By the end of the school year, EL students will improve and increase their ability to use nonverbal communication appropriate to audience, purpose and setting. This will be evidenced by observations of EL students by ESL teachers.

The success of the ESL program will be measured by: EL students increasing scores within their level of the program; EL students testing to the next level of the program; and EL students testing out of the program as evidenced by yearly English proficiency testing. Success will also be measured by an increase in academic scores on a content area standardized test. 22 Pa. Code § 403[6]; 20 U.S.C.A. § 6841[9]. The ESL Director will also look at student portfolios and ESL teacher narratives to demonstrate progress of each EL student.

Attendance policies will be the same for EL students as for English-speaking students.

The Student Handbook will clearly state the Charter School's policy and expectations regarding the ESL Program.

Enrollment of EL Students:

EL students and families shall be provided translation and interpretation services to the extent needed to assist with the enrollment process. All students seeking first time enrollment in the Charter School shall be given a Home Language Survey in accordance with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of a student may not be delayed in order to administer the Home Language Survey. The completed survey shall be filed in each student's permanent record folder through graduation. 22 Pa. Code § 11.11(e)[10].

Based on the Home Language Survey responses, each student shall be assessed for potential placement in an ESL Program within 30 days of school or within 14 days of enrollment if a student enrolls after the first day of school. A student will be exempt from assessment if the student meets two of the following three criteria:

1. Final grades of B or better in core subject areas (mathematics, language arts, science and social studies);
2. Scores on Charter School assessments that are comparable to the basic performance level on the annual Pennsylvania System of School Assessment ("PSSA"); or
3. Scores of basic in reading, writing and mathematics on the PSSA or the equivalent assessment from another state.

Identification & Placement of EL Students:

Entry Criteria

The Charter School will use the WIDA-ACCESS Placement Test (W-APT) to assess newly enrolled students for placement in the ESL program. The W-APT results will be one indicator for placement in the ESL program. Additional criteria for placement in the ESL program include: educational and cultural backgrounds, interviews with families, and native language literacy. Other indicators shall include current or previous grades, performance on state assessments, and Charter School-based formative or summative assessments. This ESL-Program eligibility criterion is aligned with requirements established by the Pennsylvania Department of Education.

Student placement in the ESL Program and designated instruction time (Beginner, Intermediate, Advanced) will comply with program guidelines and will be based upon the instructional need of each ESL student. Instructional placement will be age and grade appropriate.

Parents may request an EL student to be excused from the ESL Program if the instruction conflicts with the family's religious beliefs. 22 Pa. Code § 4.4(d)(3)[11].

All EL students shall have access to and should be encouraged to participate in all Charter School educational programs, opportunities, and extracurricular activities available. Equal Education Opportunity Act, 20 U.S.C.A. § 1703[2]; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.[3]

Exit Criteria

Required Exit Criteria

Exit Criteria 1

- **Grades 6-12 students –** Overall composite proficiency level score of 5.0 on a Tier C ACCESS 2.0 Grades 6-12 Assessment. Note, CCCS enrolls students only through grade 8.
- **Cutoff score flexibility** is available for students in **grades 6-12** in the following special circumstance (Note, CCCS enrolls students only through grade 8).
- Following the grade and score criteria in the table below, the W-APT may be administered between June and September to students who scored below the minimum cutoff for program exit on the January administration of the ACCESS in order to demonstrate sufficient progress to justify exit.

Grade Level	ACCESS Score	Required W-APT Scores*
6-8	4.7-4.9	5.0 in each domain

NOTE: The W-APT may only be administered to a student once in any school year.
NOTE: A student must score 5.0 in each domain (listening, speaking, reading and writing). A composite proficiency score will not be used.

- A score of PROFICIENT on the English Language Arts PSSA or Literature Keystone assessment can be used along with the other required criteria outlined in this policy (Required Exit Criteria #2 and Additional Exit Criteria #1 or #2) to justify exit for students who achieve an overall composite proficiency level score of 4.5 to 4.9 on the January administration of the

ACCESS 2.0 Grades 6-12 (Note, CCCS enrolls students up to grade 8). In this case, W-APT scores are not necessary to demonstrate progress from the time of ACCESS administration to the end of the school year.

Exit Criteria 2

Score of BASIC on the annual Pennsylvania System of School Assessment (PSSA) math or Algebra I Keystone **AND** English Language Arts PSSA or Literature Keystone.

NOTE: PSSA and Keystone exam scores must be from the most recent academic school year.

Cutoff score flexibility is available in the following special circumstances:

- For students that were administered a PSSA math and/or PSSA English Language Arts assessment in school year and did not score BASIC or higher, each of the remaining exit criteria must be met to exit (Required Exit Criteria #1, Additional Exit Criteria #1, Additional Exit criteria #2).
- For students that are in a grade that is not assessed with a PSSA or Keystone assessment, each of the remaining exit criteria must be met to exit (Required Exit Criteria #1, Additional Exit Criteria #1, Additional Exit criteria #2).
- For students that were opted out of participation in a PSSA or Keystone assessment due to a religious objection or conflict, each of the remaining exit criteria must be met to exit (Required Exit Criteria #1, Additional Exit Criteria #1, Additional Exit criteria #2).
- For students transferring from other states, the results of academic achievement assessments used for accountability in other states may be considered when the academic proficiency level is comparable to BASIC on the PSSA/Keystone assessments.

Additional Exit Criteria:

- Final grades of C or better in core subject areas (mathematics, language arts, science and social studies).
- Scores on district-wide or local assessments that are comparable to the BASIC performance level on the math PSSA or Algebra I Keystone AND English Language Arts PSSA or Literature Keystone assessments.

Once an EL student exits the ESL Program, he/she will be monitored for four years. The law requires Charter School to maintain a description of the progress made by children in meeting challenging State academic content and student academic achievement standards for each of the four years after such children are no longer receiving services. Such monitoring of students shall begin as soon as the student exits an ESL/Bilingual program. For students who exit a program at the end of the school year, monitoring will begin the following school year. The progress of the exited EL student will be monitored at quarterly intervals throughout the academic year, utilizing collaborative conversations regarding progress monitoring of the exited EL students between content and ESL teacher.

During the four year monitoring period, any student encountering academic difficulty that is determined to be as a result of English language proficiency skills may be reclassified and returned to an ESL/Bilingual education program. However, such reclassification should only occur after collaboration between the ESL teacher and content teachers has ensured that effective and appropriate core curriculum instruction, including differentiation and interventions has been implemented. Content and ESL teacher input is critical in determining whether reclassification is the appropriate support to enable the former EL to succeed.

Notifications to Parent(s)/Guardian(s) of ELs:

Title I requires that every LEA that uses funds under either Title I or Title III for services to ELs must provide a parent with notification that outlines their child's identification as an EL and placement in an LIEP. (ESEA Section 1112(e)(3))[12]. The parental notification must include:

- The reason for identification of the child as an EL;
- The child's level of English language proficiency, how the level was assessed, and the status of the child's academic achievement;
- Methods of instruction used in the program in which the child is, or will be, participating, and the methods of instruction used in other available programs, including how the programs differ;
- How the program will meet the educational strengths and needs of the child and help the child achieve English language proficiency, and meet academic standards;
- Exit requirements for the program, expected rate of transition to a classroom not tailored for EL students, and expected rate of high school graduation;
- In the case of a child with a disability, how the program meets the annual goals in the child's individualized education program (IEP); and
- Information regarding parents' right to withdraw the child from a program upon their request, and to decline enrollment or choose another program or method of instruction, if available. (ESEA 1112(e)(3)(A))[12].

The notification must be provided no later than 30 calendar days after the beginning of the school year or within the first two weeks of placement in an LIEP for students who enroll after the start of the school year. (ESEA Section 1112(e)(3)(A), 1112(e)(3)(B))[12]. The notice and information provided must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. (ESEA Section 1112(e)(4))[12].

Assessment of ESL Students:

In accordance with Pennsylvania academic standards and Charter School academic standards, the Charter School will monitor the progress of EL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. 22 Pa. Code § 403[6]; 20 U.S.C.A. § 6842. The ESL Director will oversee the review, both annual and periodic, of EL students.

Pennsylvania's assessments shall be administered to all EL students annually to measure progress and determine each EL student's English language proficiency for each language domain (Reading, Writing, Speaking and Listening/Understanding). Each designated ESL teacher will complete the annual grading

and evaluation process for EL students (English, Reading and Language Arts). Other considerations will include EL student portfolios and teacher narratives regarding observations of each EL student. Students with immigrant status who have lived in the United States for less than one year are exempt from participating in the PSSA and local assessments.

Throughout the course of the year, individual student progress will be evaluated on a continuous basis with each ESL teacher and the classroom teacher. Each teacher will modify EL students' learning plans to ensure academic success for each EL student.

A standardized form will be kept in each EL student's permanent record folder through graduation. The form shall identify the date, level, and English proficiency score upon entering the ESL Program; report(s) of progress toward ESL Program goals; and academic standardized test scores. A narrative from the designated ESL teacher, regarding each EL student's progress toward satisfying the ESL Program objectives, will also be part of the data collection and review process.

An EL student may not be retained in a grade level based solely on his/her lack of English language proficiency. Before an EL student is retained in a grade, the ESL Director must demonstrate that all appropriate modifications were made to instruction and assessment in order to allow the EL student's meaningful access to the grade level content curriculum as well as to promote ESL instruction.

EL Students with Disabilities

All EL students shall be eligible for special education services. All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction for EL students must be in compliance with governing state and federal laws and regulations. However, the Charter School, as LEA, must ensure that their program is effective before referring the child for evaluation. The questions should be asked to determine if a Student should be evaluated for IDEA disability or a Section 504 Plan:

- Is ESL instruction sufficient in quantity and quality?
- Is the core ESL instructional program effective and aligned to the proficiency level of the student, and the English Language Proficiency Standards?
- Is planned instruction in the content areas delivered according to the English language proficiency level of the student and the English Language Proficiency Standards, and are appropriate ESL-related adaptations/modifications are provided by content teachers?
- Collaboration exists between the ESL and content teachers?
- Instruction and home-school communication is culturally responsive?

In determining if a bilingual School Psychologist will help the evaluation team determine if the problems are related to second language acquisition or a possible disability, the Charter School must ensure that the psychologist is a trained psychologist in the assessment of ELs at all levels of English language proficiency versus a psychologist who happens to be bilingual.

A current practice with many LEAs is to hire a bilingual psychologist to implement an IQ test of a student. The problem arises when the results are used as the only criteria to make identification and placement decisions without having a complete profile of the child, e.g.:

- Has the student received any instruction in the native language?

- What is the student's dominant language?
- How many years of instruction has the student had in English?
- How is the student progressing in ESL instruction? How is the student progressing in comparison to other ELs (like peers)…not compared to native speakers of English.
- Was a translator/interpreter used during assessment? If yes, was the test developed for the use of a translator/interpreter?
- Was the student born in the US?
- Was the student transient? What amount of time were they in school (in and outside the US)?
- What is the level of acculturation?
- Has the assessor acknowledged the impact of cultural and linguistic diversity on assessment performance? e.g., increased processing time, cultural bias, gaps in vocabulary and prior knowledge, false cognates, etc.

The IEP team for an EL student shall include either the ESL Director or an appropriately certified ESL teacher, or at a minimum, the IEP team shall receive input from either the ESL Director or the appropriate ESL teacher when appropriate. In Pennsylvania, the ESL Program Specialist (PK-12) is the add-on certificate for teachers who provide English as a Second Language instruction. The ESL teacher has the training, expertise, and experience to:

- Analyze and interpret English language proficiency assessment results of Focusing on English language proficiency levels, and o Calculating language proficiency growth using the scaled scores;
- Identify the student's language strengths and needs;
- Provide essential guidance related to the process of second language acquisition, communication with families, cultural responsiveness, and reduction of language barriers;
- Provide information concerning the ecology of the student (e.g., first language literacy, cultural and educational background, length of time in the U.S., interrupted education, mobility, acculturation stages, socio-economic status).

The IEP team for an EL student shall consider the need for ESL instruction as it addresses the EL student's needs related to the provision of a Free and Appropriate Public Education. In determining an EL student's needs, the IEP team shall consider both special education services and ESL instruction simultaneously. Special education services do not replace ESL instruction. LEAs must not identify or determine that ELs are students with disabilities because of their limited English language proficiency.

For special education students, the term ESL Program refers to:

- Planned instruction by a qualified ESL/Bilingual Education teacher;
- Adaptations/modifications in the delivery of content instruction by all teachers, based on the student's English language proficiency levels and the Pennsylvania English Language Development Standards (PA ELDS) for ELs, as well as the Pennsylvania Core Standards. LEAs must ensure that their program is sufficient in quantity and quality before referring the student for an evaluation, demonstrating evidence that:
- ESL instruction is daily, rigorous, and research-based;

- The core ESL instructional program is aligned to the English language proficiency levels of the student, and the PA English Language Development Standards;
- Grade-level planned instruction in the content areas is delivered according to the English language proficiency levels of the student and the PA English Language Development Standards, and appropriate adaptations/modifications are provided by content teachers to allow meaningful access to core curriculum;
- Collaboration is ongoing between the ESL and content teachers;
- Instruction and home-school communication are culturally and linguistically responsive.

ELs with IEPs may receive both ESL instruction and special education services simultaneously. The IEP must be developed by the IEP Team, which should include the ESL teacher as a member or as a minimum information provided by the ESL teacher to the IEP team.

EL students receiving special education services must submit to Pennsylvania's annual assessments. Each EL student may participate in assessments through the use of one or more state-approved accommodations appropriate to his/her disability. The IEP team may make decisions regarding assessment accommodations for ELL students with disabilities, considering the following:

1. Accommodations must not invalidate the results of the assessment;

2. Accommodations may be used for the entire assessment or only for part/parts of the assessment;

3. Determinations of any accommodation must be:

    - Based on a student's disability;

    - Made by the student's entire IEP team;

    - Properly documented in the student's IEP; and

    - Properly coded on the assessment.

Exit of ELs with IEPs:

Monitoring of the EL status is required for four years after a student exits a language instruction educational program and appropriate records of student progress must be maintained. ESSA Section 3121(a)(5). Monitoring may include any or all of the following:

- Periodic review of grades
- Local assessments
- Required state assessments
- Teacher observation
- Teachers may implement appropriate interventions to assist students who are not meeting benchmarks in core content areas.
- Monitoring is not an extension of the language instruction educational program. Students who are monitored cannot be counted as ELs in any state or federal data collection systems for the purpose of acquiring state or federal funding.

- For accountability purposes, an LEA must report on the academic achievement of an EL for each year of the four years after such student has achieved English language proficiency and no longer receives ESL services. These data must include results on content assessments for reading/language arts, mathematics, and science.

Communications with EL Parents/Guardians

Communications with EL parents and/or guardians must be in the parents'/guardians' preferred language and mode of communication. The Charter School will provide interpretation services (written and/or oral, depending on the preferred mode of communication). 20 U.S.C.A. § 7012[13].

The ESEA does not define the term "families." Families may include relatives involved in the social, emotional, and academic support of the student and expand beyond parents and guardians to include siblings, grandparents, aunts, uncles, cousins and others. As such, States, LEAs, and schools looking to involve and support families should be responsive to their students' diverse family structures. For an EL or immigrant student, extended family members may have a powerful impact on the student's academic success. In many cultures, grandparents in particular play a pivotal role in guiding and shaping household values. Providing outreach to those relatives, including through information about school programs and student progress, as well as opportunities for meaningful involvement, such as participation in school functions like family literacy nights and other such events, can have a positive impact on student learning. It is also important to consider the family situation of foster youth, unaccompanied children, and others whose "family" network may extend beyond biological relatives.

Requirements for pre-service and in-service professional development for teachers

The ESSA made several important changes pertaining to preparation and professional development for teachers of ELs. First, instead of describing these programs and activities as "high-quality," as under NCLB, the statute has strengthened these provisions by clarifying that such programs and activities supported by Title III funds must be "effective."

LEAs must use Title III funds to provide effective professional development for teachers and principals of ELs that is:

- Designed to improve the instruction and assessment of ELs;
- Designed to enhance the ability of teachers and principals to understand and implement curricula, assessment measures and practices, and instructional strategies for ELs;
- Effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of teachers of ELs; and
- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom. This does not include one-day or short term events, unless as part of a teacher's comprehensive professional development plan that is based on a needs assessment. (ESEA Section 3115(c)(2))[8].

Second, the use of Title III State-level funds for professional development was previously limited to assisting personnel in meeting certification and licensing requirements for teaching ELs. States may now also provide professional development to improve teaching skills to meet the diverse needs of ELs, including how to implement effective programs and curricula to teach ELs. (ESEA Section 3111(b)(2)(B))[12]. The professional development provided by either the State or an LEA need not be limited to teachers who teach exclusively ELs, but may be provided to all teachers who have ELs in their classrooms, to enable them to teach those ELs more effectively.

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

Legal References:

1. Every Student Succeeds Act (ESSA)
2. Equal Education Opportunity Act, 20 U.S.C.A. § 1703
3. Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.
4. 22 Pa. Code. § 4.26
5. 20 U.S.C.A. § 6812
6. 22 Pa. Code §403
7. 20 U.S.C.A. §6826
8. Title III of the ESEA
9. 20 U.S.C.A. § 6841
10. 22 Pa. Code § 11.11(e)
11. 22 Pa. Code § 4.4(d)(3)
12. ESEA Sections 1111 & 1112
13. 20 U.S.C.A. § 7012

Book	Policy Manual
Section	Student
Title	Nondiscrimination in School and Classroom Practices Policy
Code	912
Adopted	October 15, 2020

Board of Trustees Policy

NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES POLICY

The Board of Trustees declares it to be the policy of the Chester Community Charter School ("Charter School") to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in Charter School regardless of race, color, age, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability or any other class protected by applicable federal or state laws.

The Charter School shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of the Charter School resources is one means the Charter School shall use to ensure all students receive a quality education. The Charter School shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

In order to achieve this purpose, the Board directs the Chief Executive Officer of the Charter School ("CEO") to appoint a Title IX Compliance Officer to assume the responsibility of coordinating all compliance activities.

It shall be the duty of the Title IX Compliance Officer, CEO and Administrators to ensure that:

a. All employees and students deal fairly and courteously with one another to ensure an educational environment free of intimidation and harassment. Ethnic, racist or sexist slurs or other personal derogation are offensive and unacceptable behavior. Sexual harassment is also a form of unlawful and unacceptable sexual discrimination and includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.

b. Any employee or student who violates the policy against student harassment commits misconduct for which appropriate discipline may be imposed, up to and including termination for employees and expulsion for students.

c. Any student who believes he/she has been subjected to unlawful discrimination or harassment or that he/she is subject to a racially or sexually hostile environment should make a complaint to his/her administrator.

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

Book	Policy Manual
Section	Student
Title	Nondiscriminatory Administration of School Discipline Policy
Code	913
Adopted	October 15, 2020

Board of Trustees Policy

NONDISCRIMINATORY ADMINISTRATION OF SCHOOL DISCIPLINE POLICY

In accordance with the January 8, 2014 guidance issued by the U.S. Departments of Justice and Education (the "Departments") regarding nondiscriminatory administration of school discipline, the Board of Trustees of the Chester Community Charter School ("Charter School"), recognizes the need to administer its Code of Conduct in compliance with this official guidance.

For purposes of implementing this policy, racial discrimination is defined as discrimination on the basis of a person's race, color or national origin.

As noted in its guidance document, the Departments will base a finding of intentional discrimination by a school on facts and circumstances surrounding a particular discipline incident. Evidence of racially discriminatory intent can be either direct or circumstantial. Direct evidence might include remarks, testimony or admissions by school officials revealing racially discriminatory motives. Circumstantial evidence is evidence that allows the Departments to infer discriminatory intent from the facts of the investigation as a whole, or from the totality of the circumstances.

The goal of this Policy is to ensure the following, with regards to the administration of school discipline as detailed by the Charter School Code of Conduct:

(1) That there is no difference in the treatment of different races as to disciplinary measures;

(2) Racial biases do not play a part in or are on display in the administration of disciplinary measures;

(3) Different races do not receive different discipline based upon the same infraction;

(4) There is no selective enforcement of facially-neutral policies against students of one race and not against students of another race (i.e., prohibited intentional discrimination);

(5) There is no uttering of racial slurs by administrators during the imposition of disciplinary actions;

(6) Established school uniform violations cannot be racially-biased or established to essentially penalize a certain race based on that race's known clothing preferences;

(7) There can be no targeting of students of a particular race for disciplinary actions for reasons invidious in nature;

(8) There can be no portions of the Code of Conduct that the Departments would deem "disparate impact", such as imposing mandatory suspensions, mandatory expulsions or mandatory citations based on particular infractions; or disciplinary measures that prevent students returning from involvement in the justice system from reenrolling in school;

(9) The same categories or levels of infractions require the same discipline measures for similarly-situated students;

(10) There can be no differential treatment between the races as to disciplinary measures;

(11) That remedies for violations of the above- and below-referenced Departments' tenets of its guidance include the revision of the student's school records and/or compensatory education services to remedy a student's missed class time;

(12) That the Code of Conduct's definitions of misconduct are clear and nondiscriminatory;

(13) That safeguards ensure that discretion is exercised in a nondiscriminatory manner;

(14) That the school implements a system to monitor all disciplinary referrals;

(15) That the school implements a system to ensure that school staff with authority to refer students for discipline is properly trained regarding administering discipline in a nondiscriminatory manner;

(16) That the school positively reinforces appropriate student behavior, with school-wide tiered supports, including universal, targeted and intensive supports to align behavioral interventions to students' behavioral needs;

(17) That the school refers students with complex social, emotional or behavioral needs for psychological testing and services, health services, or other educational services, where needed;

(18) That all school personnel, including teachers, administrators, support personnel and school resource officers, are provided with ongoing, job-embedded professional development and training in evidence-based techniques on classroom management, conflict resolution, and de-escalation approaches that decrease classroom disruptions and utilize exclusionary disciplinary sanctions as a last resort;

(19) That all school personnel are trained regarding the school's written discipline policy and how to administer discipline fairly and equitably; and that discussion is facilitated between all school personnel of the school's discipline policy and the faculty's crucial role in creating a safe, inclusive and positive educational environment;

(20) That training is provided to all school personnel on how to apply subjective criteria in making disciplinary decisions;

(21) That cultural awareness training provides to all school personnel, including training on working with a racially and ethnically diverse student population and on the harms of employing or failing to counter racial and ethnic stereotypes;

(22) That procedures are established to assess the effectiveness of professional development approaches in improving school discipline practice and staff knowledge and skills;

(23) That procedures are established for school administrators to identify teachers who may be having difficulty managing classrooms effectively, preventing discipline problems from occurring, or making appropriate disciplinary referrals, and to provide those teachers with assistance and training;

(24) That appropriate instruction is provided to any volunteer on the Charter School's campus regarding the school's approach to classroom management and student behavior;

(25) That procedures are established and school personnel and school volunteers are trained on how to distinguish between disciplinary infractions appropriately handled by school officials versus major threats to school safety or serious school-based criminal conduct that cannot be safely and appropriately handled by the school's internal disciplinary procedures, and how to contact law enforcement when warranted;

(26) That regular meetings occur with school resource officers and other security or law enforcement personnel who work in the school to ensure that they receive training to work effectively and appropriately with elementary and secondary students; such training may include (a) instruction in bias-free policing, including instruction on implicit bias and cultural competence; (b) child and adolescent development and age appropriate responses; (c) practices demonstrated to improve school climate; (d) restorative justice techniques; (e) mentoring; (f) classroom presentation skills; (g) conflict resolution; (h) privacy issues; and (i) working collaboratively with school administrators;

(27) That data is collected and actions that school resource officers and other security of law enforcement personnel take against students to ensure nondiscrimination are monitored;

(28) That the Code of Conduct includes a range of measures that students may take to improve their behavior prior to disciplinary action;

(29) That there is a clear designation as to who in the school has the authority to identify discipline violations and/or assign penalties for misconduct;

(30) That the Code of Conduct as to referrals to disciplinary authorities or the imposition of sanctions distinguishes between those students who have violated the Code of Conduct for the first time and those students who repeatedly commit a particular violation of the Code of Conduct;

(31) That the Code of Conduct (and all discipline-related documentation) is translated to ensure effective communication with students, parents and guardians who are limited English proficient; and that interpreters or other language assistance is provided as needed by students and parents for all discipline-related meetings, particularly for expulsion hearings;

(32) That the Code of Conduct explicitly limits the use of out-of-school suspensions, expulsions and alternative placements to the most severe disciplinary infractions that threaten school safety or to those circumstances where mandated by Federal or State law;

(33) That the Code of Conduct provide for alternatives to in-school and out-of-school suspensions and other exclusionary practices (i.e., expulsions);

(34) That the Charter School's Code of Conduct, relevant practices and other school –wide behavior management approaches are regularly evaluated to determine if they are affecting students of different racial and ethnic groups equally, including a regular review of discipline reports containing information necessary to assess whether students with different personal characteristics (e.g., race, sex, disability and English learner status) are disproportionately disciplined, whether certain types of disciplinary offenses are more commonly referred for disciplinary sanctions, whether specific teachers or administrators are more likely to refer specific groups of students for disciplinary sanctions and any other indicators that may reveal disproportionate disciplinary practices;

(35) That complete information surrounding all discipline incidents, including office referrals and discipline incidents that do not result in sanctions are collected; Relevant data elements include (a) information related to the date, time, and location of the discipline incident; (b) the offense type; (c) whether an incident was reported to law enforcement; (d) demographic and other information related to the perpetrator, victim, witness, referrer, and disciplinarian; and (e) the penalty imposed; Ensure that there are administrative staff who understand how to analyze and interpret the school's discipline data to confirm that data are accurately collected, reported and used; Develop a discipline database that provides useful, valid, reliable and timely discipline data;

(36) If disparities in the administration of student discipline are identified, commit the school to a plan of action to determine what modifications to the school's discipline approach would help it ameliorate the root cause(s) of these disparities; and

(37) That disaggregated discipline data is provided the public, to the Board of Trustees and community stakeholders consistent with applicable privacy laws and after removing students' identifiable information to ensure transparency and to facilitate community discussion.

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

Book	Policy Manual
Section	Student
Title	Title IX Policy
Code	914
Adopted	October 15, 2020
Revised	May 18, 2023

Board of Trustees Policy

TITLE IX POLICY

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq*., protects students from discrimination based on sex in educational programs or activities that receive Federal financial assistance. Title IX states that:

> No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient, which receives Federal financial assistance.

This policy reaffirms the commitment of the Chester Community Charter School ("Charter School") to comply with Title IX. This policy covers student on student as well as employee on student sexual harassment.

When Does Title IX Apply?

Title IX covers sexual harassment that happens in a school's "education program or activity." This includes locations, events, and circumstances where a school exercises substantial control over the context of the alleged harassment and the person accused of committing the sexual harassment.

Sexual Harassment

Title IX prohibits the following conduct on the basis of sex that satisfies one or more of the following:

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity.
- School employee conditioning educational benefits on participation in unwelcome sexual conduct, otherwise known as "Quid pro Quo" harassment.
- "Sexual assault," as defined in 20 U.S.C. 1092(f)(6)(A)(v) "dating violence," as defined in 34 U.S.C. 12291(a)(10) "domestic violence," as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

Charter School's Response to Allegations/Knowledge of Sexual Harassment

Once the Charter School has actual knowledge of sexual harassment or allegations of sexual harassment, the Charter school must respond or take action.

The Charter School has "actual knowledge" when it has been given notice that a person may have been victimized by sexual harassment. Any person, whether the alleged victim or a parent, friend, or bystander, has the right to report sexual harassment to put the Charter school on notice. A report to any school employee will result in the Charter School having "actual knowledge." Further, Charter School personnel who personally witness sexual harassment can mean that the Charter School has "actual knowledge."

The Charter School cannot be "deliberately indifferent" in responding to a complaint of sexual harassment. That means that it cannot be "clearly unreasonable" in light of the known circumstances. Upon receipt of a complaint, the Title IX Coordinator must act promptly, and must provide the following information to the complainant:

- The availability of supportive measures
- The right to file a complaint
- How to file a complaint

Supportive Measures:

Supportive measures are free, individualized services designed to restore or preserve equal access to education, protect or preserve equal access to education, protect safety, or deter sexual harassment. A complainant does not need to file a formal complaint for him/her to receive supportive measures. Supportive measures are intended to support a student and are not punitive or disciplinary with respect to another student. These measures do not unreasonably burden any other person. Each student, the complainant and respondent, must have equal access to education prior to any determination of responsibility.

Examples of supportive measures include:

- Counseling
- Extension of deadlines
- Modification or work or class schedules
- Escort services
- Mutual restrictions on contact between individuals

The Title IX Coordinator is responsible for implementing these supportive measures and must consider the alleged victim's wishes when it comes to requests for supportive measures. Generally, these measures must remain confidential.

Title IX Coordinator:

Per Title IX federal funding mandates, the Charter School shall designate a Title IX Coordinator whose duties will include:

(a) receiving reports from victims and third parties of sexual discrimination or sexual harassment in person or by mail, telephone, email, or any other means that results in the Title IX Coordinator receiving the report at any time, including nonbusiness hours;
(b) oversee mandated (seven-year) recordkeeping regarding investigations, appeals, informal resolutions, and training for Coordinator, investigators and decision-makers on the definition of sexual harassment in the Final Rule, the application of the Title IX policy, how to make relevancy determinations (including how to apply rape shield protections for complainants), the Charter School's education program or activity, and the grievance process, including how to conduct investigations, hearings (including technology for live hearings), appeals, informal resolution processes, how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
(c) maintaining current contact information in Charter School's nondiscrimination notices and website;
(d) ensuring Charter School is compliant with Title IX, coordinating the investigation and disciplinary process and looking for patterns or systematic problems with compliance to ensure Charter School fulfills federal obligations;
(e) signing formal complaints alleging sexual harassment;
(f) receiving notice of sexual harassment or allegations of sexual harassment (or authorized Charter School representative authorized to institute corrective measures), triggering actual knowledge designation;
(g) upon receipt of a complaint, providing prompt info to complainants about availability of supportive measures, the right to file a complaint and how to file a complaint and consideration of complainant's wishes regarding supportive measures;
(h) ensuring the Charter School grievance process and the Title IX Coordinator, investigator, decision-maker and facilitator of an informal resolution process is free of conflicts of interest or bias against a party;
(i) dismissing a complaint (1) when complainant provides written notice to the Title IX Coordinator to do so, (2) when allegations do not constitute sexual harassment, (3) if the allegations did not occur in the Charter School's educational program or activity, (4) if the allegations did not occur in the United States, (5) if respondent is no longer enrolled or employed by the Charter School, or (6) when specific circumstances prevent the gathering of evidence sufficient to reach a determination;
(j) coordinating Charter School efforts to comply with Title IX; and
(k) respecting a complainant's wishes regarding whether the Charter School investigates, unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances;

The Charter School's Title IX Coordinator's duties do not include:

(a) the ability to be named the decision-maker tasked with issuing a written determination regarding responsibility with findings of fact, conclusion about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on

the respondent and whether remedies will be provided to the complainant (Title IX Coordinator or the investigator cannot be named decision-maker);

(b) the ability to be named as the decision-maker on any appeal (cannot be the same person as the initial decision-maker on the formal complaint, the investigator, or the Title IX Coordinator);
(c) any other job responsibility that creates a conflict of interest with responsibilities under Title IX;
(d) becoming a complainant or a party during the grievance process upon the signing of a formal complaint; and
(e) a requirement that the Title IX Coordinator file a formal complaint any time the Charter School received notice of multiple reports against a particular respondent and corresponding safe harbor.

Grievance Procedures

Procedures outlining the Title IX Grievance Process that are consistent with this policy and final rules from the United States Department of Education are attached to this policy.

The Charter School will follow a grievance process that complies with the Final Rule before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The Charter School will not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with Title IX.

The Charter School will investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by a Title IX Coordinator.

It is the policy of the Charter School during the grievance process to treat complainants and respondents equitably. That includes providing remedies to a complainant if a respondent is found responsible, and by following these policies in imposing discipline on the respondent.

The Title IX Coordinator shall be capable of conducting a thorough and complete investigation and shall seek advice and assistance from the Board of Trustees if the Title IX Coordinator believes that he or she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the Title IX Coordinator or the CEO is the one accused of sexual harassment, or the Title IX Coordinator has bias or a conflict of interest, the Board will appoint a qualified individual who is not employed by the Charter School to conduct the investigation.

If the Title IX Coordinator submits the complaint, the Title IX Coordinator must recuse him/herself from the investigation and allow the Board to appoint a qualified individual who is not employed by the Charter School to conduct the investigation.

Once the Title IX Coordinator completes his/her investigatory report, the case will be turned over to a neutral decision maker for the hearing process. A neutral decision maker must be a person(s) who is free from all conflicts of interest or bias for or against complainants or respondents and must receive special training about how to be impartial and how to decide what evidence is relevant.

A school can remove a respondent from the Charter school's educational programs or activities on an emergency basis if the respondent poses an immediate threat to anyone's physical health or safety. If the respondent is an employee, the Charter school may place the employee on administrative leave pending the investigation.

No one will be forced, threatened, coerced, or discriminated against for choosing not to be a part of this grievance process.

Both complainant and respondent have equal rights throughout the entire investigation and hearing process, including, but not limited to, the opportunity to present witnesses and evidence, including expert witnesses, as well as inculpatory and exculpatory evidence. The Charter School will further comply with all disability laws to ensure that all participants are appropriately accommodated.

Publishing Requirements of this Policy:

The Charter School will disseminate a notice of nondiscrimination, which the U.S. Department of Education recommends should specify that sexual harassment and violence are prohibited. Such notice shall appear in the Charter School's student handbook and/or code of conduct, on the Charter School's website, and be available in print on campus so that school members may understand its purpose and utility and include enough detail in the policy so that members of the community realize that sexual harassment and sexual violence are prohibited forms of sex discrimination.

The Charter School will adopt and publish a grievance procedure outlining the complaint, investigation, and disciplinary process for addressing sex discrimination, sexual harassment, and sexual violence occurring within educational programs. This process should address discrimination perpetrated by students, employees, or third parties. Additionally, school security and/or law enforcement personnel must notify victims of their rights to use the Charter school's grievance procedure in addition to being able to file a criminal complaint.

This grievance procedure requires the Charter school's process be "prompt and equitable," meaning it must be a timely response to discrimination and provide both parties equivalent rights during the disciplinary process rather than having one-sided due process. For example, if the accused student is given a right to have an attorney present, so may the accusing student.

While sexual misconduct complaints may be resolved through informal mechanisms, such as mediation, students are not required to use informal methods of grievance resolution and should not be pressured into such a process.

The Charter School will provide educational and awareness programming on sexual harassment and discrimination. The Charter School must address hostile educational environments created by sex discrimination, sexual harassment, and sexual violence school-wide. Addressing a hostile environment means remedying a current situation, addressing its effects, and preventing its recurrence in the future.

The Charter School will maintain and make publicly available on its website all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process (or available in response to a request from the public if it does not maintain a website).

The Charter School shall designate an individual as its Title IX Coordinator and publish the Coordinator's name, title, office address, email address and phone number on its website, notifying applicants for admission or employment, students, parents, legal guardians, employees, and unions of this designation. Designating one employee as the Title IX Coordinator ensures that students and employees know that notifying the Title IX Coordinator triggers the Charter School's legal obligations to respond to sexual harassment under the regulations.

Training

Title IX mandates that Charter School employees that address sexual violence complaints have appropriate training. The U.S. Department of Education (ED) recommends that teachers, campus security, administrators, counselors, nurses, cleaning staff, coaches, and others likely to receive reports be trained on how to identify and report sexual harassment and violence.

Per the Department of Education, the Charter School will:

1) Ensure that responsible employees with the authority to address sexual violence know how to respond appropriately to reports of sexual violence;
2) That other responsible employees know that they are obligated to report sexual violence to appropriate school officials; and
3) That all other employees understand how to respond to reports of sexual violence.

The Charter School will ensure that counselors and advocates understand the extent to which they may and will keep a report confidential.

The Charter School will provide training to all employees likely to witness or receive reports of sexual violence, including teachers, campus security, school administrators, school counselors, general counsels, athletic coaches, and nurses.

The Charter School will train responsible employees to inform students of:

1) The reporting obligations of responsible employees;
2) Students' option to request confidentiality and available confidential advocacy, counseling, or other support services; and
3) Their right to file a Title IX complaint with the Charter School and to report a crime to campus security or local law enforcement.

The Charter School will ensure that the Title IX Coordinator, investigator, decision-maker, and/or facilitator of an informal resolution process be free of conflicts of interest or bias against a party and that such Charter School Title IX personnel be trained on the application of the Title IX Policy, the definition of sexual harassment in the Final Rule, the scope of the Charter School's education program or activity, how to conduct an investigation and grievance process, including hearings (and technology to be used at a live hearing), appeals, and informal resolution processes, as applicable, and how to make relevancy determinations (and applying rape shield protections for complainants) and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Charter School shall maintain and make publicly available on its website all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process (or available in response to a request from the public if it does not maintain a website).

The training materials must be impartial and not rely on sex stereotypes.

Additionally, the Charter School will ensure that staff members are capable of providing culturally competent counseling to all complainants. It will ensure that its counselors and other staff who are responsible for receiving and responding to complaints of sexual violence, including investigators and hearing board members, receive appropriate training about working with Lesbian/Gay/Bi-sexual/Transgender and gender-nonconforming students and same-sex sexual violence.

The Charter School will also ensure that any reporting forms, information, or training about sexual violence be provided in a manner that is accessible to students and employees with disabilities, for example, by providing electronically-accessible versions of paper forms to individuals with print disabilities, or by providing a sign language interpreter to a deaf individual attending a training.

To ensure that students understand their rights under the laws cited herein, the Charter School will provide age-appropriate training to its students regarding Title IX and sexual violence. Training may be provided separately or as part of the Charter School's broader training on sex discrimination and sexual harassment.

The Charter School may include these education programs in its orientation programs for new students, faculty, staff, and employees, training for student athletes and coaches, and assemblies and "back to school nights." These programs will include a discussion of what constitutes sexual harassment and sexual violence, the Charter School's policies and disciplinary procedures, and the consequences of violating these policies.

The Charter School also will include such information in their employee handbook and any handbooks that student athletes and members of student activity groups receive. These materials will include where and to whom students should go if they are victims of sexual violence. These materials also will tell students and Charter School employees what to do if they learn of an incident of sexual violence.

Other Reporting Requirements in Compliance with Local and State Laws:

If the complaint involves sexual assault, rape or conduct of a criminal nature, the local Police Department shall be contacted and a report of the incident made by the Charter School, in accordance with law enforcement. A report must also be made by the mandatory reporter to ChildLine and the Department of Public Welfare in accordance with the Charter School's Board approved Mandatory Reporter Policy. If there is any question of whether the conduct complained of constituted criminal activity, the Charter School's Board Solicitor should be contacted immediately. Knowledge of a law enforcement investigation does not relieve the Charter School of its independent obligation to investigate the misconduct.

Documents regarding substantiated charges of sexual harassment shall be placed in the accused student's file. Documents regarding unsubstantiated charges shall not be placed in student files, but shall be maintained by the Board of Trustees in a confidential file established expressly for retaining Title IX complaints against students.

Retaliation:

Charging an individual with code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

The Charter School will keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

Complaints alleging retaliation may be filed according to the Charter school's prompt and equitable grievance procedures. The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

CONCLUSION

If any section of this procedure is declared invalid, the remaining sections shall remain valid and unaffected.

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

ADOPTED this _____day of _____, 2023

_____

President

_____

Secretary

Chester Community Charter School

Title IX Complaint Procedures

Once a formal complaint is filed, the student may seek either an informal or formal resolution of his or her complaint:

A. Informal

When a Title IX Coordinator receives a complaint, the Title IX Coordinator may offer an informal resolution process. An informal resolution process is only appropriate if each party enters the process voluntarily and the respondent is a student. The Charter School will not force, threaten, or require any party, complainant or respondent, into participating in informal resolution.

The Charter School will provide a facilitator to oversee the informal resolution process who is free from conflicts of interest or bias, and who has received special training.

The Charter School will provide both complainants and respondents with notice of the allegations, notice of their rights, information about whether an informal process is confidential, and about withdrawing from the process.

Any party, at any time, can decide to stop participating in an informal resolution process and instead go to a formal process.

B. Formal

A formal complaint is an official document alleging sexual harassment. Any student (or any parent of a student) who believes that his or her Title IX rights have been violated may file a complaint requesting a formal investigation into the allegations. Formal complaints shall be taken in writing by the Title IX Coordinator and signed by the complainant. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail at the Title IX Coordinator's posted contact information on the Charter School's website.

In cases where an alleged victim does not file a formal complaint, a Title IX Coordinator might file a complaint and initiate grievance procedures where discipline is appropriate.

A thorough and complete investigation shall be conducted by the Title IX Coordinator.

This investigation shall determine: (1) whether or not the conduct occurred; (2) whether the conduct constitutes a violation of this policy, and, (3) if the conduct was a violation, what actions the Charter School will take to end the violation.

To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. All parties will be treated with dignity and due process. The Charter School is not allowed to access a party's personal records if they are maintained by a

physician, psychiatrist, psychologist, or other professional for the purpose of treatment to the party, without consent.

C. Dismissals:

The Charter School **must** dismiss a complaint:

- That does not describe conduct that meets the definition of sexual harassment;
- That alleges sexual harassment that did not occur in the Charter school's educational program or activity;
- That alleges sexual harassment that did not occur in the United States.

The Charter School **may** dismiss a complaint:

- If the complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdraw the formal complaint or some of its allegations;
- If the respondent is no longer enrolled or employed by the Charter school;
- If specific circumstances prevent the Charter school from gathering specific evidence sufficient to reach a determination about the allegation.

When the Charter School dismisses a formal complaint, or any allegations in it, the Charter School must promptly send written notice of the dismissal to the parties. That notice must also clearly state the reasons. The Charter School can still address dismissed Title IX complaints under the Student Code of Conduct, even if the misconduct is not sexual harassment under Title IX.

D. Conducting Investigations

The Title IX Coordinator receiving a complaint, including a Title IX complaint, shall take the details of the complaint in writing and have the complainant sign it. All Title IX complaints against a student shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy.

- Upon receipt of the complaint, the Title IX Coordinator must provide the parties with written notice including the names of the parties, the date and location of the alleged misconduct, and a description of the alleged misconduct. The notice must further:
    - Provide the allegations and facts that would constitute sexual harassment
    - State the presumption of innocence
    - A statement that the parties are entitled to an advisor of their choice
    - A statement that the parties can request to inspect and review certain evidence
    - Provide information regarding the Charter School's Code of Conduct and penalties for false statements.
    - If additional allegations come to light, notice must be supplemented.

- The Title IX Coordinator shall meet with every complainant and respondent. The complainant may have his or her Parent(s) present during any such meeting. The respondent, if he or she is a student, shall also have the right to have his or her parent(s) present at any meetings with the Title IX Coordinator as well.

- The Charter School shall provide written notice of the date, time, location, participants, and purpose of all interviews, or other meetings, with sufficient time for the party to prepare.

- The Respondent is presumed not responsible during the investigation.

- From these meetings, the Title IX Coordinator will conduct an adequate, reliable, and impartial investigation of complaint(s), which includes interviewing and obtaining statements from any witnesses of both the complainant and alleged perpetrator, and the review of all evidence presented. Parties will be provided updates until a determination is made in writing.

- No information protected by a legal privilege, such as the attorney-client privilege, or the doctor-patient privilege, can be used during an investigation unless the person holding that privilege has waived it.

- After gathering evidence, the Charter School must prepare an investigative report on the allegations of the formal complaint. The report, along with physical evidence (including written witness statements), must be provided to the parties. The Charter School will give each party ten (10) days to respond to the evidence in writing. The Charter School will review and consider the response of any party before making a final determination. After allowing time for a response, the Charter School will then finalize the report and submit it to the parties at least ten (10) days prior to any determination of responsibility or a hearing.

E. Hearings/Final Determination of Responsibility

- Final Determinations of Responsibility will only be provided after a Hearing.

- For the purposes of this Policy, a Hearing is defined as either a live hearing or the opportunity for both parties to submit written questions prior to the issuance of a Final Determination.

- The Charter School has the option to hold a live hearing. If a live hearing is held, the complainant can request that he/she be in a separate room from the respondent, with technology allowing everyone to see/hear each other. A court reporter will be present at a live hearing and a transcript will be provided to all parties at the conclusion of the hearing.

- The Charter School shall provide written notice of the date, time, location, participants, and purpose of the hearing, with sufficient time for the party to prepare.

- If a live hearing is held, the Charter School must provide each party with an advisor, of the Charter school's own choosing, free of charge, solely for the purpose of conducting cross examination on that party's behalf. **No party is ever allowed to personally cross examine anyone.** Live cross examination must only be done through an attorney or advisor provided by the Charter School.

- In the absence of a live hearing, the Charter School will provide the parties equal opportunity to submit relevant, written questions to each other, before the Charter School reaches a

determination of responsibility. If a party refuses to answer any questions, the party must state the reasons why.

  - Questions and evidence about the complainant's prior sexual history are not relevant, except:
    - Where such information is offered to prove that someone other than the respondent committed sexual harassment
    - Where it relates to sexual behavior between the complainant and respondent and if offered to prove consent.

- If a party or witness chooses not to appear at a live hearing, or not to answer cross examination questions, the decision-maker excludes that party or witness's statements and evaluates any evidence that does not include those statements.

- A neutral decision maker, who did not prepare the investigatory report, will preside over the hearing and make the final determination of responsibility.

- The neutral decision maker will not make inferences about the determination regarding responsibility based on the fact that a party or witness did not come to the hearing or submit answers to cross examination.

- The neutral decision maker will make a determination on whether the respondent is responsible within sixty (60) days of the receipt of a complaint unless good cause is shown. Good cause can include law enforcement activities, the absence of a party or witness, the absence of a party's advisor of choice, or the need to provide language assistance or accommodation of a disability.

- The complaint will be decided using a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred).

- The determination will be in writing, and include:

  - The Charter School Policies that were violated
  - Standard of proof used
  - A description of the procedural steps that were taken by the Charter school
  - A findings of fact section
  - A section that draws conclusions after applying the facts to the applicable portions of the Charter school's policies
  - A statement and rationale for the ultimate determination of responsibility
  - Disciplinary sanctions that the Charter school will impose on the respondent
  - Possible remedies for the complainant (see supportive measures above)
  - A statement of the remedies provided to the complainant and rationale, addressing how those remedies will restore or preserve equal access
  - The right and procedure for each party to file an appeal.

- The determination will be provided to both parties simultaneously.

- Both parties have ten (10) days to file an appeal.

- Discipline for a respondent found responsible for sexual harassment can include but not be limited to in-school suspension, out-of-school suspension, or expulsion. If the Title IX Coordinator or the CEO believes that expulsion against an accused student may be appropriate, then a formal hearing shall be held pursuant to the Pennsylvania Code of Regulations, 22 Pa.Code §12.6 and §12.8. The formal disciplinary procedures contained in the Charter School's Code of Conduct shall be followed for such hearings to assure due process protection for the respondent.

- Even though FERPA limits disclosure of certain information in disciplinary proceedings, the Charter School will disclose information to the complainant about the sanction imposed on the perpetrator when the sanction directly relates to the complainant. This could include an order that the perpetrator stay away from the complainant, or that the perpetrator is prohibited from attending the Charter School for a period of time, or is transferred to other homeroom/classes in the Charter School building.

- The Title IX Coordinator is responsible for carrying out the remedies contained in the written decision.

F. Appeals

- Both the complainant and respondent are permitted to appeal a determination of responsibility.

- Appeals can be taken:

    - After a dismissal before the grievance process, whether mandatory or discretionary
    - At the end of the grievance process

- Grounds for Appeal

    - A procedural irregularity affected the outcome of the matter
    - New evidence has been discovered that was not reasonably available at the time of the determination on responsibility or dismissal
    - A conflict of interest on the part of a Title IX Coordinator, an investigator who compiled evidence, or a decision maker, and the conflict of interest affected the outcome

- Appeals will be referred to the Charter School Board of Trustees, unless the Board has or is scheduled to preside over a formal disciplinary hearing pursuant to 22 Pa.Code §12.6 and §12.8. In those cases, the Charter School Board of Trustees will appoint a neutral hearing officer to hear appeals of a determination of responsibility who is 1) not an employee of the Charter school, 2) not the investigator of the complaint, and 3) not the neutral decision-maker who made the initial determination.

- Both parties will have equal opportunities to submit a written statement supporting or challenging the outcome to the Board of Trustees or neutral hearing officer

- After considering the parties' written statements, the Board of Trustees or neutral hearing officer must issue a written decision and send it to the parties simultaneously. This decision is final.

Book	Policy Manual
Section	Student
Title	Homeless Students Policy
Code	915
Adopted	October 15, 2020

Board of Trustees Policy

HOMELESS STUDENTS POLICY

PURPOSE

The McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 *et seq.*)[1], provides authority for the McKinney-Vento Education for Homeless Children and Youth ("EHCY") program. Pursuant to EHCY program, State educational agencies ("SEAs") must ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths. The SEAs and local educational agencies ("LEAs") in the State must review and revise any laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. LEAs and schools may not separate homeless students from the mainstream school environment on the basis of their homelessness. Homeless students must also have access to the education and other services that they need to meet the same challenging State academic standards to which all students are held. (Section 721 of the McKinney-Vento Act, as amended by the Every Student Succeeds Act).

The Every Student Succeeds Act ("ESSA") was signed into law on December 10, 2015, (P.L. 114-95)[2], and reauthorizes the Elementary and Secondary Education Act ("ESEA") of 1965, which was enacted in its previous version as the No Child Left Behind ("NCLB") Act, in 2002.

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

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

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

DEFINITIONS

Section 725[1] of the McKinney-Vento Act, as amended by the ESSA, defines the following terms:

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

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

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

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

(4) Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965[3], as amended), who qualify as homeless because they are living in circumstances described in this definition.

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

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

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

(e) The term "school of origin" is the school in which the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. The definition of "school of origin" now also specifically includes preschools and, when a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722(g)(3)(I))[1].

Note: Students who are "awaiting foster care placement" are no longer considered homeless for purposes of EHCY program. The deletion of "awaiting foster care placement" went into effect on December 10, 2016. (Section 725(2)(B)(i))[1].

CHARTER SCHOOL LIAISON DUTIES

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

The Charter School's liaison shall coordinate with:

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

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

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

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

(a) Ensure that school personnel providing services under the McKinney-Vento Act receive professional development and other support. (Section 722(g)(6)(A)(ix))[1].

(b) Ensure that unaccompanied homeless youths (i) are enrolled in school, (ii) have opportunities to meet the same challenging State academic standards as other children and youths, and (iii) are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid. (Section 722(g)(6)(A)(x))[1].

(c) Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is understandable. (Section 722(g)(6)(A)(vi))[1].

In addition, LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act. (Section 722(g)(6)(D))[1].

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

1. Identify homeless children and youth including preschool age children;

2. Inform parents or guardians of educational rights and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children;

3. Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act and forms to such places as schools, family shelters, and food pantries;

4. Mediate enrollment disputes in accordance with the Enrollment Dispute section and ensure immediate enrollment pending resolution of disputes;

5. Inform the parent/guardian of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;

6. Assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records;

7. Understand the Pennsylvania Department of Education guidance issued for the education of homeless students in order to distribute information on the subject as well as to present workshops for school personnel, including office staff;

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

BEST INTEREST DETERMINATION

The ESSA now requires that a school selected based on a homeless child's or youth's "best interest" must immediately enroll such child or youth even if he or she has missed application or enrollment deadlines during any period of homelessness. (Section 722(g)(3)(C)(i)(II))[1].

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

(a) The Charter School must presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(i))[1].

(b) The Charter School must consider student-centered factors related to a child's or youth's best interest, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(ii))[1].

(c) If the Charter School determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable. (Section 722(g)(3)(B)(iii))[1].

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

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

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

The Charter School SAP Supervisor/Homeless Liaison reviews each transitional housing form to confirm homelessness and ensure the Charter School is addressing not only the family's education, but their living circumstances appropriately. The Charter School maintains regular contact with homeless families to

review any changes in living arrangements in order to determine whether homelessness continues to occur or a permanent residency has been established at which time they are removed from homeless status. The Charter School's SAP Supervisor/Homeless Liaison coordinates with multiple parties to ensure interventions, counseling, and accommodations are readily available to ensure the education of homeless students is not impeded by these outside circumstances.

HEALTH RECORDS/IMMUNIZATIONS

The Charter School liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed. The law specifies that information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information.
(Section 722 (g)(3)(G))[1].

According to federal law, "(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D)"
42 U.S.C. §11432(g)(c)(iii)[4].

SCHOOL PLACEMENT

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

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

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

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

children who are in need of special education and related services are located, identified and evaluated.

Homeless Students Residing in Shelters, Facilities or Institutions Section

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

Homeless Students Not Residing in a Shelter, Facility or Institution

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

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

- Spends the greatest percentage of his or her time; or
- Has a substantial connection such as where he or she is
    - regularly receiving day shelter or other services involving any of the 16 McKinney-Vento Activities (42 U.S.C. 11433(d))[5] for individuals who are homeless;
    - conducting daily living activities; or
    - staying overnight on a recurring basis.

TRANSPORTATION

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

ELIGIBILITY UNDER THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS

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

TITLE I

Title I of the ESSA mandates that funds be reserved to serve homeless children. Section 1113(C)(3)[6] of the Title I statute states, "A local educational agency shall reserve such funds as are necessary…to provide services comparable to those provided to children in schools funded under this part to serve—,"(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live…" A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve--``(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live; ``(ii) children in local institutions for neglected children; and ``(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

FISCAL RESPONSIBILITIES

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

A. The procedures outlined below will be followed in cases when the education of the child is provided by the district where the homeless student is temporarily living (doubled up, motel, shelter). The procedures shall also apply in cases when the district of prior attendance, where that is not the district the child attended when permanently housed, will educate the child.

1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, or doubled-up with a resident family, shall be reported and reimbursed as resident students;
2. For homeless individuals in temporary shelters, the educating school district will send a PDE-4605 Determination of District of Residence for Student in Facilities or Institutions in Accordance with Section 1306 of School Code to the presumed district of residence;
3. If PDE-4605 is acknowledged by the resident district, the educating district will enter the child on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition, and will report membership data according to PDE child accounting procedures; and,
4. If PDE-4605 is disclaimed and a district of residence cannot be determined, the child will be considered a ward of the state. The educating district will enter the child on its rolls as a nonresident ward of the state, and will report membership according to PDE child accounting procedures. The Department of Education will pay tuition to the educating district based on membership reported to Child Accounting.

B. In cases when the education of the child is provided by the district of origin, including preschool children, where that is the district the child attended when permanently housed, that district will continue to educate a homeless student for the period of temporary

displacement and should maintain the homeless student on its roll as a resident student. When a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722 (g)(3)(l))[1].

C. In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not in the district of new residence, the educating district will continue to educate the formerly homeless student, if requested by the student's parent or guardian, until the end of the academic year and should maintain the homeless student on its roll as a non-resident student. The educating district/LEA should advise the new district of residence of its financial responsibility for this student and send a tuition bill. If upon identification by the educating district/LEA, either the school of origin district or the new district of residence disputes its obligation for the per pupil allocation for the homeless student, the Charter School shall await determination by PDE which shall determine residency of student and responsibility for payment of per pupil allotment pursuant to its PDE-4605 form and in accordance with PDE Child Accounting Guidelines.

DISPUTE PROCEDURES

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S.C §11432(g)(1)(C). The state must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S.C §11432(g)(2)(A)[4].

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

Level 1 – A dispute may be raised with the Charter School, as a LEA. If a dispute arises over school selection or enrollment, the child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute 42 U.S.C.§11432(g)(3)(E)(i)[4]. The LEA liaison shall then explain the dispute resolution process to families and help a family or student to use it 42 U.S.C. §11432(g)(3)(E)(iii)[4]. The LEA shall issue a written disposition of the dispute within 20 business days after the LEA liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. 42 U.S.C.§11432(g)(3)(E)(i)[4]. PDE provides a "Notice of Procedural Safeguards" form to provide to families/students for purposes of explaining their rights of appeal.

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

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

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

Legal References:

1. The McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 *et seq.*)
2. Every Student Succeeds Act ("ESSA") (P.L. 114-95)
3. Section 1309 of the Elementary and Secondary Education Act of 1965
4. 42 U.S.C. §11432
5. 42 U.S.C. 11433(d)
6. ESSA, Title 1, Section 1113(C)(3)

Book	Policy Manual
Section	Student
Title	Foster Care Policy
Code	916
Adopted	October 15, 2020

Board of Trustees Policy

FOSTER CARE POLICY

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

State educational agencies (SEAs), State child welfare agencies (SCWAs) and local educational agencies (LEAs), such as the Charter School, are obligated to coordinate efforts to ensure the educational stability of students in foster care under the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)[1]. The Fostering Connections Act legislation requires child welfare agencies to collaborate with educational agencies to keep children in foster care in the same school when living placements change, if remaining in that school is in their best interest. The Fostering Connections Act also requires child welfare agencies to ensure that children in foster care who do change schools are promptly enrolled in a new school, with the relevant school records.

In December 2015, the Every Student Succeeds Act (ESSA)[2] reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). Complementing the Fostering Connections Act, the focus of ESSA, with regard to students in foster care, is to enhance collaboration and align education and child welfare systems to improve educational outcomes for foster care youth. According to the U.S. Department of Education, data show that foster care youth are more likely than their peers to experience a host of barriers that lead to troubling outcomes, including low academic achievement, grade retention and lower high school graduation rates. Children in foster care often face steep challenges to school success, including high rates of mobility. The new protections for children in foster care under ESSA will apply to all children in foster care enrolled in public schools.

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

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

The LEA should decide with the State or local child welfare agency what documentation or records should be shared, establish criteria to be used in any decision-making process, and identify a structure,

such as regularly scheduled meetings, in which relevant individuals can participate in a particular process.

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

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

Foster Care Point of Contact

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

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

English Learners

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

Individuals with Education Assistance ("IDEA")[3] and Section 504 of the Rehabilitation Act of 1973 ("Section 504")[4]

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

Student Data and Privacy

The Uninterrupted Scholars Act (Public Law 112-278)[5], which was signed into law on January 14, 2013, amends the Family Education Rights and Privacy Act ("FERPA")[6] in the following two ways:

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

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

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

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

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

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

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

Training

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

The Chief Executive Officer of the Charter School (CEO), or designee, is directed to develop any/all procedures that may be necessary to implement this policy.

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

Legal References:

1. Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)
2. Every Student Succeeds Act (ESSA)
3. Individuals with Education Assistance ("IDEA")
4. Section 504 of the Rehabilitation Act of 1973 ("Section 504")
5. The Uninterrupted Scholars Act (Public Law 112-278)
6. Family Education Rights and Privacy Act ("FERPA")

Book	Policy Manual
Section	Student
Title	Transgender and Gender Nonconforming Student Policy
Code	917
Adopted	October 15, 2020
Revised	February 15, 2024

Board of Trustees Policy

TRANSGENDER AND GENDER NONCONFORMING STUDENT POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") is committed to ensuring the safety and equality for all its students regardless of gender identity or gender expression, so that they can reach their fullest human and intellectual potential and be protected from discrimination, bullying and harassment.

Purpose and Intent

The intent of this policy is to facilitate compliance with local and federal laws, including Title IX of the Education Amendments of 1972 ("Title IX")[1]. Title IX specifically prohibits discrimination on the basis of sex in federally funded education programs and activities. This policy is consistent with the Charter School policies on bullying, harassment, and discrimination.

Background and Current Guidance from the U.S. Departments of Justice and Education

In February 22, 2017, the U.S. Departments of Justice *Civil Rights Division* and Education *Office for Civil Rights* issued guidance in the form of a Dear Colleague Letter[2]. The previous guidance (January
7, 2015 and May 13, 2016) from those departments "take the position that the prohibitions on discrimination 'on the basis of sex' in Title IX of the Education Amendments of 1972 (Title IX), 20
U.S.C. § 1681 et seq.,[1] and its implementing regulations, see, e.g., 34 C.F.R. § 106.33[3], require access to sex-segregated facilities based on gender identity. These guidance documents do not, however, contain extensive legal analysis or explain how the position is consistent with the express language of Title IX,
nor did they undergo any formal public process." (*See* Dear Colleague Letter, February 22, 2017, noted above.[2])

The February 22, 2017 letter withdraws the previous statements of policy and guidance and recognizes that "there must be due regard for the primary role of the States and local school districts in establishing educational policy." This guidance applies as well to charter school and cyber charter schools, as public school entities, in establishing their educational policy.

"All schools must ensure that all students, including LGBT [lesbian, gay, bi-sexual, and transgender] students, are able to learn and thrive in a safe environment. The Department of Education *Office of*

Civil Rights will continue to protect all students and to encourage civility in our classrooms. The Department of Education and the Department of Justice are committed to the application of Title IX and other federal laws to ensure such protection." (*See* Dear Colleague Letter, February 22, 2017, noted above[2].)

This policy covers conduct that takes place at the Charter School, on Charter School property, at functions sponsored by the Charter School, while on or waiting for Charter School vehicles, and the usage of Charter School electronic technology and electronic communication. This policy applies to the entire Charter School community, including educators, Charter School staff, students, parents/guardians, and volunteers.

Definitions

"Cisgender" describes people whose gender identity is consistent with their sex assigned at birth.

"Gender expression" refers to the way a person expresses gender to others, such as through

behavior,

clothing, hairstyles, activities, voice or mannerisms.

"Gender identity" is defined as a person's deeply held sense or psychological knowledge of the person's own gender, regardless of the sex they were assigned at birth.

"Gender-neutral pronouns," such as they/them/their (singular), are used by some transgender and gender nonconforming people.

"Gender nonconforming" describes people whose gender expression and/or gender identity falls outside the traditional male-female binary.

"Medical transition" refers to medical intervention designed to align physical sex characteristics with gender identity.

"Transgender" describes people whose gender identity is different from their sex assigned at birth.

Names/Pronouns and Gender-Neutral Language at School

A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. To the extent possible, the name and pronouns with which the student identifies shall be used in all interactions between the student and Charter School staff and students, as well as on written records from the Charter School, forms, and photo ID. A court-ordered name or gender change is not required, nor is evidence of therapy or medical transition. The intentional or persistent refusal to respect a student's gender identity (for example, intentionally referring to the student by a name or pronoun that does not correspond to the student's gender identity) is a violation of this policy.

To the extent possible, the Charter School shall use gender-neutral language in written communication with all students and families, regardless of the student's gender identity. This includes employing "they" (singular) instead of "he/she."

Name Change Reporting Requirements (Pennsylvania Department of Education)

For the Pennsylvania Department of Education Pennsylvania Information Management System (PIMS): A student or parent/guardian may request a change of the student's listed gender, first name or middle name on the student's records. If this request occurs, the local education agency may report the student's preferred information using the following guidelines:

- The change must first be made in PASecureID;
- The PIMS data (first name, gender, and date of birth) must match what is reported in PASecureID;
- The student's name and gender information reported in prior school years will not be updated; and
- The student's PASecureID will not be changed.

See PIMS manual, Reporting Student Gender, p. 20, Release Date 8/1/2017.

Privacy and Confidentiality

All persons, including students, have a right to privacy, and this includes the right to keep one's transgender identity private at the Charter School. Information about a student's transgender identity, legal name, or sex assigned at birth also may constitute confidential medical information. School personnel should not disclose information that may reveal a student's transgender identity or gender nonconformity to others, including parents and other Charter School personnel, unless the student has authorized such disclosure. Transgender and gender nonconforming students have the right to discuss and express their gender identity and expression openly and to decide when, with whom, and how much to share private information.

School Activities, Non-Athletics

To the extent possible, the Charter School shall reduce or eliminate the practice of segregating students by gender in school activities. In situations where students are segregated by gender, students will be included in the group that corresponds to their gender identity, unless health, medical or safety considerations exist. As a general matter, the Charter School should evaluate all gender- based activities, rules, policies, and practices — including classroom activities, Charter School ceremonies, and Charter School photos — and maintain only those that have a clear and sound pedagogical purpose. In accordance with this policy, Charter School students shall be permitted to participate in activities and conform to any rule, policy, or practice consistent with their gender identity.

Restroom and Locker Room Access

Charter School students who have notified the Charter School of their gender nonconformity, shall have access to the restroom and the locker room that corresponds to their gender identity. Any student, including cisgender, transgender, and gender nonconforming, who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a reasonable alternative private area. Such areas could include a single stall restroom or a partitioned changing or toileting area. But, no student shall be required to use an alternative private area.

Physical Education, Athletics and Sports

Transgender and gender nonconforming students shall be permitted to participate in physical education classes and intramural sports in a manner consistent with their gender identity. Participation in competitive athletic activities and contact sports will be resolved on a case-by-case basis. The Charter School will consider factors including but not limited to: the rules of a competitive athletic association; age/grade level; level of competition; safety and fairness. [4]

Discrimination and Harassment

It is the responsibility of the Charter School to ensure that all students, including transgender and gender nonconforming students, have a safe learning environment. This includes ensuring that any incident of bullying, discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging such discrimination or harassment based on a person's actual or perceived transgender identity or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

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

Legal References:

1. Title IX of the Education Amendments of 1972 ("Title IX")
2. Dear Colleague Letter, February 22, 2017
3. 34 C.F.R. § 106.33
4. 34 C.F.R. § 106.41

Book	Policy Manual
Section	Student
Title	Health Examination Policy
Code	918
Adopted	October 15, 2020

Board of Trustees Policy

HEALTH EXAMINATION POLICY

In compliance with the Pennsylvania School Code, the Board of Trustees ("Board") shall require that the Chester Community Charter School ("Charter School") students submit to appropriate health and dental examinations to ensure each student's health status is at an optimal level and that achievement is not lessened as a result of unresolved or undiagnosed health problems.

Each student shall receive a comprehensive health examination upon original (K or 1st grade) entry into school and in sixth grade. These examinations shall be conducted by the school physician or school nurse practitioner. A private examination conducted at the parents' request and at their expense will be accepted in lieu of the school examination.

Annual vision tests shall also be given to each student. Other tests as determined by the Pennsylvania Advisory Health Board shall be as follows: hearing tests for children upon original entry into school and in kindergarten, and grades one, two, three, and seven; tuberculosis tests (PPD) for children upon original entry into school; annual height and weight examinations for children in kindergarten through 8th grade including body mass index; dental exams upon original (K or 1st) entry into school and in grades three and seven and scoliosis screening in grades six and seven.

Each student shall receive a comprehensive dental examination upon entry (K or 1st) into school and in grades three and seven. These examinations will be conducted by the school dentist or dental hygienist. A private examination conducted at the parents' request and at their expense will be accepted in lieu of the school examination.

For each student transferring to the Charter School, the Chief Executive Officer of the Charter School ("CEO") shall request an adequate health record from the transferring school. If the record is not transferred or missing necessary documentation, the Charter School shall conduct a medical exam for a comprehensive health appraisal upon student's entry to the Charter School.

The individual student records of health examinations shall be maintained as a confidential record subject to statute and the policies of the Board.

A student who presents a statement signed by his/her parent or guardian that a medical examination is contrary to his/her religious beliefs shall be examined only when the Secretary of Health determines that the student presents a substantial health menace to the health of other persons exposed to contact with the unexamined person(s).

Where it appears to school health officials or teachers that a child deviates from normal growth and development or where school examinations reveal conditions requiring health or dental care, the parent or guardian of the student shall be so informed and a recommendation shall be made that the parent consult a

private physician or dentist. The parent shall be required to report to the school the action taken subsequent to such notification.

When the parents or guardians inform the Charter School of financial inability to provide an examination, charter school shall advise them of the special school medical procedures available.

Parents and guardians of students who are to be examined shall be notified of such examinations. The notice shall include the date and location of the examination and encouragement that the parent or guardian attends. Such notice may also include notification that the parent may have the examination conducted privately at the parents' expense and encouragement that the parent do so in the interest of providing continuity in the student's health care; and, notification that the student may be exempted from such examination if it is contrary to the parents' religious beliefs.

The Charter School will accept reports of private physical and dental exams completed within one year prior to the student's entry into the grade where an exam is required.

Delegation of Responsibility

1) The CEO shall instruct all staff members to observe students continually for conditions that indicate physical defect or disability and to report such conditions promptly to the school nurse.

2) When a CEO receives a report of the existence of a communicable disease in a student's family, the school physician, school nurse practitioner or nurse must be notified and vice versa and also the Department of Health in either circumstance.

3) A pupil with a communicable disease may not be readmitted to school except upon written receipt of a physician's certificate of recovery or a statement that the illness is not communicable, or upon instruction from the school physician, school nurse practitioner, or nurse.

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

Book	Policy Manual
Section	Student
Title	Wellness Policy
Code	919
Adopted	October 15, 2020

Board of Trustees Policy

WELLNESS POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School"), in combination with students, parents, administrators, faculty and staff, is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating habits and physical activity. As a means to fostering such a school environment, the Board of Trustees of the Charter School sets forth the following goals and adopts the following Wellness Policy.

School Meals

To the extent practicable, all meals served to the Charter School students through the National School Lunch and Breakfast Programs will meet or exceed the minimum nutrition requirements established by local, state and federal law, as well as Dietary Guidelines published by the federal government or an appropriate governmental agency. Similarly, any foods and/or beverages sold from vending machines, through snack lines, at student stores, celebrations, athletic events, any school-sponsored or school-related event, or for the purpose of fundraising will meet or exceed the minimum federal nutrition requirements (USDA Smart Snacks in School).

The Charter School will make efforts to eliminate the social stigma attached to, and to prevent the identification of, students who are eligible for free and/or reduced-price school meals.

The Charter School will schedule meal periods at reasonably appropriate times, and will provide students with a minimum of twenty (20) minutes to enjoy their meals. In addition, the Charter School will discourage the scheduling of meetings or activities during meal times, including, but not limited to, tutoring, club meetings and/or organization meetings, unless the students will be permitted to eat during those meetings or activities.

The Charter School will provide facilities for appropriate hygiene.

Students will be discouraged from sharing foods and/or beverages with others.

The Charter School will not use foods or beverages for the purpose of rewarding students for academic achievement or good behavior; unless such a reward, system is specifically identified in a student's Individualized Education Program. Likewise, the Charter School will not restrict or withhold foods or beverages for the purpose of disciplining or punishing students.

Nutrition Education

Nutrition education will be integrated into other areas of the curriculum, such as math, science, language arts and social studies at all grade levels.

Nutrition education will be developmentally appropriate, interactive, and will teach skills needed to adopt healthy eating behaviors.

Nutrition education materials will be reviewed by a qualified and credentialed nutrition professional, including, but not limited to, a School Food Nutrition Specialist or Registered Dietitian.

Faculty and staff that teach nutrition education will have appropriate training.

Informational materials will be provided to students and families to encourage sharing of health and nutrition information, and to encourage healthy eating in the home.

Any marketing of foods and/or beverages undertaken by the Charter School will be consistent with federal competitive food standards (USDA Smart Snacks in School)..

Nutrition Promotion

It is the goal of the Charter School to promote positive nutrition throughout its staff and student body. In addition to the nutrition education above, the Charter School will encourage healthy nutritional choices through ongoing dietary health campaigns. Charter School staff will regularly circulate materials throughout Charter School buildings that promotes healthy nutrition. In addition, online and community campaigns may be utilized to market and inform these positive eating habits. Staff should be encouraged to eat healthier options in the presence of students and to discuss the benefits and consequences of a balanced diet. Please see the USDA's page on Dietary Health for more ideas and information: https://www.usda.gov/topics/food-and-nutrition/dietary-health

The Charter School will also regularly review its curriculum to ensure students and staff have access to opportunities and materials on nutrition. Additionally, the Charter School may partner with local organizations in the community to create opportunities for students to promote nutrition education.

Physical Activity

Physical activity will be integrated across curricula with activities that are safe, enjoyable and developmentally appropriate for all students in all grades.

All students will be given opportunities before, after, and throughout the school day for physical activity through physical education, recess periods and/or integration of physical activity into the curriculum.

Faculty and staff will be appropriately trained in integrating physical activity into the various curricular areas.

Students will be encouraged to participate in physical activity outside of the school environment, in both competitive and non-competitive environments.

Organized physical activity will be offered and encouraged at school-sponsored or school-related events.

To the extent practicable, the Charter School facilities will be made available to students, faculty, staff and the community for the purpose of offering physical activity and/or nutrition programs.

Physical activity will not be used or withheld as punishment.

Delegation of Responsibility

The Chief Executive Officer of the Charter School (CEO) shall be responsible to monitor the school, programs and curriculum to ensure compliance with this policy, related policies and established guidelines or administrative regulations.

Staff members responsible for programs related to student wellness shall report to the CEO or his/her designee regarding the status of such programs.

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

Book	Policy Manual
Section	Student
Title	Student Tobacco Use Policy
Code	920
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT TOBACCO USE POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that the use of tobacco presents a health and safety hazard, which can have serious consequences both for the smoker and the nonsmoker, and the safety of the Charter School and is, therefore, of concern to the Board.

For the purposes of this policy, "use of tobacco" shall mean all uses of tobacco and tobacco related products, including possession, including but not limited to the following: lighted or unlighted cigar, cigarette and pipe; other lighted or unlighted smoking product or material, smokeless tobacco in any form, electronic smoking products, as well as other controlled substances.

"Electronic smoking products," including "vaporizers" or "vapes" mean electronic products designed to deliver nicotine, flavor, and/or other potentially harmful chemicals. Vaping devices include any device manufactured, distributed, marketed or sold as an e-cigarette, e-cigar and e-pipe or under any other product, name or description. This policy also includes but is not limited to a liquid or substance placed in or sold for use in an electronic cigarette.

According to the U.S. Food and Drug Administration, vapes, vaporizers, vape pens, hookah pens, electronic cigarettes (e-cigarettes or e-cigs), and e-pipes are some of the many terms used to describe electronic nicotine delivery systems that are noncombustible. These products use an "e-liquid" that may contain nicotine, as well as varying compositions of flavorings, propylene glycol, vegetable glycerin, and other ingredients. The liquid is heated to create an aerosol that the user inhales. Vapes may be manufactured to look like conventional cigarettes, cigars, or pipes. Some resemble pens or USB flash drives. Larger devices, such as tank systems or mods, bear little or no resemblance to cigarettes.

School jurisdiction shall include use of property owned or operated by the School or contracted transportation to and from school and extra-curricular activities and during extracurricular activities. The time shall include transportation on School or leased vehicles or public transit vehicles.

Pennsylvania Act 128, of 2000[1] prohibits the use of tobacco products in Charter School buildings or other premises leased by, or under the control of Charter School and on buses, vans or other vehicles owned by, leased by or under the control of Charter School.

In order to protect students and staff from the safety hazards of smoking and from an environment noxious to nonsmokers, and because the Board cannot, even by indirection condone the use of tobacco by students, the Board prohibits the use of tobacco by students in school buildings, on school grounds, and on transportation on Charter School or leased vehicles or public transit vehicles.

Whenever such property shall be used as a public place or public meeting, the Charter School employee in charge shall prohibit the use of tobacco by any attendees.

The Board prohibits tobacco use and possession by students at school-sponsored activities that are held off school property.

The Chief Executive Officer of the Charter School (CEO) shall develop procedures to implement this policy, which include informing all students and staff members of the smoking regulations of this school; instructions on the potential hazards of the use of tobacco; the formation of a committee of students, staff members, parents, and community representatives to evaluate the effectiveness of the Board's policy on smoking and to solicit community and parental support in the discouragement of the use of tobacco and the awareness of safety hazards that smoking in public buildings produce.

Students who violate the Board's policy on the use of tobacco are subject to the consequences as set forth in the Charter School Code of Conduct.

Incidents of possession, use and sale of tobacco in violation of this policy by any person on Charter School property shall be reported to the Office of Safe Schools on the required form at least once each year.

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

Legal References:

1. Pennsylvania Act 128, of 2000

Book	Policy Manual
Section	Student
Title	Extracurricular Activities Policy
Code	921
Adopted	October 15, 2020

Board of Trustees Policy

EXTRACURRICULAR ACTIVITIES POLICY

The Board of Trustees ("Board") believes that the goals and objectives of the Chester Community Charter School ("Charter School") are best achieved by a diversity of experiences.

For purposes of this policy, "extra-curricular activities" shall be those activities which are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities shall ordinarily be conducted wholly or partly outside the regular school day, contribute to attainment of the Charter School objectives and be available to all students who voluntarily elect to participate, subject to the eligibility requirements of this policy.

The program of interscholastic athletics shall be considered extra-curricular and shall be defined as all activities relating to competitive sports, contests, games, events or exhibitions involving individual students or teams of students of this Charter School when such activities occur between schools.

The Chief Executive Officer of the Charter School ("CEO") shall be responsible for the development and administration of extra-curricular activities.

Any extra-curricular activity shall be considered to be under the sponsorship of the Charter School when it has been recommended by the CEO and approved by the Board.

The direct control of athletics in the Charter School may be delegated by the CEO to authorized staff within the Charter School in accordance with procedures established by the CEO.

Interscholastic activities shall not be scheduled to conflict with any educational activity necessary for meeting the requirements of the officially approved curriculum.

A faculty member shall be present at each game or contest and shall remain with his/her group or team until it leaves the building or grounds where the event is held.

The Charter School shall maintain the program of extracurricular activities at no cost to participating students, except that the Charter School's responsibility for the provision of supplies shall have the same exemptions as listed in the Charter School's policy on regular school supplies. Students may be required to assume all or part of the costs of travel and attendance at extracurricular events and trips. Financial obligations shall not prevent a student from participating in an extracurricular activity for which he/she otherwise is entitled to join.

Under Charter School Law, students are eligible to participate in the extracurricular activities of their school district of residence. School districts cannot limit participation of charter school students in extracurricular activities on the basis that the activity is "full" with school district students. Charter School students must

be given an equal opportunity to compete for "spaces" in extracurricular activities. School districts are not required to provide transportation for a charter school student to or from the extracurricular activity. There may be additional requirements that the district of residence and charter school need to consider if the student participating or seeking to participate in extracurricular activities is a student with a disability.

The resident school district may charge the Charter School for Charter School student participation in extracurricular activities since these costs were part of the per-pupil payment that is paid to charter schools. This fee is on a "cost basis", with the resident school district neither losing nor making money, as determined by the school district using the expenses of each activity, including coach or director, uniforms, transportation and miscellaneous cost develop policies to establish which school building Charter School students may participate in extracurricular activities, such as the building closest to the Charter School or the building the student would be assigned to if s/he attended the public school district.

Disputes regarding a Charter School student's participation in the school district's extracurricular activities should be resolved between the school district and the Charter School.

This policy mandates that students achieve minimum levels of academic and behavioral performance, that achievement comes first, and that the students participating in extracurricular activities will have earned that opportunity through their educational progress and citizenship as well as their physical skills and artistic or other talents.

Behavior Standards

Any student may be prohibited from participation in any extracurricular activity at the direction of the CEO if the student violates the attendance, citizenship, or behavior standards of the Charter School in accordance with the Student Handbook and/or Student Code of Conduct. Additionally, the Charter School's Student Handbook and Code of Conduct for Students remain in effect and are enforceable in relation to all clubs and activities.

All students must achieve basic or better in PSSA or its equivalent in Terra Nova in order to participate in extra-curricular activities with exceptions for students with IEPs and/or Section 504 Plans who will be measured in accordance with the accommodations/modifications for testing set forth in their respective IEPs or 504 Plans. Students failing to meet these criteria may participate providing they:

1. Participate in a mandatory support/remediation program; and

2. Submit a weekly report to the sponsor/coach certifying that the student has performed work in all classes.

Academic:

All students are eligible to participate in extracurricular activities until the end of the second report period. From the end of the second report period forward, the academic eligibility provisions for students apply.

Failures in two (2) or more subjects shall result in the student being declared ineligible for participation in extracurricular activities.

Summer School - For purposes of determining academic eligibility, the mark earned in summer school shall replace the subject failure.

These standards apply to all students who are participating in extra-curricular activities including students in both regular and special education classes, as modified by IEP Goals and/or 504 Plans in the latter case.

For a student transferring into the Charter School, eligibility will be determined by the last marking period of the school the student last attended. If such marks are unobtainable, the student may participate in extra-curricular activities until future eligibility is determined by the results of the first marking period in the new school.

It is the responsibility of the coach/sponsor of any activity to be familiar with the eligibility policies listed above and to monitor his or her activity to assure adherence to the policies. Before a student is permitted to participate in any extra-curricular activity, the coach/sponsor must ensure that only students meeting eligibility criteria are, in fact, participants.

All coaches and sponsors are required to report to the CEO or his/her designee necessary participant information on a timely basis. This information is critical to complete an accurate student accounting of participation in extracurricular activities.

A student's parent(s) may appeal an eligibility ruling by a coach or sponsor to the CEO. Any decision by the CEO may then be appealed to the Board.

Recruiting of students for the purpose of athletics is an unethical and unacceptable practice of athletics.

Drug Use:

Coaches and other school personnel must not encourage or facilitate the use of drugs, hormones, blood doping, or other similar means by students for any purpose including bodybuilding or the enhancement of athletic performance.

Students must not use drugs, hormones, blood doping, or similar means for the purpose of bodybuilding or the enhancement of athletic performance.

Violations of this policy will lead to disqualification of students from extracurricular activities and disciplinary action.

Attendance:

Any student having three (3) or more unexcused absences or lateness during the prior report card period may be ineligible for extra-curricular activities. Further, any student absent from school shall be ineligible for participation in any after school extra-curricular activity on that date of the absence.

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

Book	Policy Manual
Section	Student
Title	Student Clubs and Activities Policy
Code	922
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT CLUBS AND ACTIVITIES POLICY

The Board of Trustees ("Board") encourages and provides equal access to the formation of student clubs and activities that promote the educational mission of the Chester Community Charter School ("Charter School") and enhance the social and educational experience of its students.

This policy is intended to: (1) identify curriculum-related clubs and their parameters; (2) identify non-curriculum-related clubs and their parameters; (3) identify non-school-sponsored clubs; and (4) set forth basic procedures for the recognition and operation of student clubs and activities.

A student club or activity is considered to be curriculum-related if any one of the following criteria are met:

A) The subject matter of the group is actually taught or will soon be taught in a regularly offered course;

B) The subject matter of the group concerns the body of the course as a whole;

C) Participation in the group is required for a particular course; or

D) Participation in the group results in academic credit.

Administration is responsible for creating and maintaining for distribution a list of curriculum-related student clubs and activities that meet one of the above-criteria.

If a student wishes to recognize a club or activity as a curriculum-related club or activity, he or she shall seek a faculty member/ mentor who shall be approved by the Chief Executive Officer of the Charter School (CEO), and who will make written application to Administration setting forth how the proposed club or activity meets one of the above-stated (4) four criteria. Upon receipt of the recommendation, the CEO or his/her designee shall make a decision whether to recognize the club as curriculum-related club or activity.

If the student club or activity is approved as a curriculum-related club or activity, at the discretion of Administration, the student club or activity may meet during normal school hours at the time and location approved in advance by Administration.

Each curriculum-related student club or activity shall be organized and operated with the assistance and under the supervision of the Charter School faculty sponsor/mentor, who shall be approved in advance by Administration and who shall supervise and assist with the club's/activity's operations.

The designated Charter School faculty member shall file with Administration whatever reports Administration deems necessary and appropriate with respect to the operation of the club or activity and in particular with respect to meeting the above-stated criteria.

Non-Curriculum-Related Student Clubs or Activities

These are clubs and activities that are related to the educational mission of the Charter School but which do not qualify as curriculum-related clubs or activities.

Administration is responsible for creating and maintaining a list of non-curriculum-related student clubs or activities for distribution.

If a student wishes the Charter School to recognize a club or activity as a non-curriculum-related club or activity, he or she shall seek a faculty sponsor/mentor, who will make written application to Administration setting forth how the proposed club or activity meets one of the above-stated (4) four criteria. Administration will then refer the written application with a recommendation with respect to recognizing the proposed student club or activity as non-curriculum-related. Upon receipt of the recommendation, the CEO of his/her designee shall make a decision whether to recognize the club as a non-curriculum-related club or activity.

Each club or activity approved by the CEO or his/her designee shall have a Charter School faculty sponsor approved by Administration who shall supervise and assist with the club's/activity's operations.

All meetings shall take place before school or after school during non-instructional hours at a time and location approved in advance by Administration.

Non-Approved School Clubs or Activities

These are clubs or activities which do not meet the requirements set forth above and which have not been given approval by CEO of his/her designee.

These are not clubs or activities that will be endorsed by the Charter School and Administration may endorse announcements with the following: "Chester Community Charter School does not recognize this as a school-sponsored activity or club and the Chester Community Charter School does not endorse the views of the club or activity or of its participants."

Nonetheless, 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 and Administration is directed to comply with applicable federal and state laws regarding student expression, assembly and speech.

General Requirements for All Student Clubs and Activities

All meetings shall be voluntary and student-initiated. A Charter School faculty member pre-approved by Administration must be present for meetings or activities.

Students shall not be denied access to a student club or activity or to the formation of a student club or activity on the basis of race, sex, color, religion, sexual orientation, national origin or disability or for any other legally protected reason.

No meeting or activity may include or endorse any conduct which is unlawful or which materially or substantially interferes with the orderly conduct, education or activities within the Charter School.

The Charter School Code of Conduct for students and staff remain in effect and are enforceable in relation to all clubs and activities.

Students may only invite outside speakers to meetings with approval from Administration. Such outside speakers may not be in regular attendance at the meetings or control the meetings or activities of the group and may be required to provide proof of criminal history and child abuse clearances.

All groups shall be allowed the opportunity to announce such meetings by means of posters, bulletin boards, public announcements, student newspaper(s), school website, etc. so long as prior approval is given by Administration.

Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, encourages unlawful activity or interferes with another individual's rights.

Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Students are required to submit for prior approval a copy of materials to be displayed, posted or distributed on Charter School property.

Bulletin boards must conform to the following:

A) Administration has the authority to restrict the use of certain bulletin boards.

B) Bulletin board space should be provided by Administration for the use of students and student organizations.

C) Administration may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

Administration may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school. A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.

The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

No monies may be collected, solicited or disbursed in connection with any student club or activity without prior permission of Administration or, where appropriate, the Board. In addition, student travel in connection with any club or activity must be pre-approved by the Board of Trustees.

Administration is directed to implement procedures and create forms to carry out this policy. Administration is directed to consult with the Charter School nurse regarding any medical forms that may be warranted.

Reservation of Right to Terminate

The Board and or the CEO reserves the right to terminate its recognition of any student club or activity.

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

APPLICATION FOR CURRICULUM-RELATED CLUBS OR ACTIVITIES

1. Name of Applicant: _____

2. Name of Organization: _____
_____

3. General purpose for the club or activity: _____
_____
_____

4. Names of student officers or organizing students:_____
_____

5. Name of Faculty Sponsor/Mentor*:_____

6. Proposed schedule of meetings and activities and location:_____
_____
_____

7. Does the club meet one of the following criteria? In addition, if the club or activity meets criteria b., please state the basis for your conclusion:

   a. The subject matter of the group is actually taught or will soon be taught in a regularly offered course. (Yes) (No)

   b. The subject matter of the group concerns the body of the course as a whole. (Yes) (No)
      Explanation: _____
      _____

   c. Participation in the group is required for a particular course (Yes) (No)

   d. Participation in the group results in academic credit. (Yes) (No)

8. The applicant has read and fully understands the Charter School's Student Clubs and Activities Policy and regulations. The club or activity shall comply with and abide by the Policy and regulations.

9. The applicant and the club or activity recognize that the Charter School reserves the right to terminate the curriculum-related club or activity.

_____

Signature of Faculty Sponsor/Mentor (Applicant)

_____

Signature of Student

_____

Administration Endorsement (Yes) (No)

_____

Board Secretary

Board Approval (Yes) (No)

*The Faculty Sponsor/Mentor is subject to the pre-approval of the CEO.

APPLICATION FOR NON-CURRICULUM-RELATED CLUBS OR ACTIVITIES

1. Name of Applicant: _____

2. Name of Organization: _____
_____

3. General purpose for the club or activity: _____
_____
_____

4. Names of student officers or organizing students:_____
_____

5. Name of Faculty Sponsor/Mentor*:_____

6. Proposed schedule of meetings and activities and location**:_____
_____
_____

7. Are you requesting that this club or activity be school sponsored? (Yes) (No)

If you are requesting that the club or activity be school sponsored, please set forth below the reasons in support of your request:_____
_____
_____

8. The applicant has read and fully understands the Charter School's Student Clubs and Activities Policy and regulations. The club or activity shall comply with and abide by the Policy and regulations.

9. The applicant and the club or activity recognize that the Charter School reserves the right to terminate the non-curriculum-related club or activity.

_____

Signature of Faculty Sponsor/Mentor (Applicant)

_____

Signature of Student

_____

Administration Endorsement (Yes) (No)

_____

Board Secretary

Board Approval (Yes) (No)

*The Faculty Sponsor/Mentor is subject to the pre-approval of the CEO.

**The time and location of the meetings shall take place either before or after school during non-instructional hours which must be approved in advance by the CEO.

Book	Policy Manual
Section	Student
Title	Student Fundraising Policy
Code	923
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT FUND RAISING POLICY

The Board of Trustees (Board) of the Chester Community Charter School (Charter School) recognizes the importance of allowing student to raise funds for various causes and/or projects. In an effort to provide for Student Fundraising activities, the Board establishes this Policy to give students clear understanding of the Charter School's position with regard to student fundraising.

1. The Board of Trustees ("Board") of Chester Community Charter School ("Charter School"), acknowledges that the solicitation of funds from students must be limited because compulsory attendance laws make the student a captive donor and such solicitation may disrupt the program of the Charter School.

2. Definition

   2.1 For purposes of this policy "student fund raising" shall include the solicitation and collection of money by students for any purpose and shall include the collection of money in exchange for tickets, papers, advertising or any other goods or services.

3. Authority

   3.1 The Board prohibits the collection of money in school or on school property, or at any school sponsored event by a student for personal benefit or for entities and organizations not affiliated with the Charter School, such as a student's house of worship, or a non-profit and/or for-profit entity with which student(s) are involved outside of the Charter School.

   3.2 Collection of money by approved Charter School organizations may be permitted by the Chief Executive Officer of the Charter School (CEO) or his/her designee. Collection by students on behalf of Charter School organizations outside the school day and building(s) may be permitted only by the CEO or his/her designee. The Board prohibits any fund-raising activities that require students to solicit door to door.

4. Delegation of Responsibility

   4.1 The CEO or his/her designee shall establish rules and regulations for the solicitation of funds which shall specify the times and places in which funds may be collected and describe permitted methods of solicitation which do not place undue pressure on students or patrons.

4.2 The CEO or his/her designee shall distribute this policy and the rules which implement it to each student organization granted permission to solicit funds. Funds solicited shall be controlled by the CEO or his/her designee.

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

Book	Policy Manual
Section	Student
Title	Student Participation in School Affairs Policy
Code	924
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT PARTICIPATION IN SCHOOL AFFAIRS POLICY

The Board of Trustees ("Board") of Chester Community Charter School ("Charter School") believes that students should participate in the governance of school activities at levels appropriate to their ages and competencies because:

(a) Schools, as an institution fundamental to the operation of a democratic society, should exemplify citizen participation in decision-making

(b) The curriculum should develop increasing knowledge, students' skills and responsibilities in planning and executing the cooperative activities;

(c) Students are a valuable resource whose contributions can materially aid and benefit their school.

2. Authority

(a) The Board authorizes the Chief Executive Officer of the Charter School (CEO) or his/her designee to encourage student participation in activities commensurate with students' understanding and abilities.

(b) Recommendations for the improvement of the Charter School may be offered by any student, provided the recommendations are of a constructive nature and contribute toward the realization of the educational goals of the Charter School.

3. Delegation of Responsibility

The CEO or his/her designee shall develop procedures to implement this policy which:

(a) Provide for the submission, consideration and response to constructive student suggestions;

(b) Designate the manner by which students shall be selected for participation in school matters;

(c) Ensure that student participation is fairly representative of the student body;

(d) Ensure that the student voice and vote in decision making is fairly balanced with those of faculty, administration and community members.

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

Book	Policy Manual
Section	Student
Title	Acceptable Use and Internet Safety Policy
Code	925
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

ACCEPTABLE USE AND INTERNET SAFETY POLICY

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

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

This policy is intended to fulfill requirements of state and federal laws to the extent applicable, including the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. §§ 254(h) and (l)[1] and the Neighborhood Children's Internet Protection Act (NCIPA)[2], the 2008 Broadband Improvement Act, P.L. 110-385[3] and any applicable implementing regulations. As such, this policy addresses the following:

(A) Access by minors to inappropriate matter on the Internet and World Wide Web;

(B) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

(C) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;

(D) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and

(E) Measures designed to restrict minors' access to materials harmful to minors.

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

*** This Policy reappears in the "Operations" section, Policy #615, for convenience purposes only*

Definitions

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

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

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.

18 U.S.C.A. §2256(8)[4]

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

18 PA CSA §6312(d)[5]

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

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

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

Miller v. California, 413 U.S. 15 (1973)[6].

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

Sexual Act and Sexual Contact. Has the meanings given such terms under 18 U.S.C. § 2246(2)[7] 18 U.S.C. § 2246(3)[7], and 18 Pa.C.S.A. § 5903[8].

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

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

User. Any person who has signed this policy and is permitted by the Charter School to utilize any portion of the Charter School's Technology Resources including, but not limited to, students, parents, employees, Board of Trustee members, contractors, consultants, vendors and agents of the Charter School.

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

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

Authorized Users

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

User Privacy

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

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

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

Technology Administration

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

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

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

Content Filtering and Monitoring

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

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

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

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

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

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

Viruses

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

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

To ensure security and avoid the spread of viruses, Users accessing the Internet through a Technology Resources attached to the Charter School's network must do so through an approved Internet firewall or Technology Protection Measure.

Encryption Software

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

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

Web Content Developed By Students

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

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

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

Prohibitions

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

1. To facilitate illegal activity, including unauthorized access and hacking;
2. To engage in commercial, for-profit, or any business purposes, except where such activities are otherwise permitted or otherwise authorized;
3. Non-work or non-school related work;
4. Product advertisement or political lobbying;
5. Production or distribution of hate mail, unlawfully discriminatory remarks, and offensive or inflammatory communication;
6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials;
7. To access or transmit material that is harmful to Minors and/or Users, indecent, Obscene, pornographic, Child Pornographic, terroristic, or advocates the destruction of property;
8. Use of inappropriate language or profanity;
9. To transmit material likely to be offensive or objectionable to recipients;
10. To intentionally obtain or modify files, data and passwords belonging to other Users, or integral to system and network operations;
11. Impersonation of another User, anonymity and/or use of pseudonyms;
12. Loading or use of unauthorized games, programs, files, or other electronic media;
13. To disrupt the work of other Users;
14. Destruction, modification, or abuse of Technology Resources and peripheral hardware or software;
15. Relocation of Charter School hardware without prior administrative consent;
16. Quoting personal communications in a public forum without the original author's prior consent;
17. To access or use any form of electronic mail on Charter School Technology Resources unless authorized by the CEO or his/her designee;
18. Using the network to participate in online or real-time conversations unless authorized by the teacher/administrator for the purpose of communicating with other classes, students, teachers, experts or professionals for educational purposes;
19. Using a disk, removable storage device or CD/DVD brought into the Charter School from an outside source that has not been properly scanned for viruses or authorized for use by a teacher/administrator in accordance with Charter School established procedures;
20. To discriminate against, advocate violence against, harass, intimidate, bully or cyberbully others;
21. To send unsolicited ("spamming") or forwarded e-mails and chain letters to persons;

22. Using "spoofing" or other means to disguise User identities in sending e-mail or other electronic communication via bulletin boards, newsgroups, social networking sites, instant messages, e-mail systems, chat groups, chat rooms, or through other Technology Resources;

23. To send, transmit or otherwise disseminate proprietary data, trade secrets, or other confidential information of the Charter School;

24. Posting or allow the posting of personal information about themselves or other people on the Technology Resources unless authorized by the CEO. Personal information includes address, telephone number (including home, work and cell phone numbers), school address, work address, pictures or video bites, clips, etc.;

25. To refer to or attempt to refer to the Charter School or its employees, agents, trustees, parents or students in any electronic communication, posting, blog, website, e-mail or social networking site, without written authorization of the CEO;

26. To access or transmit gambling, pools for money, or any other betting or games of chance;

27. To solicit information with the intent of using such information to cause personal harm or bodily injury to another or others;

28. Posting, sharing or attempting to post information that could endanger an individual, cause personal damage or a danger of service disruption; and

29. Indirectly or directly making connections that create "backdoors" to the Charter School, other organizations, community groups, etc. that allow unauthorized access to the Technology Resources or the Charter School.

30. Any conduct that is contrary to the requirements set forth in the Family/Student Handbook, Employee Handbook or any other Charter School related Policies and Procedures.

Security

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

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

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

1. Students and other Users shall not reveal their passwords to another unauthorized individual.

2. Passwords shall not be printed or stored online.
3. Students and other Users are required to log off from the network when they complete working at a particular station.
4. Users are not to use a computer that has been logged in under another student's, teacher's or User's name.
5. Any User identified by the CEO or his/her designee as having a history of discipline problems involving Technology Resources may be denied access to any or all of the Charter School's Technology Resources.
6. Students and other Users shall not alter a communication originally received from another person or computer with the intent to deceive.
7. Users shall not misrepresent the identity of a sender or source of communication.
8. Users shall not disable or circumvent any Charter School security; software or hardware.
9. Users shall not interfere with or disrupt the Charter School's systems, network accounts, services or equipment.
10. Files, system security software/hardware or any Charter School system shall not be altered or attempt to be altered without the written authorization of the CEO or his/her designee.
11. Unauthorized hardware and electronic devices shall not be connected to the Charter School system.
12. Users shall comply with requests from the CEO or his/her designee to discontinue activities that threaten the operation or integrity of the Charter School system.

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

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

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

Students Using Approved Personal Technology For Classroom Use

The Charter School retains the right to determine where and when personal technology may access the Charter School network. The CEO or designees will determine if Users are permitted to connect on a space-available basis and Charter School resources will receive priority over non-Charter School equipment and may connect on a space-available basis and Charter School resources will receive priority

over non-Charter School equipment. Peripheral devices such as printers may not be disconnected from the network and connected to personal technology.

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

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

File storage on the network is limited to schoolwork only.

The Students must supply all necessary hardware and software in order to be permitted to use personal technology in the classroom.

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

Photos, digital images, videos, and recordings taken of Charter School students and staff without their consent or knowledge will not be tolerated. Violators will be subject to disciplinary actions including but not limited to loss of privileges to possess and use electronic devices on Charter School property, at Charter school sponsored events/activities and on Charter School transportation.

Personal technology discovered on the Charter School network without authorization from the CEO and/or his/her designee shall be confiscated.

Safety

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

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

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

1. Utilizing technology protection measures that block or filter Internet access for minors and adults to certain visual depictions that are Obscene, Child Pornography, harmful to minors with respect to use by Minors, or determined inappropriate for use by Minors by the Board of Trustees.

2. Approved employees and/or vendors with access to the room that contains Charter School's server.
3. Removing terminated employees and vendors from the Charter School's system in a timely manner.
4. Analyzing the impact of proposed program changes in relation to other critical business functions before adopting the proposed program changes.
5. Developing compensating controls to mitigate information technology (IT) weakness to student data, i.e. reconciliations to manual records, analysis of student trends, data entry procedures and review, etc.

Vendors

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

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

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

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

Closed Forum

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

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

Records Retention

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

In the case of pending or threatened litigation, the Charter School's attorney will issue a litigation hold directive to the CEO or his/her designee. A hold directive will direct all Charter School administration and staff not to delete or destroy any electronic mail or other documentation on a computer as related to a specific student, employee, issue and/or for a specific time period. Failure to follow such a directive could result in negative legal consequences for the User and/or within the actual or threatened litigation. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the Charter School's attorney.

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

Drafting E-mails

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

Privileged Attorney-Client Communications

Confidential e-mail sent to or retained from counsel or an attorney representing the Charter School shall include this warning header on each page: "ATTORNEY CLIENT PRIVILEGED: DO NOT FORWARD WITHOUT PERMISSION" or some other similar warning header that communicates the privileged nature of the communication.

Damages

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

No Warranty/No Endorsement

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

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

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

Unauthorized Disclosure of Information of Minors

It is a violation of state laws, including, but not limited to Chapter 12 of Title 22 of the Pennsylvania Code, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g)[9] and all other federal laws and regulations, to access data of a student the User does not have a legitimate educational interest in or to disclosure information about a student without parental permission or absent an exception to the disclosure requirements. Access and distribution of student data is recorded.

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

Compliance with Applicable Laws and Licenses

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

Violations of Acceptable Technology Usage Policies and Procedures

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

privileges may be suspended pending investigation into the use of the Charter School's Technology Resources and equipment.

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

Consequences for Inappropriate Use

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

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

General rules for behavior and communications apply when using the Internet or any Charter School Technology Resource. Suspension of access, loss of access and other disciplinary actions may be consequences for inappropriate use. Vandalism may result in cancellation of access privileges, discipline and possible criminal action.

Cessation of Access

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

Education of Technology Resource Users

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

No Additional Rights

This Policy is not intended for and does not grant Users any contractual rights.

Users of the Charter School's Technology Resources must review this policy closely and sign and return to Charter School a form acknowledging receipt and acceptance of the terms in this policy, which is attached hereto. Venue for any legal action arising out of an alleged and/or actual violation of the attached Agreement(s) shall be in Montgomery County, Pennsylvania.

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

Legal References:

1. 47 U.S.C. §§ 254(h) and (l)[1]
2. Neighborhood Children's Internet Protection Act (NCIPA)
3. 2008 Broadband Improvement Act, P.L. 110-385
4. 18 U.S.C.A. §2256(8)
5. 18 PA CSA §6312(d)
6. Miller v. California, 413 U.S. 15 (1973)
7. 18 U.S.C. § 2246(2)
8. 18 Pa.C.S.A. § 5903
9. 20 U.S.C. § 1232g

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

Dear Parent/Guardian:

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

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

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

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

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

I shall respect the privacy of other Users and will not make any attempts to gain access into the private

mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.

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

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

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

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

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

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

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

X

_____

(User Signature) **(Date)**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

X

_____

(User Signature) **(Date)**

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

Acknowledgement of the Acceptable Use and Internet Safety Policy (Administrator and Staff User Agreement)

I, _____, a User of **Chester Community Charter School's** ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

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

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

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

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

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

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

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

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

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

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

By signing below, I agree to abide by the Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

_____

(User Signature) **(Date)**

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

Acknowledgement of the Acceptable Use and Internet Safety Policy (Vendor, Contractor and/or Consultant Agreement)

I, _____, a User of **CHESTER COMMUNITY CHARTER SCHOOL'S** ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

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

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

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

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

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

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

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

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

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

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

By signing below, I agree to abide by the Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

_____

(User Signature) **(Date)**

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

Book	Policy Manual
Section	Student
Title	Video Surveillance Policy
Code	926
Adopted	October 15, 2020

Board of Trustees Policy

VIDEO SURVEILLANCE POLICY

The Board of Trustees of Chester Community Charter School ("Charter School") ensures that all students have the right to a safe school environment and therefore, endorse this policy with regard to video surveillance within the Charter School's classrooms, hallways, lunchrooms, assembly halls or other public areas of the School building in which Students do not have an expectation of privacy. There will not be any audio recording of students or others in the School building as part of the video surveillance approved through this policy.

In order to prevent any foreseeable FERPA[1] violations, this Policy sets forth:

- a clear statement of appropriate reasons for using surveillance cameras;
- the role and responsibilities of individuals with access to the cameras;
- individuals who will have access to any footage;
- how long will any footage be kept and how will it be destroyed; and
- the need for a consent provision to be signed by Parents/Guardians.

Such surveillance is permitted primarily for the purpose of monitoring and improving student safety. This video footage may also be used as part of a Student or Students' educational programming if Student is IDEA eligible and as a result has behavioral needs, or has behavioral accommodations in his/her Section 504 Service Plan. This footage may provide valuable information as to behavioral triggers, both individually and environmentally, that are critical to the successful completion of Functional Behavioral Assessments, Positive Behavior Support Plans, and informal behavioral interventions. In both cases, images from the video surveillance cameras are subject to the Family Education Rights and Privacy Act, ("FERPA")[1], if being maintained as educational records for use in educational programming and/or disciplinary actions.

The Chief Executive Officer of the Charter School (CEO) and/or his designee and other designated Administrators, as necessary in a situation, will have access to the camera footage in order to determine if same will be maintained as an educational record based on the content of the video footage. A Charter School employee, contractor, volunteer, Parent or Student should notify either the CEO and/or his designee or other designated Administrator if there is a belief that some or all of the video footage from one or more dates requires review with regard to a behavioral or disciplinary incident or involves educational programming for one or more students.

In addition to Charter School personnel listed above, and in accordance with FERPA, these videotaped educational records may only be shared with the Parents/Guardians of the students whose images are on

the video and with outside law enforcement authorities, as appropriate. Images of students captured on security videotapes that are maintained by a School's law enforcement unit may not be initially considered education records under FERPA but may be seen as FERPA protected if later used by School Administration in a disciplinary proceeding. In order to view footage containing students' images other than of a Parent/Guardian's own child, permission must be requested by the Charter School and granted by the other students' Parents/Guardians before the Charter School may permit a Parents/Guardians' review of another student on the video footage for purposes of FERPA confidentiality.

Video footage may be maintained for a reasonable period of time, which depends on the individual building's DVR storage capabilities, unless Administration is notified that there is a request for review by a Parent or Student based on a safety, behavioral or programming concern. If it is determined by Administration, after such a review, that any/all of the footage is to be maintained as an educational record, it will be maintained in accordance with the Charter School's Board approved Record Retention and Destruction Policy.

Notice to the Charter School community of the use of surveillance cameras in areas of the School building in which Students do not have an expectation of privacy will be placed in the Parent/Student Handbooks which is distributed to all Charter School families annually. Such notice will also be provided by posting actual signs in the School building that surveillance cameras are located throughout public areas of the school building and therefore, that anyone on Charter School property may be videotaped. A contact person from the Charter School staff will be included in the Handbook for parents and students to make any inquiries regarding this policy and any related Charter School procedures.

With regard to any Open Records obligations of the Charter School, typically, FERPA-protected education records are excepted from the disclosure requirements of open-records laws. If the recording is maintained by Charter School officials as an education record because, for instance, it contains images of a student in an altercation, the Charter School's obligations under FERPA to protect the confidentiality of the recording will, in most cases, override its open-records obligations.

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

Legal References:

1. FERPA

Book	Policy Manual
Section	Student
Title	Social Media and Networking Guidelines Policy
Code	927
Adopted	October 15, 2020
Revised	September 16, 2021

Board of Trustees Policy

SOCIAL MEDIA AND NETWORKING GUIDELINES POLICY

Purpose:

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School"), adopts this Policy as a necessary source of guidance for Charter School families, employees and volunteers with regard to the use of social media in Charter School facilities, at Charter School sponsored activities and events, on Charter School transportation, and off-school hours while engaged in private means and sites but where postings and interactions by Charter School families, students, employees and volunteers could impact and substantially disrupt functioning of the Charter School or the reputation of the Charter School or of the individual members of the school community.

While safe and appropriate use of social media is useful in education, unsafe and inappropriate use of social media both inside and outside of the Charter School is prohibited and subject to Charter School discipline and reporting to local, state and/or federal law enforcement pursuant to applicable Student or Employee Codes of Conduct, as well as to local and state child welfare agencies pursuant to the Board's Mandatory Reporter Policy (in accordance with the Pennsylvania Child Protective Services Law**,** at 23 Pa.C.S. §§6301 et seq.[1]), and to other governmental agencies as part of its duties pursuant to the Safe Schools Act at 24 P.S. §§13-1301-A, et seq.[2]

Additionally, this Policy is in compliance with other Board of Trustees approved policies that are in accordance with the Pennsylvania Department of Education ("PDE") guidelines, and the Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554[3] and 47 USC 254(h)[4], which mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to "visual depictions" that are determined to be "obscene," "child pornography," or "harmful to minors" as defined herein. This Policy is also in accordance with PDE's further guidance that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children's Internet Protection Act (N-CIPA)[5], which was passed as part of CIPA, to enforce an Internet Safety Policy (ISP) that addresses harmful or inappropriate online activities.

DEFINITIONS

- Users – Any person who has signed the Acceptable Use and Internet Safety Policy and is permitted by the Charter School to utilize any portion of the Charter School's Technology Resources including, but not limited to, students, parents, employees, Board of Trustee members, contractors, consultants, vendors and agents of the Charter School.

- Technology Resources – includes technologies, devices and resources used to access, store or communicate information. This definition includes, but is not limited to, computers, information

systems, networks, laptops, iPads, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, digital cameras, wireless reading devices, i.e. Kindles and Nooks, Internet, electronic mail, electronic communications, devices and services, multi-media resources, hardware and software, including Moodle software.

- Social Media – includes websites that incorporate one or more of the following:
    - Blogs – are web logs or journals where authors and users can post textual, audio, or video content, and where some permit others to post comments on their blogs. Some websites enable individuals to create freestanding blogs, other special interest websites use blog tolls and message forums to engage users. Non-exclusive examples would include, but are not limited to: Facebook, Instagram and Twitter.
    - Media sharing – are websites where users post and share videos, audio files and/or photos as well as tag them to enable searching. Non-exclusive examples would include, but are not limited to: YouTube, Twitter, Vimeo, and Snapchat.
    - Social media includes communication, collaborative sharing, and reaching students, employees and guests for educational purposes using websites, platforms, resources, or documents. Non-exclusive examples would include, but are not limited to: Google Plus, Teacher Tube.
- Prohibited Communications – Communications which may not be posted through social media shall be set forth specifically in the aforesaid Guidelines and Student Code of Conduct and include but are not limited to: (1) personally identifiable information about Charter School students, and personal and/or confidential information about Charter School employees, volunteers or guests; (2) child pornography, sexual exploitation, bullying/cyberbullying, inappropriate commercialization of childhood experiences; (3) defamatory or discriminatory statements and images; (4) unauthorized or false information which could damage the Charter School's reputation, its employees, its students or their families; (5) infringement upon intellectual property, proprietary information etc.

RESPONSIBILITIES:

The Charter School shall facilitate a safe learning and teaching atmosphere, foster the educational purpose and mission of the Charter School, and protect its "informational technology," information and data, and users' benefits. The Charter School recognizes that it has the responsibility to provide a safe online environment for all users in the Charter School community and to educate users as to how to safely and appropriately use social media with regard to the Charter School and its community.

Users will be required to fully comply with this Policy and its accompanying administrative procedures and guidelines, other approved Board of Trustee Policies, such as the Acceptable Use and Internet Policy that provides guidance as to acceptable use of Technology Resources provided by the Charter School. These services and equipment are provided by the Charter School as a privilege to the User (as defined below) and appropriate and ethical use of any Charter School Technology Resources, tools and equipment is required. Users are required to comply with other local, state and federal laws as well.

As a result, it shall be the responsibility of all users to understand their personal responsibilities and to carefully monitor their behavior when communicating through social media. There shall be an annual distribution of the "Guidelines to Parent/Guardian & Student Social Media and Networking With Acknowledgement Form" to all Charter School families in order to educate both Parents/Guardians and

their Students of their responsibility for on-line behavior and for Parents/Guardians to be able to further explain their own responsibilities for their children's on line behavior and that of their minor children themselves.

To the extent consistent with applicable state and federal laws and reasonably practical, the Chief Executive Officer of the Charter School ("CEO") or his/her designee shall be responsible for the management of the Charter School's system's technology protection measures (or "Internet filters") to block or filter Internet, and other forms of electronic communications, and access to inappropriate information. Technology protection measures shall only be disabled pursuant to the direction of the CEO or his/her designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the CEO or his/her designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the CEO of the Charter School or his/her designee.

In accordance with the annually distributed "Guidelines to Parent/Guardian & Student Social Media and Networking With Acknowledgement Form," teachers shall educate students about appropriate and safe online behavior, monitor online behavior when in the Charter School facility or at Charter School sponsored events and activities or on school transportation and to report any inappropriate behavior to Charter School Administration for disciplinary measures in accordance with the Student Code of Conduct. Teachers shall explain and model appropriate use of the Internet for students through the Charter School's information technology and communicating with alumni on social media.

Students' Responsibilities shall be set forth in the "Guidelines to Parent/Guardian & Student Social Media and Networking With Acknowledgement Form," and shall include, but not be limited to:

- Students should not reveal personally identifiable information about themselves or other persons on social media.
- Students shall be directed not to meet in person anyone they have met on the Internet.
- Students shall be encouraged to promptly disclose to their teacher or other school employee any message or other activity they receive that is inappropriate or makes them feel uncomfortable.
- Students shall be encouraged to treat other people how they would want to be treated when using social media.

Parents' Responsibilities shall also be set forth in the "Guidelines to Parent/Guardian & Student Social Media and Networking With Acknowledgement Form," and shall include, but not be limited to:

- Parents are primarily responsible for transmitting social values and norms to their children, and discussing with their children what material is and is not acceptable for their children to access through the Charter School's information technology with the aforesaid Guidelines as a reference tool.
- Parents are exclusively responsible for monitoring their children's use of the Internet when the Charter School's Internet systems are accessed from home or a non-school location. Parents take the responsibility for their children's behavior on social media in accordance with the aforesaid Guidelines and the Charter School Student Code of Conduct as to

prohibited communications both inside and outside of the Charter School facility and at Charter School sponsored events and activities.

Employees' responsibilities shall be set forth in the annually distributed "Guidelines to Employee Social Media and Networking With Acknowledgement Form," and shall include, but not be limited to:

- Safe and appropriate use of social media both in the Charter School facility and at Charter School sponsored events and activities in accordance with the aforesaid Guidelines and the Charter School Employee Human Resources and Benefits Guide.

- Abuse/misuse of the computer, email and Internet including, but not limited to, accessing social networking sites, defaming, disparaging or harassing the Charter School, other employees or students.

- Safe and appropriate use of social media outside of the Charter School facility and when not engaged in Charter School sponsored activities or events in accordance with the aforesaid Guidelines and the Charter School Employee Human Resources and Benefits Guide.

- Employees are prohibited from using social networking sites (i.e. Facebook, Instagram, etc.) during work hours and while on Charter School property. Employees are also prohibited from using School email address or School name in their personal profile.

- Such safe and appropriate use includes, but is not limited to:

    - Educational purposes unless approval by the CEO to use social media websites for a related educational purpose;

    - Not posting Charter School students' personally identifiable information or any student photos on personal or professional social media.

    - Not contacting and/or enrolling prospective, current or former students through social media.

    - Preventing exposure of Charter School students to prohibited information on social media.

- Employees are discouraged from engaging in email, text, and/or social media contact with students. If an employee must communicate with students on school-related matters using any of these means, he/she should include a parent/guardian and must notify his/her supervisor of the contact(s).

SAFE SCHOOLS ACT AND MANDATORY REPORTER DUTIES

The Charter School shall comply with the Safe Schools Act reporting requirements and all Charter School staff and volunteers are Mandated Reporters regarding child abuse as defined in the Pennsylvania Child Protective Services Law for purposes of reporting. Therefore, the Charter School may be required to report certain communications posted to social media to local, state or federal law enforcement, local and state

welfare agencies and/or other state or federal governmental agencies.

TRAINING

The Charter School shall provide training for employees and instructional sessions for students to educate them about the importance of how to appropriately use social media, and how to comply with the requirements of this policy, and any administrative procedures and/or guidelines developed to implement this Board Policy.

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

Legal References:

1. 23 Pa.C.S. §§6301 et seq.
2. 24 P.S. §§13-1301-A, et seq.
3. Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554
4. 47 USC 254(h)
5. Children's Internet Protection Act (N-CIPA)

Book	Policy Manual
Section	Student
Title	Children's Internet Protection Act (CIPA) Policy
Code	928
Adopted	October 15, 2020

Board of Trustees Policy
CHILDREN'S INTERNET PROTECTION ACT (CIPA) POLICY

According to the Pennsylvania Department of Education ("PDE"), the Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554[1] and 47 USC 254(h)[2], mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to "visual depictions" that are determined to be "obscene", "child pornography", or "harmful to minors" as defined herein.

PDE has further stated that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children's Internet Protection Act (N-CIPA)[3] to adopt and enforce an Acceptable Use and Internet Policy that addresses harmful or inappropriate online activities. N–CIPA was passed as part of CIPA.

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

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

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

This Policy has been adopted after reasonable public notice and at a meeting held open to the public to address this Policy.

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

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

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

CIPA/N-CIPA Compliance/Internet Safety

It is the policy of the Charter School to:

(1) Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, and all other forms of direct electronic communications;

(2) Prevent unauthorized access and other unlawful online activity;

(3) Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and

(4) Comply with the Children's Internet Protection Act, Pub. L. No. 106-554[1] and 47 USC 254(h)[2].

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

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

(1) Obscene, as that term is defined in section 1460 of title 18, United States Code[4];

(2) Child Pornography, as that term is defined in section 2256 of Title 18, United States Code[5]; or

(3) Harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code[6].

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

Technology protection measures shall only be disabled pursuant to the direction of the CEO or his /her designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the CEO or his / her designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the CEO of the Charter School or his or her designee.

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

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

(1) Unauthorized access, including so-called 'hacking,' and other unlawful activities; and

(2) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

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

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

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

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

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

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

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

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

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

(1) There shall be no expectation of privacy by users of the Charter School's Computer Resources;

(2) The Charter School does not guarantee the effectiveness of technology protection measures or internet filtering; and

(3) The Charter School does not guarantee network functionality or accuracy of online information.

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

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

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

Legal References:

1. Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554
2. 47 USC 254(h)
3. Children's Internet Protection Act (N-CIPA)
4. 1460 of title 18, United States Code
5. 2256 of Title 18, United States Code
6. 2246 of title 18, United States Code

Book	Policy Manual
Section	Student
Title	Electronic Devices by Students Policy
Code	929
Adopted	October 15, 2020

Board of Trustees Policy

ELECTRONIC DEVICES BY STUDENTS POLICY

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

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

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

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

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

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

(a) Confiscation of electronic devices whose use has not been approved by the CEO

(b) Investigation of the incident by the CEO who may:

(1) Return the electronic device to the parent

(2) Suspend the student in accordance with the Charter School Code of Conduct

(3) Recommend expulsion of the student for repeated violations of the Charter School Code of Conduct of this prohibition

(4) All of the above

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

Electronic Images And Photographs

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

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

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

Exceptions

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

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

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

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

Student Laptops

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

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

Legal References: 24 P.S. Sec. 13-1317.1

Book	Policy Manual
Section	Student
Title	Student Assistance Program Policy
Code	930
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT ASSISTANCE PROGRAM POLICY

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

Guidelines

Pursuant to 22 Pa. Code §12.41[1], entitled "Student Services", the Charter School administration is directed to:

- Prepare a written plan for the implementation of a comprehensive and integrated K-12 program of the student services based on the needs of its students. The plan shall be prepared and revised in accordance with the timeframes and procedures described in 22 Pa. Code §§4.13(a), (b), (d), (e) and (f) (relating to strategic plans)[2]. Services offered by community agencies in public schools shall be coordinated by and under the general direction of Charter School. The plan shall include policies and procedures for emergency care and administration of medication and treatment under the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. sections 780-101 – 780-144)[3] and guidelines issued by the Department of Health. The Department of Health guidelines are available from the Division of School Health, Department of Health, P.O. Box 90, Harrisburg, PA 17108.

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

- Developmental services for students that address their developmental needs throughout their enrollment in school. Developmental services include guidance counseling, psychological services, health services, home and school visitor services and social work services that support students in addressing their academic, behavioral, health, personal and social development issues.

- Diagnostic, intervention and referral services for students who are experiencing problems attaining educational achievement appropriate to their learning potential. Diagnostic services are used by student services staff to identify barriers that limit a student's success in school. Intervention services actively engage student services staff in activities planned to reduce or eliminate specific barriers to student success. Student services staff may arrange for referrals to other school-based or school-linked professionals or may refer parents and guardians to appropriate community-based services for assistance.

- Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists. Consultation services are used by student services staff, in partnership with parents or guardians, to obtain assistance to address barriers and issues that are outside the scope of the student services professional. Consultation and coordination services may be used to assist in the diagnosis, intervention or referral of students who face barriers to success. Coordination services connect school resources with other available resources to assist students in meeting their educational objectives.

- Student services shall:

    - Be an integral part of all levels of the Charter School's' instructional program.

    - Provide information to students and parents or guardians about educational opportunities of the Charter School's instructional program and how to access these opportunities.

    - Provide career information and assessments so that students and parents or guardians might become aware of the world of work and of a variety of career options available to individual students.

    - Provide basic health services outlined in Article XIV of the Public School Code for students and information to parents or guardians about the health needs of their children.

- When student assessments using individual surveys are administered, parents or guardians shall be informed of the nature and scope of the surveys and of their relationship to the educational program of their child, consistent with the requirements of the Protection of Pupil Rights Amendment (20 U. S. C. section 1232h)[4]. Parents or guardians shall have the right to refuse to participate in the survey via procedures established by the Charter School.

- All Charter School employees delivering student services shall be specifically licensed or certified as required by statute or regulation.

- The Charter School will refer to the Department of Education for guidelines and technical assistance in planning student services.

- The Charter School administration may refer to the following website for information: www.sap.state.pa.us/.

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

Legal References:

1. 22 Pa. Code §12.41
2. 22 Pa. Code §§4.13
3. Controlled Substance, Drug, Device and Cosmetic Act
4. 20 U. S. C. section 1232h

Book	Policy Manual
Section	Student
Title	Student Assistance Program (SAP) – Controlled Substances (Drug and Alcohol) Abuse Policy
Code	931
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT ASSISTANCE PROGRAM (SAP) - CONTROLLED SUBSTANCES (DRUG AND ALCOHOL) ABUSE POLICY

The Chester Community Charter School ("Charter School") Board of Trustees ("Board") recognizes that the misuse of controlled substances is a serious problem with legal, physical and social implications for the Charter School community. As an educational institution, the Charter School should strive to prevent the abuse of controlled substances, including drugs and alcohol, as defined by The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq. (Purdon Supp. 1987-88)[1], or hereafter added to those Schedules by the Secretary of Health of the Commonwealth of Pennsylvania.

The possession, use of, manufacture, distribution and/or condition of being under the influence of narcotic drugs, dangerous drugs and alcohol is defined by federal and state laws. Controlled substances and the possession of paraphernalia related to the use thereof on Charter School property, transportation, or at any Charter School sponsored function is prohibited.

Definitions

"Controlled Substance" shall mean any drug, substance or immediate precursor listed under Schedules I through V of Sec. 780-104 of "The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq. (Purdon Supp. 1987-88)[1], or hereafter added to those Schedules by the Secretary of Health of the Commonwealth of Pennsylvania. More specifically, the following is a non-exhaustive list of examples of controlled substances, pursuant to this Act for purposes of this policy:

1. Controlled substances prohibited by federal and state law.
2. Counterfeit/Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug devices/paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.
8. Designer Drugs.

"Alcohol" shall mean Absolute alcohol, ethyl alcohol, cane spirits, Cuban spirits, grain spirits, fruit spirits, high wines and other spirits by whatever name or designation given. (40 Pa Code §1.1)[2].

"Constructive Possession" shall mean a person's ability to exercise a conscious dominion over any alcohol or controlled substance, with or without other persons, including the power to control the alcohol or controlled substance and the intent to exercise that control.

"Counterfeit" means a controlled substance, other drug, device or cosmetic which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed, or dispensed such substance and which thereby is falsely purported or represented to be the product of, or to have been distributed by a manufacturer, distributor, or dispenser.

"Designer Drug" shall mean a substance other than a controlled substance that has a chemical structure substantially similar to that of a controlled substance in Schedules I or II of "The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq.,[1] which produces an effect substantially similar to that of a controlled substance in those Schedules I and II.

"Distribution" shall mean to deliver, sell, pass, share, or give to another person, or to assist distribution of any alcohol or controlled substance.

"Drug Paraphernalia" shall mean equipment, products, publications, and materials, of any kind, which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body any controlled substance as defined in this policy.

"Possession" shall mean to knowingly possess, hold or use, without attempt to distribute any alcohol or controlled substance.

"Under the Influence" - A student may be presumed to be "under the influence" of alcohol or controlled substances if they ingested or consumed any controlled substance and/or are observed exhibiting unusual or abnormal behavior which may include, but not be limited to: loss of coordination, slurring of speech, disorientation, pupil abnormality, inability to concentrate, lapse of memory, and mood changes.

Authority

The Chief Executive Officer of the Charter School (CEO) or his/her designee is authorized to deny access to Charter School premises to any person who possesses or attempts to distribute, or is under the influence of any controlled substance.

This policy is violated when any student, visitor, guest or any other person unlawfully manufactures, uses, is under the influence of, abuses, possesses, constructively possesses, distributes, or attempts to distribute alcohol, any controlled substance, or any designer drug, or drug paraphernalia on school premises, or at any school-sponsored activity anywhere, or while traveling to and from school or school-related activities, or who conspires, solicits, aids, or abets in the use, abuse, active possession, constructive possession or distribution of alcohol, any controlled substance, designer drug, or drug paraphernalia.

Confidential communications between students and their guidance counselors, school nurses, school psychologists, home and school visitors and clerical employees working on their behalf, shall be treated as privileged communications as outlined in 42 Pa. C.S.A. Sec. 5945[3]. However, no such person shall be excused or prevented from complying with his/her Mandatory Reporter Duty pursuant to the PA Child Protective Services Law. (See Mandatory Reporter Policy.)

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of student's reinstatement into the Charter School's educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student's parent(s) and/or legal guardian(s).

The CEO shall prepare rules for the identification and control of abuse of controlled substances which shall: establish procedures dealing with students suspected of huffing, unlawful manufacture, possession, use, distribution, and/or sale of controlled substances in the district, on Charter School property, or at Charter School sponsored or sanctioned events, up to and including expulsion and referral for prosecution; discourage abuse of controlled substances; and establish procedures for the instruction and readmission to the Charter School of students convicted of offenses involving controlled substances. In addition, the CEO shall ensure that students are made aware of this policy, and that students violating this policy are subjected to the Charter School's Code of Conduct. The prohibitions outlined in this policy shall be made a part of the Charter School's Code of Conduct and shall be distributed annually to students and parents.

Incidents of alleged violations by any person on Charter School property shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year. In all cases involving students and controlled substances, the need to protect the Charter School community from undue harm and exposure to controlled substances shall be recognized.

All desks, clothing, backpacks, gym bags, and other personal possessions, and lockers used by students shall be subject to inspection by Charter School authorities when reasonable suspicion exists of a violation of the Controlled Substances Act which is a violation of the Charter School's Code of Conduct.

Implementation of Policy

1. Students bringing prescription and non-prescription medication to Charter School sponsored events for reasons of health must present to the school nurse, at school and prior to the event, a note signed by the parent and one by the prescribing doctor with dosing and other applicable instructions. The School Nurse shall be responsible for administering the medication at the school-sponsored event unless the Student's note from the prescribing doctor attests to the Student's ability to self-administer and the School Nurse has independently verified this ability, in accordance with the applicable Board approved medication policy.

2. Students judged to be in need of immediate medical attention will be taken by a staff member to the School Nurse.

3. An administrator or teacher will accompany the student exhibiting a need for help to the School Nurse, or the School Nurse will be contacted to come to help the student. When the School Nurse is not available, the administration will be contacted.

4. If the student is in need of urgent attention, the School Nurse will contact the parents and take the medical action as indicated. If the parents cannot be reached, the family physician will be contacted.

5. If no one can be reached to obtain permission to take the necessary medical action and the School Nurse feels that immediate treatment is necessary, the student will be transported to the hospital emergency ward, accompanied by the School Nurse and/or another Charter School representative. The CEO will be kept informed of the student's condition.

6. If urgent medical attention is not required, but a student is obviously ill, the School Nurse will notify the student's parents and request the parents to come to the Charter School, testing site, or site of school-sponsored function or activity.

7. It is the responsibility of each Charter School employee to notify the CEO of any students who appear to be in apparent need of immediate medical attention, or of students allegedly using, manufacturing, possessing, using, distributing, and/or selling controlled substances.

8. Charter School personnel and coaches shall not recommend, supply and/or dispense any drug, medication or food supplement. In order to minimize health and safety risks to student athletes, maintain ethical standards, and reduce liability risks, Charter School personnel and coaches shall never condone, permit, encourage, supply, recommend, and/or dispense any drug, medication, or food supplement recommended by the manufacturer for performance-enhancing purposes.

9. Parents are to be informed of the concern for a student who, on school property or at a school-sponsored event, has engaged in manufacture, possession, use, distribution, and/or sale of controlled substances. Evidence of same will be turned over to the police.

10. In furtherance of its attempts to prohibit and prevent sale, possession, transport, distribution and use of controlled substances by its students, the Board supports the establishment and maintenance of a Student Assistance Program ("SAP") and may require student's participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the Charter School's educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student's parent(s) and/or legal guardian(s). The SAP will:

    - Identify students who are having problems because of controlled substance use or due to mental health problems.

    - Intervene when appropriate either by personal contact or through support groups.

    - Refer those students for appropriate help.

SAP is not a treatment program. It seeks to improve identification of students who exhibit forms of "at risk" behavior, such as suicidal intent, depression, controlled substance use and abuse. It also provides for intervention by making referrals to outside agencies.

11. Students Exhibiting Unusual Behavior, But Not in Need of Immediate Medical Attention

    - Staff members will refer students exhibiting a pattern of unusual behavior to the principal including all information in writing regarding the referral. If, in the opinion of the principal, the unusual behavior could be alcohol or controlled substance related, s/he will notify the parents of the student.

    - Guidance counselors and/or nurses shall offer help and assistance to the students upon request and make students aware of agencies and other sources which may be helpful.

- Referral to SAP as set forth above.

Consequences of Controlled Substance Offense:

1. The CEO shall be given immediate verbal notice of all drug violations. Such notice shall be followed before the end of the day with a written report setting forth the pertinent details of the incident. The CEO is required to notify police of all incidents in which students are apprehended for the possession, use, distribution, and/or sale of controlled substances on Charter School premises or at any Charter School sponsored event. Any physical evidence of violation of laws relating to drug use shall be turned over to police officials by the CEO. The Charter School will ask the police to cooperate and produce the physical evidence at the hearing.

2. The CEO is required to notify the local police of all incidents in which students are apprehended for the use, possession, transport, distribution, and/or sale of controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport. Prior to turning over physical evidence to police, all evidence of abuse of a controlled substance shall be kept in a secure place by the Charter School personnel confiscating it with the following information recorded and kept with the evidence:

    - Date of confiscation;
    - Name of student from whom confiscated;
    - Name of Charter School personnel who confiscated and others present at time of search;
    - Type of controlled substance confiscated;
    - Amount of controlled substance confiscated;

    The Charter School will ask the police to cooperate and produce the physical evidence at any Charter School disciplinary hearing held in accordance with the Charter School Code of Conduct.

3. A student determined to have used, possessed, transported, distributed, or sold controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport shall be subject to the following disciplinary procedures:

    a. The CEO will immediately implement an out-of-school suspension in accordance with the Student Code of Conduct.

    b. The CEO may recommend expulsion to the Board, on a case-by-case basis in accordance with the Student Code of Conduct.

    c. Participation in extracurricular activities by the offender will be prohibited at least during the period of suspension and potentially longer as evaluated by the CEO on a case by case basis.

    d. The CEO shall take all steps necessary to comply with the Individual with Disabilities Education Act and its amendments and implementing state regulations for students with disabilities.

    e. A Safe Schools Act report will be made by the CEO or designee.

Visitors, Employees, Contractors and Volunteers

Any visitors, employees, contractors or volunteers found to be engaged in activity while on Charter School property which, if engaged in by students would violate this policy, shall be reported to the local police or to the Pennsylvania State Police. Additionally, all such persons on Charter School property, transport or at a school sponsored event/activity or testing site, shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year.

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

Legal References:

1. The Controlled Substance, Drug, Device and Cosmetic Act
2. 40 Pa Code §1.1
3. 42 Pa. C.S.A. Sec. 5945

Book	Policy Manual
Section	Student
Title	Student Assistance Program – Suicide Prevention, Assessment, Response & Postvention Policy
Code	932
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT ASSISTANCE PROGRAM – SUICIDE PREVENTION, ASSESSMENT, RESPONSE & POSTVENTION POLICY

As suicide is the third leading cause of death among young people ages 10-19, it is critically important that schools have policies and procedures in place to prevent, assess the risk of, intervene in, and respond to youth suicidal behavior. The Chester Community Charter School ("Charter School") has developed the stated procedures to assist administrators and staff in dealing with students at risk. The purpose of this policy is to protect the health and well-being of all Charter School students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

The Charter School: (a) recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes, (b) further recognizes that suicide is a leading cause of death among young people, (c) has an ethical responsibility to take a proactive approach in preventing deaths by suicide, and (d) acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development. Toward this end, the policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Specifically, this policy is meant to be applied in accordance with the Charter School's Child Find obligations and has been developed as part of the Charter School Student Assistance Program ("SAP").

The focus of the Charter School's policy is threefold:

1. Detection/awareness – of warning signs of suicide by all Charter School staff who interact with students on a regular basis.

2. Parent Notification – preferably face to face and with recommendations for referrals for appropriate mental health services; a confidential record of parent notification shall be maintained by administration.

3. Support for At-Risk Students – School personnel, including school psychologists and counselors must provide counseling, monitoring and follow-up services to at-risk students.

This policy covers actions that take place in the Charter School, on Charter School property, at Charter School-sponsored functions and activities, on transportation to and from school and at school sponsored out-of-school events where Charter School staff are present. This policy applies to the entire Charter School community, including employees, contractors, students, parents/guardians, and volunteers. This

policy may also respond to suicidal or high risk student behaviors that take place outside of the school environment if there is an impact on a student or students in the Charter School setting.

2. **Recognizing Risk Factors for Suicide**

- Major depression (feeling down in a way that impacts your daily life) or bipolar disorder (severe mood swings)
- Problems with alcohol or drugs
- Unusual thoughts and behavior or confusion about reality
- Personality traits that create a pattern of intense, unstable relationships or trouble with the law
- Impulsivity and aggression, especially along with a mental disorder
- Previous suicide attempt or family history of a suicide attempt or mental disorder
- Serious medical condition and/or pain
- Sudden deterioration in academic performance
- Unhealthy peer relationships – sudden change in circle of friends, loss of friendships, or association with those known for substance abuse or other at-risk behaviors
- Abusive relationship – either with family member or one outside; in this instance, Charter School employees have mandatory child abuse reporting duties by which to abide also.
- Difficulty in adjusting to gender identity – there is a higher rate of suicide among gay, lesbian, bisexual and transgendered teens than heterosexual peers.
- Bullying – both those bullied and those who bully are at increased risk. Individuals who are bullied in the absence of other risk factors have far fewer negative outcomes than those with pre-existing risk for suicide.

It is also important for the Charter School to be aware of student populations that are at elevated risk for suicidal behavior based on various factors:

- Youth living with mental and/or substance use disorders.
- Youth who engage in self-harm or have attempted suicide.
- Youth in out-of-home settings.
- Youth experiencing homelessness.

- American Indian/Alaska Native (AI/AN) youth.
- Youth bereaved by suicide.
- Youth living with medical conditions and disabilities.
- LGBTQ (lesbian, gay, bisexual, transgender, or questioning) youth.

  Note: (School staff should not make assumptions about a student's sexual orientation or gender identity and affirm students who do decide to disclose this information. Information about a student's sexual orientation or gender identity should be treated as confidential and not disclosed to parents, guardians, or third parties without the student's permission. Additionally, when referring students to out-of-school resources, it is important to connect LGBTQ students with LGBTQ-affirming local health and mental health service providers. Affirming service providers are those which adhere to best practices guidelines regarding working with LGBTQ clients as specified by their professional association (e.g., http://www.apa.org/pi/lgbt/resources/guidelines.aspx).)

Definitions

- **At risk:** A student who is defined as high risk for suicide is one who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain. This situation would necessitate a referral, as documented in Charter School procedures which implement this Policy.

- **Crisis/Student Assistance Program ("SAP") Core Team:** A multidisciplinary team of primarily Charter School Administration and other Charter School professional employees including: Counselor, School Psychologist, School Nurse, teachers or other related professional staff. This Team will be trained in the assessment and evaluation of information dealing with at-risk students and crisis preparedness, intervention/response and recovery to attain SAP certification. In addition, staff designated by the county mental health agency, with expertise in youth mental health issues, will be assigned to each Core Team to act as liaison between the Team and the local mental health system.

- **Mental health:** A state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.

- **Postvention:** Suicide postvention is a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.

- **Risk assessment:** An evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide, previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.

- **Risk factors for suicide:** Characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.

- **Self-harm:** Behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Can be categorized as either non-suicidal or suicidal. Although self-harm often lacks suicidal intent, youth who engage in self-harm are more likely to attempt suicide.

- **Suicide:** Death caused by self-directed injurious behavior with any intent to die as a result of the behavior. Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.

- **Suicide attempt:** A self-injurious behavior for which there is evidence that the person had at least some intent to kill himself or herself. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.

- **Suicidal behavior:** Suicide attempts, intentional injury to self, associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.

- **Suicide contagion:** The process by which suicidal behavior or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.

- **Suicidal ideation:** Thinking about, considering, or planning for self-injurious behavior which may result in death. A desire to be dead without a plan or intent to end one's life is still considered suicidal ideation and should be taken seriously.

When a student is identified by a Charter School staff person as potentially suicidal, i.e., verbalizes about suicide, presents overt risk factors such as agitation or intoxication, the act of self-harm occurs, or a student self-refers, the student will be seen by a Charter School employed mental health professional such as the School Psychologist, Counselor or Social Worker, within the same school day to assess risk and facilitate referral. If there is no mental health professional available, a Charter School nurse or Administrator will fill this role until a mental health professional can be brought in.

For youth at risk:

1. No student will be left alone and school staff should continuously supervise the student to ensure their safety. No promise of confidence should be made for information relayed by Student to Charter School staff.

2. The CEO and SAP Core Team will be made aware of the situation as soon as reasonably possible.

3. The Charter School employed mental health professional or CEO will contact the student's parent or guardian and will assist the family with urgent referral. When appropriate, this may include calling crisis services or bringing the student to the local Emergency Department, but in most cases will involve setting up an outpatient mental health or primary care appointment and communicating the reason for referral to the healthcare provider.

a. If the Parent chooses to contact a private practitioner or agency, the Parent must inform the School of the arrangements for an immediate emergency psychiatric evaluation. For HMO subscribers, the parents will call their primary physician and make arrangements for an immediate psychiatric evaluation. Parent will deliver student to private practitioner or agency. If parent is unable to provide transportation, the Charter School will access assistance in this matter.

4. Staff will ask the student's parent or guardian for written permission to discuss the student's health with outside care, if appropriate.

Postvention

Development and Implementation of an Action Plan The Charter School SAP Team will develop an action plan to guide the Charter School response following a death by suicide. A meeting of the SAP team to implement the action plan should take place immediately following news of the suicide death. The action plan may include the following steps:

- **Verify the death.** Staff will confirm the death and determine the cause of death through communication with a coroner's office, local hospital, the student's parent or guardian, or police department. Even when a case is perceived as being an obvious instance of suicide, it should not be labeled as such until after a cause of death ruling has been made. If the cause of death has been confirmed as suicide but the parent or guardian will not permit the cause of death to be disclosed, the Charter school will not share the cause of death but will use the opportunity to discuss suicide prevention with students.

- **Assess the situation.** The SAP Team will meet to prepare the postvention response, to consider how severely the death is likely to affect other students, and to determine which students are most likely to be affected. The SAP Team will also consider how recently other traumatic events have occurred within the school community and the time of year of the suicide. If the death occurred during a school vacation, the need for or scale of postvention activities may be reduced.

- **Share information.** Before the death is officially classified as a suicide by the coroner's office, the death can and should be reported to staff, students, and parents/guardians with an acknowledgement that its cause is unknown. Inform the faculty that a sudden death has occurred, preferably in a staff meeting. Write a statement for staff members to share with students. The statement should include the basic facts of the death and known funeral arrangements (without providing details of the suicide method), recognition of the sorrow the news will cause, and information about the resources available to help students cope with their grief. Public address system announcements and school-wide assemblies should be avoided. The SAP Team may prepare a letter (with the input and permission from the student's parent or guardian) to send home with students that includes facts about the death, information about what the Charter school is doing to support students, the warning signs of suicidal behavior, and a list of resources available.

- **Avoid suicide contagion.** It should be explained in the staff meeting described above that one purpose of trying to identify and give services to other high risk students is to prevent another death. The SAP Team will work with teachers to identify students who are most likely to be significantly affected by the death. In the staff meeting, the SAP Team will review suicide warning signs and procedures for reporting students who generate concern.

- **Initiate support services.** Students identified as being more likely to be affected by the death will be assessed by a Charter School employed mental health professional to determine the level of support needed. The SAP Team will coordinate support services for students and staff in need of individual and small group counseling as needed. In concert with parents or guardians, SAP Team members will refer to community mental healthcare providers to ensure a smooth transition from the crisis intervention phase to meeting underlying or ongoing mental health needs.

- **Develop memorial plans.** The Charter School should not create on-campus physical memorials (e.g. photos, flowers), funeral services, or fly the flag at half-mast because it may sensationalize the death and encourage suicide contagion. School should not be canceled for the funeral. Any school-based memorials (e.g., small gatherings) will include a focus on how to prevent future suicides and prevention resources available.

- **External Communication.** The Charter School CEO or designee will be the sole media spokesperson. Staff will refer all inquiries from the media directly to the spokesperson who will coordinate all communication with the School's legal counsel. The spokesperson will:
    - Keep the Board of Trustees informed of school actions relating to the death.
    - Prepare a statement for the media including the facts of the death, postvention plans, and available resources. The statement will not include confidential information, speculation about victim motivation, means of suicide, or personal family information.

- Answer all media inquiries. If a suicide is to be reported by news media, the spokesperson should encourage reporters not to make it a front-page story, not to use pictures of the suicide victim, not to use the word suicide in the caption of the story, not to describe the method of suicide, and not to use the phrase "suicide epidemic" – as this may elevate the risk of suicide contagion. They should also be encouraged not to link bullying to suicide and not to speculate about the reason for suicide. Media should be asked to offer the community information on suicide risk factors, warning signs, and resources available.

6. Prevention Education for Students

Students shall receive age-appropriate lessons in their classrooms through health education or other appropriate curricula on the importance of safe and healthy choices, as well as help seeking strategies for self and/or others. Lessons shall contain
information on comprehensive health and wellness, including emotional, behavioral and social skills development. Students shall be taught not to make promises of confidence when they are concerned about a peer or significant other. These lessons may be taught by health and physical education teachers, community service providers, classroom teachers or pupil services staff.

Student education may include but is not limited to the following:

1. Information about suicide prevention. Resources are available on the PA Department of Education's website– *www.education.pa.gov.*
2. Help-seeking approaches amongst students, promoting a climate that encourages peer referral and emphasizes school connectedness.
3. Increasing students' ability to recognize if they or their peers are at risk for suicide.
4. Addressing problems that can lead to suicide, such as depression and other mental health issues, anger, and drug use.

7. Training

The Charter School must adopt age-appropriate youth suicide awareness and prevention policies and include 4 hours of training in youth suicide awareness and prevention every 5 years in professional development plans for educators serving grades 6-12. The Charter School may incorporate a youth suicide awareness and prevention curriculum into existing instructional programs. The PA Department of Education is being required to develop a model youth suicide awareness and prevention policy and a model youth suicide awareness and prevention curriculum for use by schools and to make these and other guidance and resource materials publicly available online.

The following telephone number shall be made known and available to Charter School students for 24 hour access to assistance: **CALL 1-800-273-TALK or 1-800-SUICIDE.**

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

Book	Policy Manual
Section	Student
Title	Reporting Student Progress Policy
Code	933
Adopted	October 15, 2020

Board of Trustees Policy

REPORTING STUDENT PROGRESS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") believes that the cooperation of school and home is a vital ingredient in the growth and education of the whole child. It recognizes its responsibility to keep parents and guardians informed of student welfare and progress in school. It also recognizes the effects of State Board Regulations and Federal Regulations governing school records.

The Board directs the establishment of a program of reporting student progress that shall include written reports; and may schedule parent conferences with teachers; and shall require appropriate staff members to comply with such a program as part of their responsibility.

The Chief Executive Officer of the Charter School (CEO) shall develop procedures for reporting student progress and achievement to parents or guardians which use methods of reporting appropriate to grade level and curriculum content; insure that both student and parent receive ample warning of a pending mark of "failure," or of a condition that would adversely affect the student's status; enable the scheduling of parent-teacher conferences at such times and places as will ensure the greatest degree of participation by parents and guardians; specify the issuance of report cards at intervals of not less than nine (9) weeks.

Report cards and other appropriate literature for parents shall be provided, wherever possible, in the appropriate foreign language for students who do not speak English.

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

Book	Policy Manual
Section	Student
Title	Parental Rights Relative to Excusal from Instruction on Religious Grounds
Code	934
Adopted	October 15, 2020

Board of Trustees Policy

PARENTAL RIGHTS RELATIVE TO EXCUSAL FROM INSTRUCTION ON RELIGIOUS GROUNDS

No religious belief or non-belief should be promoted by the Chester Community Charter School ("Charter School") or its employees, and none should be disparaged. The Charter School should encourage all students and staff members to be tolerant and respectful of each other's religious views. The Charter School should foster understanding and mutual respect among students and parents with differing religious beliefs or views.

To this point, the Charter School recognizes the statutory right of parents to have their children excused from specific instruction which conflicts with their religious beliefs. Therefore, the Board of Trustees ("Board") directs the Chief Executive Officer of the Charter School ("CEO") to respond to parent requests for exemptions from curriculum requirements using the following guidelines in accordance with applicable State regulations:

1. Maintain the expectation that all students complete the curriculum as established by the Charter School in conjunction with State Board of Education curriculum rules and regulations.

2. Students should be excused from participating in practices which are contrary to their religious beliefs or cultural beliefs unless there are clear issues of law that would prevent such excuse.

3. Evaluate all requests to insure that the materials and/or practices to which there are objections do not violate the protections of the First Amendment of the Constitution of the United States of America.

Parents requesting exemptions from specific instruction for their children which conflict with their religious beliefs shall complete a "Request for Exemption from Specific Instruction" form and submit said form to the Principal.

It shall be the policy of the Board that:

1. Students may be excused from portions of courses when the subject matter is incompatible with the religious beliefs of such students and/or their parents.

2. Only those students may be excused whose parents or guardians have submitted a signed "request for exemption" to the CEO.

3. The CEO shall review the request for exemption, notifying parents of his/her recommendations within ten (10) days.

4. Parents in disagreement with the CEO's decision may appeal to the Board of Trustees, who shall review and respond to the parental written request, within ten (10) days.

Any complaints with regard to a Board policy or any aspect of the Charter School's curriculum shall be brought in accordance with the Charter School's Complaint Process Policy.

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

Book	Policy Manual
Section	Student
Title	Exclusion from Assessments Policy
Code	935
Adopted	October 15, 2020

Board of Trustees Policy

EXCLUSION FROM ASSESSMENTS POLICY

The Board of Trustees of the Chester Community Charter School ("Charter School") takes seriously both its requirement to administer the Pennsylvania System of School Assessment (PSSA) and any other type of state required standardized testing (collectively referred to as "Assessments") as well as each individual student's religious liberty.

Pursuant to Section 4.4 of Chapter 4 of the Pennsylvania Public School Code[1], a parent or guardian may excuse their child from either Assessment if, upon inspection of the testing materials, they find an Assessment to be in conflict with their religious beliefs. This is the only basis for a parent or guardian to excuse his or her child from the Assessment. Two weeks prior to each testing window, each Assessment must be made available for review by parents or guardians. Parents and guardians will be informed of the Exclusion from Assessments Policy via the Charter School's website and/or PSSA information handouts.

Religious Exemption Procedures

- A parent or guardian must submit a request to review the Assessment in writing within a two-week period before the Assessment is administered;
- The Assessment must be reviewed on school property and school personnel must be present at all times;
- The Charter School must provide a convenient time for the review. This may include an evening review time, if requested;
- Proper security and confidentiality of the Assessment must be maintained at all times throughout the review process;
- Charter School personnel may remove the prompt seals from one copy of a writing booklet to facilitate a review of the writing Assessment;
- Parents and guardians must sign a statement concerning the requirements of Assessment security and confidentiality;
- Parents and guardians may not photocopy, write down, or in any other manner record any portion of the Assessment, including directions;

- After reviewing the Assessment, parents and guardians must provide a written request addressed to the Principal to excuse their child based upon religious beliefs, not do they have to identify specific test content to which they object; simply stating that they are requesting exclusion based on religious grounds is sufficient; and

- If the student is excused from the Assessment due to parental or guardian request, school personnel must provide an alternative learning environment for the student during the Assessment and complete the "Non-Assessed Students" grid on the students answer booklet by marking "Student has a parental request for exclusion from the Assessment."

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

Legal References:

1. Section 4.4 of Chapter 4 of the Pennsylvania Public School Code

Book	Policy Manual
Section	Student
Title	Opening Exercises Policy
Code	936
Adopted	October 15, 2020

Board of Trustees Policy

OPENING EXERCISES POLICY

The Chester Community Charter School's Board of Trustees recognizes that it is the responsibility of each citizen to show proper respect for his/her country and the flag and may direct that procedures be instituted to uphold the laws of the Commonwealth and the United States.

However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

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

Book	Policy Manual
Section	Student
Title	Public Performances by Students Policy
Code	937
Adopted	October 15, 2020

Board of Trustees Policy

PUBLIC PERFORMANCES BY STUDENTS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes the value to students of sharing their talents and skills with the community through student participation and performances in public events.

The Board endorses such performances when:

(a) They constitute a learning experience which contributes to the educational program;

(b) When the circumstances of the event do not pose a threat to the health, safety and well-being of the students who will be involved.

All requests for public performances by Charter School student groups shall require the prior approval of Chief Executive Officer of the Charter School ("CEO"). Parental permission shall be sought and received before students may participate.

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

No Charter School 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 school name, Chester Community Charter School, may not be used without prior approval of the CEO.

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

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

Book	Policy Manual
Section	Student
Title	Student Complaint Process Policy
Code	938
Adopted	October 15, 2020

Board of Trustees Policy

STUDENT COMPLAINT PROCESS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") recognizes that students have the right to request redress of complaints. Further, the Board believes that it is critical to emphasize of respect for lawful procedures as an important part of the educational process. Accordingly, individual and group complaints should be recognized and appropriate appeal procedures provided.

Definition

For purposes of this policy, student "complaint" shall be any that arise from action that directly affects the student's participation in an approved educational program.

If the complaint involves bullying, cyberbullying, hazing or sexual or gender harassment or other Title IX misconduct, the complaint should be sent to and handled by the Charter School Title IX Coordinator.

Authority

The Board or its employees will recognize the complaints of the students of the Charter School provided that such complaints are made according to procedures established by Board policy.

Guidelines

Students are to be encouraged to first discuss the complaint with the staff member involved and, in the process, may seek the assistance and be accompanied by another Charter School student, student's parent or guardian and/or the Title IX Coordinator, Chief Executive Officer of the Charter School ("CEO") or other Administrator.

If the problem is not solved, the Title IX Coordinator, CEO, or other Administrator shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Title IX Coordinator if faculty or staff is the subject of the complaint. If the CEO is the Title IX Coordinator, complaints about other Administrators may be referred to the Title IX Coordinator. Refer the complainant to the Board of Trustees if the CEO is the subject of the complaint.

Step 1 – Reporting

A Charter School student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Title IX Coordinator, CEO, or other Administrator. While oral complaints are acceptable, the Title IX Coordinator, CEO, or other Administrator shall have the student or third party complete a written complaint form that sets forth the following:

1. The specific nature of the complaint and a brief statement of the facts giving rise to it;
2. The manner in which and the 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.

A Charter 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 Title IX Coordinator, CEO or other Administrator. In either instance, if the CEO is the subject of a complaint, the student, third party or employee shall report the incident directly to the Title IX Coordinator, unless the CEO is the Title IX Coordinator. The report shall then be referred directly to the Board of Trustees. If the subject of the complaint is the Title IX Coordinator and this position is not filled by the CEO, the student, third party or employee shall report the incident directly to the CEO.

Step 2 – Investigation upon receiving a complaint of discrimination.

The CEO or other Administrator shall immediately notify the Title IX Coordinator. The Title IX Coordinator shall authorize the CEO or other Administrator to investigate the complaint, unless the Administrator is the subject of the complaint or is unable to conduct the investigation. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report.

The person conducting the investigation, whether the CEO, other Administrator or Title IX Coordinator, shall prepare a written report within fifteen (15) school days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint. Findings of the investigation shall be provided to the complainant, the accused, and the Title IX Coordinator, if the investigation and report were completed by the CEO or other Administrator.

Step 4 – Charter School Action.

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Charter School shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies, Charter School administrative procedures, and state and federal laws.

Appeal Procedure

1. If the complainant or the accused is not satisfied with the Title IX/Administrator determination, a written appeal may be submitted within fifteen (15) days to the Board of Trustees.

2. The Board of Trustees shall convene a hearing within ten (10) school days of receipt of written notice of appeal. The hearing will be closed to the public. Parties shall be advised, in writing, of their right to be represented by counsel, right to cross-examine witnesses and to present testimony and evidence.

3. After close of the hearing, the Board of Trustees shall issue a written determination within five (5) school days. This written determination shall be mailed to Parents of both students with notice of any right to appeal.

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

Book	Policy Manual
Section	Student
Title	Transfer of Records Policy
Code	939
Adopted	October 15, 2020

Board of Trustees Policy

TRANSFER OF RECORDS POLICY

When a child transfers from Chester Community Charter School ("Charter School") to another public agency, private school, approved private school, or a private agency, the Charter School shall forward a certified copy of the student's health, disciplinary and educational records, including the most recent Individual Education Plan (IEP), within ten (10) school days after the Charter School is notified in writing that the student is enrolled at the other public agency, private school, approved private school or private agency.

The Chief Executive Officer of the Charter School (CEO) and/or his designee shall designate a contact person for record transfer requests.

When a new student enrolls at the Charter School, the Administration shall immediately and in writing request the student's complete records, including but not limited to the student's health record, disciplinary records and educational records, from the appropriate individuals and ensure that the educational records for a child are received. If the records are not received within two weeks of the written request, another written request must be directed to the appropriate records custodian and sent via certified mail (Return Receipt Requested) and first class mail. The Charter School's legal counsel shall be contacted by Administration in the event that the records are not received within two weeks of the second written request so that appropriate action may be taken to secure the student's records.

The Administration shall maintain educational records for children with disabilities consistent with the regulations for the Family Educational Rights and Privacy Act of 1974[1].

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

Legal References:

1. Family Educational Rights and Privacy Act of 1974

Book	Policy Manual
Section	Student
Title	Annual Notification of Rights under Family Educational Rights and Privacy Act (FERPA) for the 2020-2021 School Year/Notice to Parents and Guardians Regarding the Disclosure of Student "Directory Information"
Code	940
Adopted	October 15, 2020

Chester Community Charter School

2020-2021 School Year

Annual Notification of Rights under Family Educational Rights and Privacy Act (FERPA) for the 2020-2021 School Year /Notice to Parents and Guardians Regarding the Disclosure of Student "Directory Information"

The Family Educational Rights and Privacy Act (FERPA)[1], a federal law, affords parents, legally emancipated students, and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's educational records.

These rights are briefly summarized below and are explained more fully in the Board's Student Records Policy, which is on file at the School and is available upon request:

1. The right to inspect and review the student's educational records within forty-five (45) days of the day Chester Community Charter School ("Charter School") receives a request for access. Parents or eligible students should submit to Charter School's Chief Executive Officer ("CEO") or his/her designee a written request that identifies the record(s) they wish to inspect. The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.

2. The right to request the amendment of the student's educational record(s) the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the Charter School to amend a record that they believe is inaccurate or misleading. Parents or eligible students should write to Charter School's CEO or his/her designee, clearly identifying the part of the record(s) they want amended, and specify why the record(s) is inaccurate or misleading. If the Charter School decides not to amend the record(s) as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision in writing and advise of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's educational record(s) except to the extent that FERPA authorizes disclosure without consent, as discussed below.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue SW

Washington, D.C. 20202-8520

Release of Records Without Consent

Generally, the Charter School must have written permission from parents or eligible students in order to release any information from a student's education records. However, FERPA allows the Charter School to disclose that information without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interests. A School Official may include a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law unit personnel); a person serving on the Board; a person or company with whom the Charter School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); contractors, consultants, volunteers, and other outside service providers used by the Charter School; or a parent or student serving on official committee, such as a disciplinary or grievance committee, or assisting another Charter School official in performing his/her tasks. A School Official has a legitimate educational interest if the official needs to review an educational record(s) in order to fulfill his or her professional responsibility;

- Other schools, school systems, or institutions of postsecondary education to which a student is transferring;

- Authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities. Disclosures may be made in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. The entities and officials identified here may re-disclose student information to outside entities and/or individuals that are designated as "authorized representatives" to conduct an audit or evaluation, or enforcement or compliance activity on their behalf. A designation of an "authorized representative," other than an employee, shall be memorialized in a written agreement. The same agreement shall contain provisions intended to guard the privacy of student information. Student records for children seven (7) years or older is exempt from the use of authorized representatives for agencies running programs to improve social, emotional and physical development;

- Appropriate parties in connection with financial aid for which a student has applied or has received, if the information is necessary to determine eligibility for aid, determine the amount of aid, determine the conditions of aid, or enforce the terms and conditions of aid;

- Organizations conducting certain studies for or on behalf of the school, to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities may re-disclose student information to organizations conducting studies identified here. Any re-disclosure of student information, whether by schools or the entities and officials identified here, requires a written agreement. The written agreement shall contain provisions intended to guard the privacy of student information;

- Accrediting organizations;

- To parents of dependent students for IRS tax purposes;

- To comply with a judicial order or lawfully issued subpoena;

- Appropriate officials in cases of health and safety emergencies; and

- State and local authorities within a juvenile justice system, pursuant to specific State law.

The Uninterrupted Scholars Act (USA) (Public Law 112-278)[2], which was signed into law on January 14, 2013, amends FERPA in the following two ways:

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

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

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

These changes to FERPA (and, consequently, to the confidentiality provisions applicable to Parts B and C of the IDEA[3]), help in improving educational and developmental outcomes for children in foster care by providing those agencies that are legally responsible for such children access to specific information that is maintained by those agencies that provide early intervention or educational services to such children. More specifically, child welfare agency workers must develop a written case plan for each child in foster care, which includes the education records of the child, including the most recent information regarding:

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

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

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

The Charter School must maintain records of each request for access and disclosure of information from a student's education record(s), except for disclosures to school officials with legitimate educational interests, disclosures to parties with written consent from parents or eligible students, disclosures of Directory Information (discussed below), disclosures under select judicial orders or lawfully issued subpoenas, and disclosures to parents or eligible students. Parents and eligible students have a right to inspect and review the records of requests for access and disclosures.

Release of Directory Information

Directory Information includes information contained in the educational record(s) of a student, which is not considered harmful or an invasion of privacy if disclosed, so that it may be disclosed without prior parental consent, unless parents or eligible students have advised the Charter School to the contrary in accordance with Charter School procedures. The primary purpose of Directory Information is to allow the Charter School to include this type of information from the student's educational records in certain school-related publications or notices.

As part of the Charter School's annual notification under FERPA, Charter School designates for the 2019-2020 School Year the following types or categories of information as "Directory Information":

- Student Name
- Participation in officially recognized activities, clubs, and sports
- Naming of student to the Honor Roll, National Honor Society or as Valedictorian
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic Mail Address
- Photograph
- Degrees, honors, awards received
- Date and place of birth

- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

"Directory Information" for the 2020-2021 School Year also includes:

- Except for social security number, a student ID number, user ID, or other unique personal identifier used by a 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 with one or more factors, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user; and
- Except for social security number, a student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used with one or more factors, such as a PIN, password, or other factor known or possessed only by the authorized user.

Examples of how and where the Charter School may disclose Directory Information include:

- Newsletters
- A playbill showing student's role in a drama production
- The annual yearbook
- Honor Roll or other recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling: showing weight and height of team members
- Companies or outside organizations that manufacture class rings or yearbooks
- Newspapers or other news sources
- Class Lists
- Staff and/or Student Directories and/or listings
- Charter School Website
- Charter School Bulletin Boards
- Institutions of Higher Learning requesting Directory information

These examples are for illustration only and are not an exclusive list of the manner in which Directory Information may be disclosed. This Notice provides parents and eligible students with an opportunity to object in writing to any or all of those types of information that the Charter School has designated as Directory Information. Parents and eligible students have the right to refuse to permit the release by notifying the Charter School in writing that they do not want any or all of those types of information to be designated as Directory Information.

Please note that an opt out of Directory Information disclosures does not prevent the Charter School from identifying a student by name or from disclosing a student's name, identifier or institutional e-mail address in class in which the student is enrolled. The right to opt out of Directory Information disclosures does not include a right to remain anonymous in class, and may not be used to impede routine classroom communications and interactions, whether class is held in a specified physical location or on-line through electronic communications. Likewise, an opt out of Directory Information disclosures does not prevent the Charter School from requiring a student to wear, to display publicly, or to disclose a student ID card

or badge that exhibits information that the Charter School designated as "Directory Information" for the 2019-2020 School Year above.

YOUR ACTION IS REQUIRED IF YOU WISH "DIRECTORY INFORMATION" NOT TO BE PUBLISHED. Please submit any refusal with the types of information you wish removed from the list of Directory Information and mail your written objections on or before **September 1, 2020**, to the CEO of the Charter School.

If you have any questions regarding this Notice, please call the CEO. **If you do not submit a written refusal on or before September 1, 2020 then the Charter School may disclose directory information without your prior consent.**

THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH.

IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO OF THE CHARTER SCHOOL FOR AN EXPLANATION.

THE CHARTER SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY.

IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE CHARTER SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION).

IF A STUDENT HAS A DISABILITY, ADDITIONAL INFORMATION IS AVAILABLE IN THE CHARTER SCHOOL'S ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS AND RIGHTS FOR STUDENTS WITH DISABILITIES.

Legal References:

1. The Family Educational Rights and Privacy Act (FERPA)
2. The Uninterrupted Scholars Act (USA) (Public Law 112-278)
3. Parts B and C of the IDEA

Book	Policy Manual
Section	Student
Title	Discipline of Student Convicted/Adjudicated of Sexual Assault Policy
Code	941
Adopted	April 15, 2021

Board of Trustees Policy

DISCIPLINE OF STUDENT CONVICTED/ADJUDICATED OF SEXUAL ASSAULT POLICY

Purpose

The Board of Trustees (Board) of Chester Community Charter School (Charter School) 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 student enrolled in this Charter School. [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 Charter School. [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 Charter School, when the sexual assault took place inside the school setting. [1]

Delegation of Responsibility

A student who is convicted of sexual assault upon another student enrolled in this Charter School shall be required to notify the Chief Executive Officer or designee of the conviction no later than seventy-two (72) hours after the conviction. [1]

If the convicted or adjudicated student has already been expelled, or if the victim does not attend the same school, no additional action regarding expulsion, transfer or reassignment is required by the Charter School. Although action is not required, the Charter School maintains the authority to make an alternative assignment or provide alternative educational services during or after an expulsion at the discretion of the Chief Executive Officer or designee. [1]

Upon report of a conviction or adjudication of sexual assault upon a Charter School student that occurred in the school setting, the Chief Executive Officer or designee shall notify the Title IX Coordinator to determine whether the incident has been addressed in accordance with applicable Board policy.

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 Charter School 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][8][9]

The Charter School 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; the Charter School shall coordinate with the students' school district of residence if transportation is provided through the school district.
3. Participating in the same school-sponsored activity.

Return of Student to School

The Charter School 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]

The victim is no longer enrolled in the Charter School.

The conviction or adjudication has been reversed and is not pending appeal.

Transfer Students

When the Charter School 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 Charter School may assign that student to an alternative assignment or may provide alternative education services. [1]

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

Legal References:

1. 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. 20 U.S.C. 1400 et seq
9. 34 CFR Part 3

Book	Policy Manual
Section	Student
Title	Admission of Students Through the Lottery Process Policy
Code	942
Adopted	April 15, 2021

Board of Trustees Policy

ADMISSION OF STUDENTS THROUGH THE LOTTERY PROCESS POLICY

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") adheres to Pennsylvania Charter School Law at 24 PS §17-1723[1], that requires with regard to Admission of students to charter schools:

> (a) All resident children in this Commonwealth qualify for admission to a charter school within the provisions of subsection (b). If more students apply to the charter school than the number of attendance slots available in the school, then students must be selected on a random basis from a pool of qualified applicants meeting the established eligibility criteria and submitting an application by the deadline established by the charter school, except that the charter school may give preference in enrollment to a child of a parent who has actively participated in the development of the charter school and to siblings of students presently enrolled in the charter school. First preference shall be given to students who reside in the district or districts.
>
> (b) (1) A charter school shall not discriminate in its admission policies or practices on the basis of intellectual ability, except as provided in paragraph (2), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal if used by a school district.
>
> (2) A charter school may limit admission to a particular grade level, a targeted population group composed of at-risk students, or areas of concentration of the school such as mathematics, science or the arts. A charter school may establish reasonable criteria to evaluate prospective students which shall be outlined in the school's charter.
>
> (c) If available classroom space permits, a charter school may enroll nonresident students on a space-available basis, and the student's district of residence shall permit the student to attend the charter school.

Delegation of Responsibility:

The CEO or his/her designee shall conduct the admission process with the oversight of the Board of Trustees.

Lottery:

The lottery will be conducted by Charter School employees who have no personal interest in its outcome.

A completed Charter School application, which is timely submitted to the Charter School, is required for participation in the lottery.

The selection process is as follows, and will be determined by subtracting from the total number of spaces available the total number of spaces already taken by each category set forth below in order, beginning with kindergarten and proceeding through the grades in order:

1) All students currently enrolled and attending the Charter School are exempted from the lottery process.

2) Students who reside in the Chester-Upland School District (the "District") and who have at least one sibling currently enrolled in the Charter School ("District Sibling Preference").

   In the event that a seat is not available for admission to the grade applied for and there is no space in the grade they should attend, said student will be placed on the Wait List in the next numerical position available. The Wait List does not assure admission.

3) Students who do not reside in the District and who have at least one sibling currently enrolled in the Charter School ("Non-District Sibling Preference").

   In the event that a seat is not available for admission to the grade applied for and there is no space in the grade they should attend, said student will be placed on the Wait List in the next numerical position available. The Wait List does not assure admission.

4) Students residing within the District that do not meet any of the criteria set forth in (1) or (2) above.

   In the event that a seat is not available for admission to the grade applied for and there is no space in the grade they should attend, said student will be placed on the Wait List in the next numerical position available. The Wait List does not assure admission.

5) Lastly, students residing outside of the District that do not meet the criteria set forth in sections (1) or (3) above.

   In the event that a seat is not available for admission to the grade applied for and there is no space in the grade they should attend, said student will be placed on the Wait List in the next numerical position available. The Wait List does not assure admission.

District Sibling Preference and Non-District Sibling Preference (together referred to as "Sibling Preference") will apply during the lottery. An applicant who has at least one sibling currently enrolled in the Charter School will be processed first when assigning seats in the grade they should attend. In the event that a seat is not available, said applicant will be placed on the Wait List in the next numerical position available.

If the enrollment process produces a greater number of students than spaces available in any given grade, applications received after the cut-off date will not be included in the lottery. After the Wait List has been established, these applications will be placed on the Wait List in the order they were received.

If the initial enrollment process does not produce an adequate number of enrolled students, enrollment will continue beyond the cut-off date and a lottery process will not be held for that school year.

Waiting List:

Applicants on the Wait List will be notified in sequential order through the Charter School's enrollment system and also via phone if space becomes available. The Wait List will terminate at the end of the next school year.

Lottery Process:

The lottery is conducted annually unless otherwise designated by the Board of Trustees and will include all applications received during the initial enrollment period. Specific dates defining the initial enrollment period will be determined each year. If the initial enrollment process does not produce an adequate number of enrolled students, enrollment will continue beyond the cut-off date and a lottery process will not be held for that school year. Applicants will receive spaces on a first come first serve basis.

The lottery will assign students to spaces for a grade as follows:

- The names of the students in the grade with complete submitted enrollment applications will be placed in the Charter School's enrollment lottery.
- The lottery will be run with the use of the Charter School's electronic enrollment software or some alternative randomized process. The names of students in the grade will be drawn from the lottery. Students will be assigned to spaces in the order their names are drawn.
- Students will be placed on the Wait List based on the selection process described above.

The results of the lottery will be tabulated as follows:

- The names of students (or some alternative designation thereof) who are assigned spaces in a grade by the lottery will be posted.
- The names of students (or some alternative designation thereof) who are assigned to the Wait List in a grade will be recorded and posted.

After the lottery has been held, the Charter School will send a notification to all applicants. This notification will indicate either that the student has been offered a space or a place on the Wait List. If a space becomes available in a grade, the next applicant on the Wait List will be contacted and offered admission in "number" order for the grade.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

Legal References:

1. 24 PS §17-1723

Book	Policy Manual
Section	Student
Title	Student Searches
Code	943
Adopted	March 16, 2023
Revised	November 21, 2024

Board of Trustees Policy

STUDENT SEARCHES

Background

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

Delegation of Responsibility

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

Administrative Regulations

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

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

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

Legal:

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

CHESTER COMMUNITY CHARTER SCHOOL

ADMINISTRATIVE REGULATIONS FOR POLICY 943 – STUDENT SEARCHES

AR 943-1

ANY SCHOOL OFFICIAL OR EMPLOYEE HAVING QUESTIONS ABOUT THIS POLICY OR IMPLEMENTING SEARCHES UNDER THIS POLICY, SHOULD CONTACT THE CEO OF CCCS.

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

Law Enforcement Searches

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

General Standards

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

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

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

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

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

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

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

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

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

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

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

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

Search of a Student's Desk or Locker

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

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

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

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

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

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

2. Reasonable efforts shall be made to conduct the search in the presence of a ***second school official***.

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

4. When a student's desk or locker is searched, the student's parents/guardians shall be notified as soon as practicable after the search has been conducted.

5. In any instance where an item or substance is found or seized, the possession of which would appear to be in violation of the law, the circumstances shall be reported to local law enforcement. Care should be taken to ensure that any seized material is properly secured until surrendered to law enforcement. Nothing in this paragraph shall preclude the Charter School from performing its own independent testing/analysis on any substance seized in order to determine whether or not possession of such substance constitutes a violation of Board Policy or applicable law.

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

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

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

General Searches

The Chief Executive Officer or designee may order a general search of lockers, hallways, randomly selected portions of school buildings, parking lots, and/or other school grounds, when necessary, to promote the health, safety and welfare of the Charter School, students, and staff. Such general searches may include random canine sniff searches of, among other locations, lockers, backpacks and other possessions. If a dog alerts on a student's locker, motor vehicle, or personal belongings, the student will be subject to a further individual search, as permitted by law and this Administrative Regulation and the accompanying Board Policy. The assistance of local law enforcement will be requested, if deemed necessary or appropriate. Any violations of Board Policy, Administrative Regulations, school rules, or any Code of Conduct or Student Handbook that are discovered through such searches shall be addressed in accordance with Board Policy

or the appropriate Student Handbook, Code of Conduct, or Memorandum of Understanding with local law enforcement.

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

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

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

Annual Notice

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

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

Surveillance Cameras

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

Use of Scanning Equipment to Detect Weapons

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

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

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

_____

Dr. David E. Clark, Jr.

Chief Executive Officer

Charter School location:	**Local Law Enforcement:**
West Campus: 2730 Bethel Road Chester, PA 19013	Chester Police Department
East Campus: 6th and Madison Chester, PA 19013	Chester Police Department
Upland Campus: 1100 Main Street Upland, PA 19016	Upland Borough Police Department
Aston Campus: 200 Commerce Drive Aston, PA 19014	Chester Township Police Department

Book	Policy Manual
Section	Student
Title	Search and Seizure
Code	944
Adopted	November 21, 2024

Board of Trustees Policy

SEARCH AND SEIZURE

I. POLICY

A. The Board defines the purpose, authority, delegation of responsibility, and procedures regarding the use of scanning equipment to detect weapons in the Charter School. The policy of the Charter School is to use magnetometers or scanning devices for comprehensive searches in accordance with Board Policy 945 in schools, or random entry searches of students and visitors, to schools, school buses, or school programs where circumstances in a community, or information received by the school, raises a heightened likelihood of weapons possession and/or violence in a school or between segments of the student population.

B. The Fourth Amendment of the United States Constitution prohibits **unreasonable** searches and seizures. Any search or seizure should be justified at its inception and of reasonable scope.

C. While students attending the Charter School are protected by the Fourth Amendment and the Fourteenth Amendment, both federal and state courts recognize a school's unique interest in maintaining a safe, undisrupted learning environment. Courts weigh the school's interest in protecting the safety and education of their students when determining whether acts are reasonable under the Fourth and Fourteenth Amendments.

D. There are several different types of searches that may arise in the school setting; each type involves different underlying educational and safety needs, privacy concerns, and standards of reasonableness.

1. The intrusiveness, or scope, of any search must be reasonably related to the safety and educational needs of the school, its staff, and students.
2. For instance, the safety concerns in cases involving weapons or drugs are substantially higher than would be the case for missing personal property.

II. Definitions

A. **Administrative Entry Search:** The process by which students and visitors entering a school, school bus, school program, athletic contest, or activity location are subject to a search of their physical person and all items in their possession by means of metal detectors, X-ray equipment, or by hand, for the purpose of preventing the introduction of weapons, contraband, or illegal items.

B. **Weapon:** Per Board of Education Policy 906, a Weapon is defined as any object that, by design, use, intended use, or brandishing could cause bodily harm or property damage or could intimidate other persons. Weapons include, but are not limited to, firearms (whether loaded or unloaded, whether operational or not, and whether genuine or not), stun guns and BB guns, as well as knives and knife look-alikes, razors or other cutting instruments, chains, martial arts equipment, dangerous chemicals, explosives or devices which may cause a fire or any other tool, instrument or implement capable of inflicting serious bodily injury. In addition, any look-alikes, toy, fakes, play or "pretend" weapons will be in violation of this rule and will be subject to similar consequences.

C. **School Storage Area:** A school storage area is any area allocated by the school for a student's storage of personal and educational items, including but not limited to lockers and desks.

III. PROCEDURE

A. Individual Searches: Reasonable Suspicion

1. Searches of individual students, or the possessions in their immediate control (e.g. handbags, book bags), shall only be conducted when there is reasonable suspicion that:

   a. There has been a criminal infraction or the violation of a school policy or rule governing behavior or discipline, and

   b. The individual who is the subject of the search participated in the infraction or violation, and

   c. Evidence of the infraction or violation, or proceeds from them, may be in the possession of the student in the location to be searched.

2. Scope of Search

   a. Except in situations when there is an immediate threat to the health, safety, or welfare of the student or others, the scope of a search should be limited to the least intrusive means available.

   b. Escalation of the scope or intensity of the search may occur only when warranted by the seriousness of the infraction or violation, and the information supporting the investigation. (See part A Reasonable Suspicion)

   c. In the School's Middle School, walk-through metal detectors may be used for individual searches, and X-ray scanners may be used for package, parcel, and other property searches. In the absence of this equipment, or should a search need to be escalated, individuals may be subject to search utilizing a hand-held metal detector or a physical pat-down and package, parcel, and other property may be subject to searches by hand.

   d. Any search procedure which would result in a school employee reaching under a

person's clothing to come into contact with the person's bare skin or undergarments or expose a person's bare skin or undergarments in the area above the knees and below the neck is forbidden.

e. A school employee may, based on the scope of a search, request a person to remove an outer coat, sweater, jacket, shoes, or below the knee socks, or to loosen a belt or sash, provided this request does not result in the exposure of a person's bare skin or undergarments in the areas above the knees and below the neck.

f. When school authorities have exhausted all reasonable alternatives and still have reason to believe that contraband or proceeds of a crime are in the possession of the person being investigated, the Chester Township Police Department may be called and presented with the facts.

1. School personnel shall then leave the issue of any further investigation of any person to the discretion of the Police Department and shall not urge any particular course of conduct by the police.

2. Cooperation by providing at Police Department's request a private area to conduct any further investigation is authorized, but school personnel shall refrain from any further physical or verbal participation, including coercion of the student to cooperate with the police.

g. Group or General Searches-The law requires that there be reasonable suspicion as to any person or persons to be searched.

1. Therefore, group or general searches are generally improper, except for administrative/entry searches described in this policy.

2. When school personnel believe that a group search is necessary, the matter should be referred to the Police Department.

3. Section II, which follows, presents the exception for administrative/entry searches.

h. School storage areas are the property of the Charter School. As a condition of providing student lockers storage areas, the Charter School reserves the right to enter storage areas at all times, without the permission of the student to whom the storage areas are assigned.

1. It is further agreed by students that entry into school storage areas by the Charter School is a lawful search, and any items found therein which are unlawful to possess, or which have been used contrary to any school rule or policy, may be confiscated.

2. Before opening the locker for inspection, the principal or other authorized

school administrator may designate three persons to be present at the inspection.

a. The SP-18 will be used as a written record to ensure it includes the following: date, time, and reason(s) for the inspection, persons present, objects found, and their disposition.

3. Questions and concerns regarding search and seizures are to be referred promptly to the CEO, who will contact Counsel.

NOTE: APPENDIX A ATTACHED

BY ORDER OF THE CHIEF OF SCHOOL SAFETY OFFICE OF SCHOOL SAFETY

APPENDIX A

ADMINISTRATIVE ENTRY SEARCHES

I. PURPOSE

A. The purpose of the Administrative Entry Search program is to prevent weapons and illegal contraband from being brought into the schools.

B. It is designed to support safe schools and good school climate by deterring violence and serious physical injury in schools by inhibiting the access of persons in possession of weapons and/or other contraband into school facilities.

II. PROCEDURE

A. Any individual who enters the Charter School facility or program is subject to an administrative entry search.

B. It will be the responsibility of every School Safety Officer (SSO) or the principal designee to greet each student/visitor entering our schools with respect and dignity. This is particularly important when students are required to pass through metal detectors and their possessions are X-rayed for prohibited items. Personnel will positively greet each student/visitor and respond to their inquiries. It is recognized in security circles that these initial engagements facilitate a positive interaction but also can assist in identifying potential problems.

Officers being polite and friendly contributes significantly to setting the tone for the day and putting our students at ease while making them feel safe and secure in the school environment.

C. During the scanning process SSOs or the principal designee will continually advise students (verbally) that the purpose of the scan is to keep them safe and secure. The students will be continually advised of all the prohibited items allowed in schools. These announcements will occur prior to the students entering the search area. Students will be advised to ensure they have checked their bags/purses, etc. prior to entering the search area. The purpose of these announcements is two-fold: to demonstrate that the process is fair and transparent and to allow students to remove any potentially prohibited items from their person and/or items.
Locations with amnesty containers will advise students/visitors that anyone possessing an item that is prohibited can place the items in the box with no retribution.

D. The search procedure may include all individuals entering a school building during the regular school day. The procedure to search will not be used to single out any particular individuals, or any profile for a search.

E. Any person who refuses to cooperate in the scanning process will be referred promptly to the principal or his/her designee for appropriate action.

F. Prior to the initiation of the walk thru metal scanning program all personnel who will be conducting the scans will be trained.

G. **Public Notice**: The following notices shall be posted:

1. Weapons are not permitted in the Charter School facilities. This prohibition includes individuals with a license to carry a gun (18.Pa.C.S. 912).

2. All persons entering the Charter School facilities may be required to submit to a metal detector scan, and a personal search if necessary, to ensure that weapons are not brought into this building.

3. Bags and parcels also may be searched by means of metal detecting devices, by hand, and/or X-ray Scanning.

4. Refusal to cooperate with the search will result in the denial of entry (for adults) or disciplinary action (for students).

H. Administrative Presence

1. The Charter School recognizes the potential for non-criminal school- level incidents or issues to arise during the scanning process. To minimize disruption or delay of the student admission scanning process, a principal or other authorized school administrator (e.g. Assistant Principal, Dean of Students) is to be present during the student entry scanning procedure for referral of all non- criminal violations related to Code of Student Conduct, school-level infractions, individual school policies/rules, and any follow-up activities, which may be necessary.

I. Scanning Procedures

1. The team will be responsible for setting up the required equipment at the chosen scanning site including:

    a. Walk-through detectors and X-ray scanners.
    b. Desks and trays,
    c. Stanchions and chairs, and
    d. Public notices.

2. SSOs or the principal designee will be responsible for referring students and

contraband to the Police Department when necessary.

3. At school facilities where administrative entry searches are conducted, access to the building may be limited to a single secured entrance. When entering a secured entrance to a school facility:

    a. Students will be directed to remove all metal object(s) on their person (keys, coins, batteries, electronic devices, gum wrappers,etc.) and place them inside of their school bag.

    b. Adults/visitors will be asked to remove all metal object(s) from their person and place them in a tray that is provided for their convenience.

    c. All packages and parcels will be viewed by the "airport style" X-ray machine.

    d. Once the package or parcel is placed in the X-ray machine, the owner of the package will proceed through the metal detector.

    e. When a person walks through the metal detector and the alarm sounds, he/she shall be instructed to remove all metal objects from his/her person (belts, chains, cell phone, coins) and shall be instructed to walk through the archway again.

    f. If the alarm does not sound, the articles, which have been removed, will be examined and the individual will then be allowed to pass into the secure area.

    g. Persons should never be allowed to enter the secure area until they can walk through the metal detector without sounding the alarm or until some form of secondary search using a hand-held metal detector can identify the item causing the alarm.

K. Use of Hand-Held Detectors

1. Wand scanning will be conducted by SSO/principal designee /personnel of the same sex as the individual when possible seeking admission to the building.

2. Efforts shall be made during the scanning process to avoid having the scanning officer or the scanning equipment come into physical contact with the individual being screened.

3. If the hand-held wand activates on a person and the source of the alarm is not apparent (i.e. jewelry, belt etc.), the SSO/principal designee/personnel conducting the scan will direct the individual to remove any remaining metal object(s) from their person and will conduct a second scan.

4. If the detector activates again, the SSO/principal designee/personnel, in the presence of an authorized school administrator, will conduct a nonintrusive frisk/search of the individual.

5. Manual searches will be conducted in instances when an individual has activated the hand-held wand. All searches are conducted by SSOs or the principal designee in accordance with this policy.

6. Manual or frisk searches may only be conducted by persons of the same sex as the person to be searched.

7. All persons entering a school building, program, or bus may be searched. However, when logistically necessary (e.g. inclement weather, backlog of persons), the scanning officer may elect not to screen every person.

8. In such cases, the officers will determine the number of persons to be screened using one or both of the following alternatives:

    a. screens every 2nd, 4th, or 7th, etc. person seeking entry; and/or allow a number of persons to enter without being screened; then resume screening all persons as noted above.

9. In cases where the search is likely to cause significant difficulty for persons with disabilities, including autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairment, specific learning disability, or traumatic brain injury the scanning officer may elect not to scan those persons.

10. **Under no circumstances may school officials select a particular individual(s) to be searched, unless there is reasonable suspicion to believe that the individual(s) is in possession of a weapon or other contraband.**

L. Refusal to Cooperate

1. The principal will initially discuss with the student the reasons behind the scanning program.

2. If the student still refuses to cooperate, his/her parents are to be contacted to discuss the scanning program.

3. If a parent cannot be reached the emergency contact will be called.

4. Where appropriate, the principal may, with students and/or parents' agreement, substitute the use of a wand for the walk-through scans

5. The parent will be notified that if the student fails to comply he/she will **not** be admitted to school.

6. Students still refusing to cooperate with the scanning procedure or baggage inspection prior to entry into a school building or extracurricular activity will then be denied entry (not suspended) by the principal/designee until such time as they choose to comply.

7. Such students will be marked as an unexcused absence and after ten unexcused absences will be referred to truancy court on an expedited basis.

8. Visitors who refuse to cooperate with an SSO/principal designee or during a search authorized by this policy will be denied entry to the school premises or program.

9. A student or visitor, who declines to be scanned at an extracurricular activity or athletic contest, or an optional program, will be denied entry.

10. A student or visitor, who declines to go through a walkthrough scanner due to pregnancy, will be given the option of being searched by a hand-held scanner or a manual or frisk search by female personnel.

11. When a student or visitor will be patted down in a screened or private location, the presence of at least one additional witness is necessary.

M. Discovery of Contraband

1. When an individual is in possession of a weapon or illegal contraband the CEO or designee must notify Chester Township Police Department, who will take custody of the contraband.

2. All property removed from an individual, which is not prohibited by the Charter School policy or law, must be returned to that individual upon completion of the search.

3. While conducting Administrative Metal/Weapons Scans, if a student is in possession of a cellular phone, or prohibited communication device, and no other offense has been committed (i.e., weapons or drugs) by this student and his/her conduct would,

by itself, not constitute an offense, and the student absolutely refuses to relinquish any of the above prohibited devices, physical force will not be used by School Safety Personnel to remove these devices from a student's possession. The offender will be remanded to his/her school's administrator.

NOTE: NOTHING IN THE PROCEDURES SET FORTH ABOVE SHALL LIMIT THE AUTHORITY OF A SCHOOL SAFETY OFFICER OR PRINCIPAL DESIGNEE TO SEARCH AN INDIVIDUAL WHEN THERE IS A REASONABLE SUSPICION THAT A PARTICULAR INDIVIDUAL IS IN POSSESSION OF A WEAPON OR ANY OTHER CONTRABAND.

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

Book	Policy Manual
Section	Student
Title	Use of Scanning Equipment to Detect Weapons
Code	945
Adopted	March 16, 2023

Board of Trustees Policy

USE OF SCANNING EQUIPMENT TO DETECT WEAPONS

Purpose

The Board of Trustees ("Board") is committed to maintaining CCCS schools as safe, secure, and welcoming places for students, staff, and parents. The Board is also committed to the goal of providing schools with the means to maintain a safe climate for all students and staff in a manner which reasonably balances limited intrusions on individual freedoms against the vital public interest in preserving an atmosphere conducive to education in our schools. The purpose of this policy is to establish a transparent and standardized weapons screening process. This process aims to improve student security while promoting each student's dignity and minimizing negative effects of the screening process.

Authority

The Pennsylvania School Code and Department of Education Regulations provide the Board the authority to issue rules and regulations regarding the management of school affairs, including reasonable policies and procedures regarding searches. The Pennsylvania Crimes Code makes it a misdemeanor of the 1st degree to possess any weapon in a school, school program, or school bus. [1][2][3][4]

Delegation of Responsibility

The Board directs the Chief Executive Officer or their designee, to establish-Administrative Regulations establishing a standardized weapons screening process that is rooted in an approach that considers the unique factors related to adolescent development, setting forth the permissible circumstances and limitations upon the use of magnetometers or scanning devices: [3][4]

1. Based upon **reasonable suspicion** that a student is in possession of a weapon or where the student has engaged in assaultive conduct; and
2. For comprehensive or random entry searches of students and visitors to schools, school buses, or school programs, athletic contests, or activities.

Mandatory Regulatory Procedures

The Chief Executive Officer, Deputy Superintendent and Chief Academic Officer, Principals, and designees authorized by the Chief Executive Officer, may authorize the use of magnetometers or scanning devices for administrative searches or comprehensive or random entry searches of students and visitors, to schools, school buses, or school programs, athletic contests, or activities. [3][4]

The Chief Executive Officer, or designee, recommends for procurement, within budgetary constraints, magnetometer or other scanning devices for the purpose of reducing or discouraging the presence of weapons, as defined in Policy 906 – Anti-Weapons Policy, in our schools.

Legal References:

1. 18 Pa. C.S. § 912
2. 24 P.S. § 5-510
3. Policy 943 – Student Search Policy
4. 22 Pa Code § 12.14

Related Information:

Policy _906 – Anti-Weapons Policy

24 P.S. § 13-1301-A

Book	Policy Manual
Section	Student
Title	Dress Code Policy
Code	946
Adopted	June 15, 2023

Board of Trustees Policy

DRESS CODE POLICY

The Board of Trustees of Chester Community Charter School ("Charter School") is empowered by law to establish dress codes or require that students wear school uniforms. Policies may apply to individual school buildings or to all school buildings. The Board grants the Chief Executive Officer (CEO) with the authority to develop uniform requirements for all Charter School scholars subject to Board approval.

Students have the right to govern the length or style of their hair, including facial hair. Any limitation of this right must include evidence that length or style of hair causes disruption of the educational process or constitutes a health or safety hazard. When length or style of the hair presents a health or safety hazard, some types of covering shall be used.

Students may be required to wear certain types of clothing while participating in physical education classes, shops, extracurricular activities or other situations when special attire may be required to insure the health or safety of the student.

Students have the responsibility to keep themselves, their clothes and their hair clean. The CEO or designee may impose limitations on student participation in the regular instructional program when there is evidence that the lack of cleanliness constitutes a health hazard.

The Board directs the CEO or designee to include this Policy and Charter School uniform requirements along with purchasing information in the Charter School's Family Handbook and on the Charter School's publicly accessible Internet website.

Anti-Discrimination Notice:

The Charter School does not discriminate on the basis of sex, gender identity, sexual orientation, gender non-conformance, preferred pronouns, race, ethnicity, or disability. All students are permitted to choose the uniform option that is most comfortable for them. The Charter School uniforms shall not be categorized based on a scholar's assigned gender at birth.

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

ADOPTED this day _____ of _____, 2023

_____
President

_____

Secretary

Book	Policy Manual
Section	Student
Title	Swatting Policy
Code	947
Adopted	December 6, 2023

Board of Trustees Policy

SWATTING POLICY

Purpose

The Chester Community Charter School ("Charter School) Board of Trustees ("Board") recognizes the danger that swatting presents to the safety and welfare of Charter School students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

Definitions

Communicate – shall mean to convey in person or by written or electronic means, including telephone, electronic mail, internet, facsimile, text message and similar transmissions.

Swatting - shall mean communicating a false emergency in an attempt to direct an armed police response to a certain target or location, often as a prank or means of harassment.

Authority

The Board prohibits Charter School students from engaging in swatting

In the case of a student with a disability accused of swatting, including a student for whom an evaluation is pending, the Charter School shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.

Delegation of Responsibility

The Board directs the Chief Executive Officer of the Charter School (CEO) to react promptly and appropriately to information and knowledge concerning a possible or actual swatting act which includes immediately calling 911 and following the Charter School's Crisis Plan after receiving a report of such a threat.

Such action shall be in compliance with state law and regulation and with procedures set forth in the Memorandum of Understanding with local law enforcement and the Charter School's Plan. The CEO shall be responsible for developing regulations to implement this policy.

Guidelines

Staff members and students shall be made aware of their responsibility for informing the CEO or other Administrator regarding any information or knowledge relevant to a possible or actual swatting incident.

The Administrator shall immediately inform the CEO after receiving a report of such a threat.

The CEO or designee may report incidents involving swatting 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 local police department that has jurisdiction over the Charter School's property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.

The CEO or designee shall notify the parent/guardian of any student directly involved as a victim or suspect in an incident involving swatting immediately, as soon as practicable. The CEO or designee shall inform the parent/guardian if the local police department that has jurisdiction over the Charter School property has been or may be notified of the incident. The CEO or designee shall document attempts made to reach the parent/guardian consistent with the procedures set forth in the Memorandum of Understanding with local law enforcement.

CHESTER COMMUNITY CHARTER SCHOOL

ADMINISTRATIVE REGULATIONS FOR POLICY 946 – SWATTING POLICY

AR 946-1

Swatting Procedures - District Wide

Swatting is not a new threat; it has evolved over the last decade and includes a range of tactics and techniques used to cause false public alarm and divert law enforcement resources to a hoax threat. **Swatting** scenarios threats of an active shooter, bomb threats, hostage situations, and threats involving chemical, biological, radiological, nuclear, or explosives agents.

Receptionist – Front Office Staff – Person receiving call

- When the caller has communicated the threat, stay calm, and do not manifest fear. Make a note as to the date and time of day.
- Keep the caller on the line and talking, the more he/she says, the more we will learn.
- Record every word the caller says, via notes or recording the conversation.
- Note the characteristics of the caller: Sex, Age, Race, demeanor, Accent, Speech Characteristics, and Background noise.
- Report directly to the Building Commander. Do not discuss this with anyone unless authorized to do so.

Building Commander

- Inform the School Safety Director, School Resource Officer & CEO immediately.
- Call 911 (School Resource Officer)
- Determine known facts and how the threat was received.
- Collaborate on appropriate response to threat. Stay in the building or evacuate as guided by Local officials.
- Set up Incident Command Post (office area, another building, offsite as directed).
- Notify Transportation of possible Evacuation site
- If evacuation occurs, personnel should be a minimum of 500 feet from the building. Stay away from vehicles and trash containers.

All Staff

Decision to Stay in Building

- Teachers should take a count of students, scan the room for anything out of the ordinary, and if possible, do NOT lock classrooms unless informed to do so.
- Inform the Building Commander of any missing students and staff and anything out of the ordinary.
- Conduct a quick visual search of exterior grounds and evacuation routes.
- Search the work area for anything out of the ordinary. Suspicious objects should not be touched.
- Do not use two-way radio or cell phone (Bomb Threat).
- Do not turn off lights or electrical equipment (Bomb Threat).
- All search efforts should be done quietly and quickly without alarming or informing pupils.

Decision to Evacuate Building

- Evacuation message is delivered by runners and building commander.
- Have students bring their school bags and coats with them to the evacuation area.
- Bring class attendance roster and Go-kits
- All staff and students must be accounted for when everyone reaches the assembly area. Missing students or staff must be communicated to Building Commander.

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

Dr. David E. Clark, Jr., CCCS Chief Executive Officer, authorizes these Administrative Regulations ("AR 946-1") as of _____ as allowed by Board Policy 946 – Swatting Policy, approved by the Board of Trustees on December 6, 2023.

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