

Book	Policy Manual
Section	800 Operations
Title	Records Management - L.L.
Code	800 - New Policy
Status	Review

## **Purpose**

The Board recognizes the importance of establishing and maintaining a Records Management Plan that defines district staff responsibilities and complies with federal and state laws and regulations.

## **Authority**

The Board shall retain, as a permanent record of the district, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the district for a period of not less than six (6) years.[\[1\]](#)

All other district records shall be retained in accordance with state and federal laws and regulations and the district Records Management Plan approved by the Board.

The district shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.[\[2\]](#)[\[3\]](#)

## **Definitions**

**Electronic Mail (Email) System** - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets and other electronic documents.

**Litigation Hold** - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.

**Records** - information, regardless of physical form or characteristics, that documents a transaction or activity of the district and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the district. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.[\[4\]](#)

**Records Management Plan** - the system implemented by the district for the storage, retention, retrieval and disposition of all records generated by district operations.

**Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.

## **Delegation of Responsibility**

Any individual responsible for the collection, maintenance and/or security of records on behalf of the district shall comply with state and federal laws and regulations, Board policies, district procedures and the Records Management Plan.

#### 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 Superintendent or designee as the district's Records Coordinator who shall serve as the chairperson of the Records Management Committee.

The Records Coordinator shall be responsible to:

1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include:
  - a. Operation, care and handling of the equipment and software.
  - b. Requirements of the Records Retention Schedule.
  - c. Protocols for preserving and categorizing district records.
  - d. Procedures and responsibilities of district 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.

#### Records Management Committee

A committee responsible for the development and recommendation of the district's Records Management Plan shall be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the:

1. Open Records Officer.[5]
2. Superintendent.
3. Board Secretary.[6]
4. District solicitor.
5. Technology Coordinator or designee.
6. Business Manager.
7. Board member(s).

The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.

#### **Guidelines**

## Records Management Plan

The district's Records Management Plan shall be the principal means for the storage, retention, retrieval and disposition of manual and electronic records, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.

The Records Management Plan shall include:

1. Comprehensive listing of records and data of the district.
2. Criteria to distinguish records of the school district from the supplemental personal records of individual employees.[\[7\]](#)[\[8\]](#)
3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced and disposed.
4. Preservation measures to protect the integrity of records and reduce the risk of a data breach. Such measures shall include encryption or other appropriate security procedures.[\[9\]](#)[\[10\]](#)[\[11\]](#)
5. Data map or flow chart detailing the sources, routes and destinations of electronic records.
6. Procedures and employee(s) designated for determining whether an item is a record.
7. Procedures for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.
8. Records Retention Schedule.
9. Provisions for the storage and retrieval of records in the event of an emergency or disaster.[\[11\]](#)
10. Staff positions authorized to access district records.
11. Procedures to be implemented in the event of a litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify:
  - a. Who can initiate a litigation hold.
  - b. How and to whom a litigation hold is communicated.
  - c. Who will determine which records are subject to the litigation hold.
  - d. Who will be responsible for collecting and preserving such records and data.
  - e. Who will be responsible for monitoring and ensuring the district's compliance with the litigation hold.
  - f. In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.

For any record not covered by the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

The district shall store, maintain and dispose of records in a manner that protects any sensitive, proprietary or confidential information or individual privacy rights, and helps conserve natural resources.

### Manual Records

Manual records, which include all records not stored electronically, shall be retained and disposed of in accordance with the Records Management Plan.

Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The district shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Define the contents of the system, including record formats.
3. Identify vital records and information.
4. Determine restrictions on access and use.

### Electronic Records

Electronic records shall be retained and disposed of in the same manner as records in other formats and in accordance with the Records Management Plan.

Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.

The district shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:

1. List system title and responsible employee(s) or office.
2. Specify all technical characteristics necessary for reading or processing the records stored on the system.
3. Identify all defined inputs and outputs of the system.
4. Define the contents of the system, including records formats and database tables.
5. Identify vital records and information.
6. Determine restrictions on access and use.
7. Describe update cycles or conditions.

### Email Records

Email messages, in and of themselves, do not constitute records. Retention and disposition of email messages depend on the function and content of the individual message.

Records on an email system, including messages and attachments, shall be retained and disposed of in accordance with the district's Records Management Plan.

Email messages and attachments that do not meet the definition of records shall be deleted as required by the Records Management Plan.

For each email considered to be a record, the following information shall be retained:

1. Message content.
2. Name of sender.
3. Name of recipient.
4. Date and time of transmission and/or receipt.

### Service Providers

The Board requires service providers contracted by the district to create, maintain, retain and dispose of district records in accordance with the Records Management Plan.[\[12\]](#)

### Legal

1. [24 P.S. 518](#)
2. [65 P.S. 67.901](#)
3. Pol. 828
4. [65 P.S. 67.102](#)
5. Pol. 801
6. [24 P.S. 433](#)
7. [65 P.S. 67.708](#)
8. [20 U.S.C. 1232g](#)
9. [73 P.S. 2301 et seq](#)
10. Pol. 830
11. Pol. 830.1
12. [65 P.S. 67.506](#)
- [65 P.S. 67.101 et seq](#)
- [Federal Rules of Civil Procedure 16, 26, 34, 37, 45](#)
- Pol. 004
- Pol. 006
- Pol. 105.2
- Pol. 113.4
- Pol. 114
- Pol. 138
- Pol. 203
- Pol. 203.1
- Pol. 209
- Pol. 212
- Pol. 216
- Pol. 216.1
- Pol. 233
- Pol. 314
- Pol. 324

Pol. 326

Pol. 334

Pol. 601

Pol. 609

Pol. 610

Pol. 618

Pol. 619

Pol. 702

Pol. 706

Pol. 716

Pol. 800.1

Pol. 810

Pol. 810.1

Pol. 912

Book	Policy Manual
Section	800 Operations
Title	Electronic Signatures/Records - L.L.
Code	800.1
Status	Review

## **Purpose**

**Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business.** The Board recognizes that **the effectiveness of electronic records and signatures** depends upon the authenticity and reliability of the signatures **and the context in which the electronic records are created, transferred and stored.** Therefore, the Board adopts **this policy to allow for the use of and acceptance of electronic records and signatures and to establish the guidelines under which electronic signatures may be utilized by the district.**[\[1\]](#)

## **Authority**

**The Board authorizes the use of electronic signatures in place of manual signatures to conduct district business unless a manual signature is required by law or regulations.** Electronic signatures shall have the full force and effect of a manual signature **when used in accordance with this policy and applicable law and regulations.**[\[1\]](#)

**Electronic records filed with or issued by the district shall have the full force and effect of paper records when the requirements of this policy and applicable law and regulations are satisfied.**[\[2\]](#)[\[3\]](#)[\[4\]](#)

**This policy applies to the use of electronic records and signatures when permitted or required in connection with district programs and operations.**

## **Definitions**

**Electronic record – any record created, generated, sent, communicated, received, or stored by electronic means.**[\[4\]](#)[\[5\]](#)[\[6\]](#)

**Electronic signature – an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. More simply, it is a paperless means of committing to a contract or other document in a manner that indicates the signer’s intent to bind themselves and/or the district.**[\[5\]](#)[\[6\]](#)

## **Delegation of Responsibility**

The Superintendent or designee **shall** develop administrative **regulations to direct staff on the parameters for authorized use of electronic signatures related to district programs and operations.**

## **Guidelines**

### **Electronic Recordkeeping**

**The maintenance of electronic records and signatures by the district shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the district's Records Management Plan.[4][7]**

**Electronic records created or received by the district shall be appropriately attributed to the individual(s) responsible for their creation, authorization and/or approval.**

**The district may specify the type of electronic signature required on an electronic record, the manner and format in which the electronic signature must be affixed to the electronic record, and the criteria that must be met when an individual uses a third party to file a document if electronic records must be signed by electronic means.[8]**

**The district shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions in their original form.[6][9][10]**

**Such a system shall allow the district to implement:**

- 1. A security procedure for the purposes of verifying that an electronic signature is that of a specific person or for detecting changes or errors in the information in an electronic record.**
- 2. Appropriate control processes and procedures to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records.[8]**
- 3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received and stored.[8]**

### **Electronic Signatures**

**An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be manually signed. The issuance and/or acceptance of an electronic signature by the district shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws and regulations. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:[1][2][11][12]**

- 1. The signing employee is authorized to manually sign the document on behalf of the district.**
- 2. The electronic signature identifies the individual signing the document by their name and position.**
- 3. The individual signing with an electronic signature has signed a statement of exclusive use.**
- 4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail.**
- 5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been applied.**
- 6. The electronic signature conforms to all other provisions of this policy.**

**The district shall maintain a secure log of each employee authorized to utilize an electronic signature in connection with district business.[4]**



**This policy does not require a specific method for executing an electronic signature. The employee signing a particular document is responsible for verifying that the method chosen is appropriate for the nature of the transaction. Employees must consider confidentiality, authentication of signatures, and verification that the document signed is, in all respects, identical to the one to which the signer intends to bind the district.**

**Any electronic signature that appears to be forged, altered, or otherwise not authentic, or that is not compliant with law or regulation, this policy or related administrative regulation, is not a valid signature. Should an electronic signature be deemed invalid, the Superintendent or designee may require a manual signature.**

**All other policies that apply to the execution of contracts or other documents on behalf of the district remain in full force and effect.**

Legal

[1. 73 P.S. 2260.101 et seq](#)

[2. 15 U.S.C. 7001 et seq](#)

[3. 73 P.S. 2260.301 et seq](#)

4. Pol. 800

[5. 15 U.S.C. 7006](#)

[6. 73 P.S. 2260.103](#)

7. Pol. 815

[8. 73 P.S. 2260.502](#)

[9. 73 P.S. 2260.305](#)

[10. 73 P.S. 2260.306](#)

[11. 21 P.S. 483.1 et seq](#)

12. Pol. 716

Book	Policy Manual
Section	800 Operations
Title	Public Records - M
Code	801 Vol III 2024
Status	Review

## **Purpose**

The Board recognizes the importance of public records as the record of the district's actions and the repository of information about this district. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative regulations.

## **Definitions**

**Financial record** - any account, voucher or contract dealing with the receipt or disbursement of funds; or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; **or** a financial audit report, excluding the audit's underlying work papers.[\[1\]](#)

**Public record** - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.[\[1\]](#)

**Record** - information, regardless of physical form or characteristics, that documents a district transaction or activity and is created, received or retained pursuant to law or in connection with a district transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.[\[1\]](#)

**Response** - the district's notice informing a requester of a granting of access to a record or the district's written notice to a requester granting, denying or partially granting and partially denying access to a requested record.[\[1\]](#)

**Requester** - a **person that is a** legal resident of the United States who requests access to a record. **The term Requester includes an agency.**[\[1\]](#)

## **Authority**

The Board shall make the district's public records available for access and duplication to a requester, in accordance with law, Board policy and administrative regulations.[\[2\]\[3\]\[4\]\[5\]](#)

**{X} The Board authorizes the district to deny anonymous requests for records. A request may be considered anonymous if the requester has submitted insufficient information for the district to identify if the requester is a legal resident of the United States.**[\[1\]\[6\]](#)

## **Delegation of Responsibility**

The Board shall designate an Open Records Officer, who shall be responsible to:[\[7\]](#)

1. Receive written requests for access to records submitted to the district.
2. Review and respond to written requests in accordance with law, Board policy and administrative regulations.
3. Direct requests to other appropriate individuals in the district or in another agency.
4. Track the district's progress in responding to requests.
5. Issue interim and final responses to submitted requests.
6. Maintain a log of all record requests and their disposition.
7. Ensure district staff are trained to perform assigned job functions relative to requests for access to records.

Upon receiving a request for access to a record, the Open Records Officer shall:[\[7\]](#)[\[8\]](#)[\[9\]](#)

1. Note the date of receipt on the written request.
2. Compute and note on the written request the day on which the five-day period for response will expire.
3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued or the appeal is deemed denied.

### **Guidelines**

Requesters may access and procure copies of the public records of the district during the regular business hours of the administration offices.[\[5\]](#)

A requester's right of access does not include the right to remove a record from the control or supervision of the Open Records Officer.

The district shall not limit the number of records requested.[\[2\]](#)

When responding to a request for access, the district is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the district does not currently use.[\[10\]](#)

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice.[\[11\]](#)[\[12\]](#)[\[13\]](#)

The district shall post at the administration office and on the district's **website**, the following information:[\[4\]](#)[\[14\]](#)

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or other applicable appeals officer.

3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the district decides to create its own form.

**The district shall post the acceptable form(s) on the district website with information notifying requesters that the district may choose to deny a request for failure to submit the proper form.[15]**

4. Board policy, administrative regulations and procedures governing requests for access to the district's public records.

#### Request for Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer.[4][14][15][16]

**Requests made in accordance with this policy** may be submitted to the district in person, by mail **or** to a designated email address **and must include the following information:[5][16]**

1. Identification or description of the requested record, in sufficient detail **to allow the district to determine what records are being requested.**
2. Medium in which the record is requested.
3. Name and address of the individual to receive the district's response.

The district shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.[16]

#### Fees

Except for the duplication fee established by the state, the Board shall approve a list of reasonable fees relative to requests for public records. The district shall maintain a list of applicable fees and disseminate the list to requesters.[17]

No fee may be imposed for review of a record to determine whether the record is subject to access under law.[17]

Prior to granting access, the district may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.[17]

The Superintendent may waive duplication fees when the requester duplicates the record, or the Superintendent deems it is in the public interest to do so.[17]

#### Response to Request

District employees shall be directed to immediately forward requests for access to public records to the Open Records Officer.[7][18]

Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the district has possession, custody or control of that record.[8]

The Open Records Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer.[8]

The initial response shall grant access to the requested record; deny access to the requested record; partially grant and partially deny access to the requested record; notify the requester of the need for an extension of time to fully respond; or request more detail from the requester to clearly identify the requested material.

If the district fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.[\[8\]](#)

#### Extension of Time

If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected and an estimate of applicable fees owed when the record becomes available.[\[8\]](#)[\[19\]](#)

Up to a thirty-day extension for one (1) of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date.

A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the day following the date specified in the notice if the Open Records Officer has not provided a response by that date.

#### Granting of Request

If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include **a copy of the requested records**, information on the regular business hours of the administration office, provide electronic access or state where the requester may go to inspect the records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of \$100 and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the district is not required to permit use of its computers.[\[5\]](#)

The Open Records Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the district shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the district's notice, submits a written request to have the record converted to paper, the district shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.[\[5\]](#)[\[20\]](#)

A public record that the district does not possess but is possessed by a third party with whom the district has contracted to perform a governmental function and which directly relates to that governmental function, shall be considered a public record of the district, **and shall be made accessible in accordance with law, Board policy and administrative regulations**. When the district contracts with such a third party, the district shall require the contractor to agree in writing to comply with requests for such records and to provide the district with the requested record in a timely manner to allow the district to comply with law.[\[21\]](#)

If the Open Records Officer determines that a public record contains information both subject to and not subject to access, the Open Records Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Open Records Officer shall redact from the record the information that is not subject to access. The Open Records Officer shall not deny access to a record if information is able to be redacted.[\[22\]](#)

If the Open Records Officer responds to a requester that a copy of the requested record is available for delivery at the administration office and the requester does not retrieve the record within sixty (60) days of the district's response, the district shall dispose of the copy and retain any fees paid to date.[\[23\]](#)

#### Notification to Third Parties

**The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information, in accordance with law and administrative regulations.[\[24\]](#)**

**When the district produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the district, the person that is the subject of the record and the requester.[\[24\]](#)**

#### Denial of Request

If the Open Records Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:[\[8\]](#)[\[25\]](#)

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Open Records Officer may deny a request for access to a record if the requester has made repeated, **identical** requests for that same record and the repeated requests have placed an unreasonable burden on the district.[\[21\]](#)

The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.[\[21\]](#)

Information that is not subject to access and is redacted from a public record shall be deemed a denial.[\[22\]](#)[\[25\]](#)

#### **Appeals**

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial.[\[9\]](#)



## ***Appeals Involving Third Party Records –***

**The Open Records Officer shall provide notice to a third party within seven (7) business days of any appeal relating to records requested, which affect the legal or security interest of an employee; contain or constitute proprietary, confidential or trademarked records of a third party; or are held by a third party contractor or vendor, the district shall notify such parties of the appeal and advise them of their ability to participate in accordance with law. The Open Records Officer shall also provide proof of such notice to the Office of Open Records within seven (7) business days of sending the third party notification.**[\[9\]](#)[\[26\]](#)

## **PSBA Revision 6/24 © 2024 PSBA**

Legal

[1. 65 P.S. 67.102](#)

[2. 65 P.S. 67.302](#)

[3. 65 P.S. 67.305](#)

[4. 65 P.S. 67.504](#)

[5. 65 P.S. 67.701](#)

6. Anonymous v. Downingtown Area School District, OOR Dkt. No.: AP 2023-2329

[7. 65 P.S. 67.502](#)

[8. 65 P.S. 67.901](#)

[9. 65 P.S. 67.1101](#)

[10. 65 P.S. 67.705](#)

[11. 42 U.S.C. 12132](#)

[12. 28 CFR 35.160](#)

[13. 28 CFR 35.164](#)

[14. 65 P.S. 67.505](#)

15. K Pace v. City of Philadelphia Department of Licenses and Inspections, OOR Dkt. No.: AP 2024-0292

[16. 65 P.S. 67.703](#)

[17. 65 P.S. 67.1307](#)

[18. 65 P.S. 67.702](#)

[19. 65 P.S. 67.902](#)

[20. 65 P.S. 67.704](#)

[21. 65 P.S. 67.506](#)

[22. 65 P.S. 67.706](#)

[23. 65 P.S. 67.905](#)

[24. 65 P.S. 67.707](#)

[25. 65 P.S. 67.903](#)

[26. Office of Open Records Procedural Guidelines](#)

[24 P.S. 408](#)

[24 P.S. 518](#)

[42 U.S.C. 12101 et seq](#)

[65 P.S. 67.101 et seq](#)

Pol. 800



Book	Policy Manual
Section	800 Operations
Title	School Organization - O
Code	802
Status	Review

### **Purpose**

The Board recognizes that the district's organizational structure can **affect both** the instructional program and the operation **of the schools**.

### **Authority**

Upon approval of the Department of Education, the **Board directs that** district schools be organized as follows:[\[1\]](#)[\[2\]](#)[\[3\]](#)

Elementary school(s): grades K through 5.

Middle school: grades 6 through 8.

High school: grades 9 through 12.

### **Delegation of Responsibility**

The Superintendent shall continually monitor the effectiveness of the **district's** organizational plan and recommend to the Board modifications **that benefit the instructional program, effectively utilize** district resources, and **implement** the Board's educational goals.

Legal

- [1. 22 PA Code 4.3](#)
- [2. 22 PA Code 4.41](#)
- [3. 24 P.S. 1310](#)

Book	Policy Manual
Section	800 Operations
Title	School Calendar - R
Code	803 Vol III 2024
Status	Review

### **Purpose**

The Board recognizes that preparation of an annual school calendar is necessary for the efficient operation of the district **and communication with students, staff, parents/guardians and the school community.**

### **Authority**

The Board shall determine annually the days and the hours when the schools will be in session for instructional purposes, in accordance with state law and regulations. This may include, as appropriate, activities qualifying as instructional days **or hours** under the direction of certified school employees for fulfilling the minimum required days **or hours** of instruction under law, regulations **and state guidance.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

The school calendar shall normally consist of a minimum of [\[1\]](#)[\[2\]](#)[\[8\]](#)[\[10\]](#)

**{X} 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level.**

The Board reserves the right to alter the school calendar when it is in the best interests of the district, **including in cases of emergency, in accordance with applicable law and regulations. The Board shall take action to establish temporary provisions in cases of emergency, in accordance with law, and shall document such actions with the PA Department of Education when required.**[\[2\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[9\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

Temporary provisions established in accordance with law may include but are not limited to:[\[1\]](#)[\[2\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[12\]](#)[\[13\]](#)[\[15\]](#)

1. Keeping schools in session such **hours** as the Board deems necessary, which shall include maintaining the requirement for a minimum of **900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level.**
2. Reducing the length of time of daily instruction for courses and classes.
3. Implementing remote and other alternative methods of delivering instruction under the direction of certified school employees.

### **Delegation of Responsibility**

The Superintendent shall annually prepare a school calendar for Board consideration.

The Superintendent or designee shall document alterations to the school calendar and any temporary provisions in accordance with law, regulations, guidance from the PA Department of Education **and** Board policy.[\[15\]](#)

Legal

- [1. 24 P.S. 133](#)
- [2. 24 P.S. 1501](#)
- [3. 24 P.S. 1502](#)
- [4. 24 P.S. 1503](#)
- [5. 24 P.S. 1504](#)
- [6. 24 P.S. 1505](#)
- [7. 24 P.S. 1506](#)
- [8. 22 PA Code 11.1](#)
- [9. 22 PA Code 11.2](#)
- [10. 22 PA Code 4.4](#)
- [11. 24 P.S. 520](#)
- [12. 24 P.S. 520.1](#)
- [13. 24 P.S. 1501.3](#)
14. Pol. 006
15. Pol. 805
- Pol. 204
- Pol. 804

Book	Policy Manual
Section	800 Operations
Title	School Day - R
Code	804
Status	Review

### **Purpose**

The normal school day for the instruction of district **students** shall be in accordance with law, **regulations and Board policy**.

### **Authority**

The Board **shall** establish **the times for the daily** sessions of district schools.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### **Delegation of Responsibility**

**The Superintendent may close, delay the opening, or dismiss schools early for emergency reasons and to protect the health and safety of students and staff. The Superintendent or designee shall prepare procedures for proper and timely notification of all concerned, in the event of an emergency closing.**

**In all cases, the Superintendent shall inform the Board President as soon as possible.**

**The Superintendent or designee shall develop rules that allow students to enter and leave schools under exceptional conditions so that variances with the normal school schedule may be accommodated. Such rules shall consider such things as inclement weather, illness, urgent reasons and other circumstances.**[\[4\]](#)[\[5\]](#)

Legal	<a href="#">1. 22 PA Code 11.2</a>
	<a href="#">2. 22 PA Code 11.3</a>
	<a href="#">3. 24 P.S. 1504</a>
	<a href="#">4. 22 PA Code 11.25</a>
	5. Pol. 204

Book	Policy Manual
Section	800 Operations
Title	Emergency Preparedness and Response - L.L.
Code	805 Vol III 2024
Status	Review

## **Purpose**

The Board recognizes its responsibility for the safety of students, staff, visitors and facilities. Therefore, the Board shall provide facilities, equipment and training necessary to protect against hazards and emergencies, including but not limited to natural disasters, hazardous chemicals, fires, weapons, bomb threats, intruders, terrorism, communicable diseases and pandemics. Advance planning, training, practice and comprehensive implementation are key components in protecting the safety and security of the school community.[1]

## **Authority**

The district, in cooperation with the county Emergency Management Agency and the Pennsylvania Emergency Management Agency (PEMA), shall develop and implement a comprehensive disaster response and emergency preparedness plan, consistent with the guidelines developed by PEMA and other applicable state requirements.[2][3]

The Board shall also utilize the resources of and comply with the requirements of the Pennsylvania Department of Health, the Pennsylvania Department of Education and **law** enforcement agencies.[4]

The Board requires that emergency preparedness, emergency evacuation and school security drills be conducted at intervals required by state law.[3][5][6]

## **Definitions**

**School security drill** – a planned exercise, other than a fire drill or natural disaster drill, designed to practice procedures to respond to an emergency situation that may include, but is not limited to, an act of terrorism, armed intruder situation or other violent threat.[5]

**School Safety and Security Assessment** – a strategic evaluation of a school entity’s facilities and programs used to identify potential safety and security threats.[7]

## **Delegation of Responsibility**

The Superintendent or designee shall collaborate with relevant stakeholders, including parents/guardians, students, staff, community agencies, **law** enforcement agencies and first responders, during the development and implementation of the emergency preparedness plan.

The Superintendent or designee shall implement a communication system to notify parents/guardians of the evacuation or sheltering of students and to alert the entire school community when necessary.

Annually, on or before April 10, the Superintendent shall certify that emergency evacuation drills and school security drills have been conducted in the manner prescribed by law.[5]

In accordance with state law and regulations, the Superintendent shall execute a memorandum of understanding with each **law enforcement agency** that has jurisdiction over school property.  
[4][8][9][10]

{X} The Board directs the

{X} Superintendent or designee

to periodically complete a School Safety and Security Assessment in accordance with the provisions of law and established criteria, based on the needs of the district and availability of funding and resources.[7][11]

## **Guidelines**

### **Emergency Planning**

The emergency preparedness plan shall be accessible in each district building, be reviewed at least annually, and be modified as necessary. A copy of the plan shall be made accessible to the county Emergency Management Agency, each **law enforcement agency** and each local fire department that have jurisdiction over school property. The district shall obtain assurances from each appropriate agency that the emergency preparedness plan will be safeguarded and maintained confidentially.[2][3][9]

Appropriate information regarding the emergency preparedness plan shall be communicated to students, parents/guardians, staff, the community and other relevant stakeholders.

Annually, by September 30, the district shall assemble information required to assist **law enforcement agencies** and fire departments in responding to an emergency. The required information shall be deployed immediately to the Incident Command Post in the event of an emergency incident or disaster.[2][3][4]

Schools and school buses or transportation vehicles owned or leased by the district shall be made available to local, county and state officials for emergency planning and exercises.[3]

### **Continuity of Student Learning/Core Operations**

In the event of an emergency, local, county or state officials may require that schools be made available to serve as mass-care facilities. Local, county or state officials may also utilize district-owned buses and other transportation vehicles. The Superintendent or designee shall determine whether schools shall be closed, or the educational program suspended, to safeguard student and staff health and safety.[3][12]

State officials may also direct schools to close in order to mitigate the spread of infection or illness in designated emergencies.[13]

The district shall make provisions in the emergency preparedness plan and any applicable health and safety plan for the continuity of student learning during school closings or excessive absences, in accordance with law. This may include, as appropriate, activities qualifying as instructional days **or hours** for fulfilling the minimum required days **or hours** of instruction under the law. Instructional activities may include:[14][15][16][17][18][19][20]

1. {X} Web-based instruction.
2. {X} Mailed lessons and assignments.

The continuity of core operations such as payroll and ongoing communication with staff, students and parents/guardians shall be an essential part of the emergency preparedness plan.

### Education and Training

Students and staff members shall be instructed and shall practice how to respond appropriately to emergency situations.[5][6][21]

Effective infection control and prevention education and procedures, such as frequent hand washing and cough/sneeze etiquette, shall be encouraged continually to help limit the spread of germs at district schools.[22][23]

The district shall provide mandatory training for school staff on school safety and security, in accordance with law and the standards specified by the state's School Safety and Security Committee:[21][24][25][26]

1. Two (2) hours of required training addressing any combination of one (1) or more of the following areas shall be completed each year, in person or virtually:
  - a. Situational awareness.
  - b. Trauma-informed approaches.[25][27]
  - c. Behavioral health awareness.
  - d. Suicide and bullying awareness.[28][29]
  - e. Substance use awareness.[30][31]
2. One (1) hour of **required** training in the following areas shall be completed each year:
  - a. Emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat. This training must be conducted in person.[32]
  - b. Identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities, or the community. This training may be conducted in person or virtually.[33][34]

The required school safety and security training shall be credited toward professional education requirements, in accordance with law and the district's Professional Education Plan.[21][25][35]

### Required Drills

#### *Emergency Preparedness Drill -*

The Board directs district schools to conduct a disaster response or emergency preparedness plan drill at least annually, in accordance with the provisions of law.[3]

#### *Fire Drills -*

The Board directs each district school to conduct fire drills at least once a month during the school year, in accordance with the provisions of law.[5][6]

#### *School Security Drills -*

The Board directs each district school to conduct a school security drill within ninety (90) days of the beginning of each school year. The school security drill shall be conducted while school is in session, with students present.[\[5\]](#)

The school security drill may take the place of a fire drill for the month in which it is conducted.

The Superintendent or designee

{X} may

conduct additional school security drills in district schools after the first ninety (90) days of the school year. Up to two (2) additional school security drills per school year may be conducted in place of the required fire drills for the month in which they are conducted.[\[5\]](#)

The Superintendent or designee shall:[\[5\]](#)

1. Oversee instruction and training of students and school employees in procedures for conducting school security drills and responding to emergency situations.
2. Notify and request assistance from local law enforcement and the emergency management agency prior to conducting a school security drill.
3. Notify parents/guardians of the students attending the school building where the school security drill is scheduled in advance of conducting the drill.

#### *Bus Evacuation Drills -*

Bus evacuation and safety drills shall be conducted twice a year, in accordance with the provisions of law.[\[5\]](#)[\[36\]](#)

#### Safe2Say Something Program

The Board directs the Superintendent or designee to develop procedures for assessing and responding to reports received from the Safe2Say Something anonymous reporting program, in accordance with law. The procedures shall establish a framework within which district administration and staff will respond to program reports, coordinate with the county emergency dispatch center(s) and **law** enforcement, and provide appropriate assessment and response for the safety and security of students, staff and school facilities, in accordance with applicable law and Board policy and administrative regulations.[\[4\]](#)[\[26\]](#)[\[32\]](#)[\[34\]](#)[\[37\]](#)

#### **PSBA Revision 6/24 © 2024 PSBA**

Legal

1. Pol. 705
2. [22 PA Code 10.24](#)
3. [35 Pa. C.S.A. 7701](#)
4. Pol. 805.1
5. [24 P.S. 1517](#)
6. [24 P.S. 1518](#)
7. [24 P.S. 1301-B](#)
8. [22 PA Code 10.11](#)
9. [24 P.S. 1306.2-B](#)



[10. 24 P.S. 1319-B](#)  
[11. 24 P.S. 1303-B](#)  
12. Pol. 804  
[13. 35 Pa. C.S.A. 7301 et seq](#)  
[14. 24 P.S. 133](#)  
[15. 24 P.S. 520.1](#)  
[16. 24 P.S. 1501](#)  
[17. 24 P.S. 1505](#)  
[18. 24 P.S. 1506](#)  
[19. 22 PA Code 11.2](#)  
20. Pol. 803  
[21. 24 P.S. 1310-B](#)  
22. Pol. 203  
23. Pol. 203.1  
[24. 24 P.S. 102](#)  
25. Pol. 333  
26. Pol. 805.2  
27. Pol. 146.1  
28. Pol. 249  
29. Pol. 819  
30. Pol. 227  
31. Pol. 351  
32. Pol. 805  
[33. 24 P.S. 1302-E](#)  
34. Pol. 236.1  
[35. 24 P.S. 1205.2](#)  
[36. 75 Pa. C.S.A. 4552](#)  
[37. 24 P.S. 1303-D](#)  
[24 P.S. 1205.7](#)  
[20 U.S.C. 7112](#)  
[20 U.S.C. 7118](#)  
[20 U.S.C. 7801](#)  
Pol. 146  
Pol. 236  
Pol. 709  
Pol. 810  
Pol. 909



PROCEDURES

APPROVED:

REVISED:

## SAFE2SAY SOMETHING PROCEDURES

### Overview

In accordance with law, the district establishes the following procedures for receiving, assessing and responding to reports received from the Safe2Say Something anonymous reporting program of the Pennsylvania Office of the Attorney General. (24 P.S. 1303-D)

These procedures establish a framework within which district administrators and staff will operate and coordinate with the county emergency dispatch center and law enforcement agencies.

Safe2Say Something reports may be submitted by any individual, including students, parents/guardians, staff and others as a secure and anonymous report about unsafe, potentially harmful, dangerous, violent or criminal activities in a school entity or threat of such activities in a school entity through:

1. A twenty-four (24) hours a day, seven (7) days a week telephone hotline maintained by the Office of the Attorney General's Safe2Say Something Crisis Center;
2. A Safe2Say Something program secure website; or
3. A Safe2Say Something software program application, or "app" accessed through a mobile electronic device.

Reports may be submitted through any of these methods for an identified K-12 school anywhere in the state. Anonymous reports will be triaged by the Safe2Say Something Crisis Center and delivered to the appropriate school entity based on the location of the identified school, and county emergency dispatch center, where applicable, by Crisis Center staff through telephone communication, text and/or email.

Report Categorization and Delivery

Reports, also known as tips, will be analyzed by the Safe2Say Something Crisis Center and categorized based on definitions determined and approved by the Office of the Attorney General.

The following lists provide examples of incidents, concerns or threats that may be categorized as Life Safety, Non-Life Safety or Non-Notification, and are not all-inclusive lists. The status of a report may also be changed at the discretion of the Safe2Say Something Crisis Center when additional information becomes available regarding the report.

The Safe2Say Something Crisis Center will forward reports to a team, established by the district, via telephone communication, text and/or email and through the Safe2Say Something management program, depending on the nature and categorization of the report received:

*Life Safety Categories and Process –*

Life Safety – Imminent and In-Progress
Active Shooter – In Progress
Bodily Injury – Emergency Condition
Cutting/Self-Harm
Disorderly/Dangerous Conduct
Domestic Violence
Human Trafficking
Intent to Harm Someone – Active
Physical Abuse
Planned Attack
Sexual Assault/Rape
Sexual Exploitation/Abuse
Stranger/Potential Predator on School Grounds
Suicide/Suicide Ideation
Terrorism
Weapons/Explosive Device

*Chart provided courtesy of the Pennsylvania Office of the Attorney General*

During the school year, Life Safety tips coming into the Safe2Say Something Crisis Center during school hours will be:

1. Delivered to the district's designated Crisis Team via email and text message. The Safe2Say Something Crisis Center will call to see if the student is in school.
2. If the student is not in school at that time, the Safe2Say Something Crisis Center will request the student's address, parent/guardian name(s) and phone number. The Safe2Say Something Crisis Center will contact the county emergency dispatch center and request a welfare check for the student.
3. The district's designated Crisis Team will respond to the report in accordance with the designated procedures. The Crisis Team will coordinate with law enforcement to follow up on a student welfare check.

Life Safety tips coming into the Safe2Say Something Crisis Center after school hours, on weekends and holidays will be:

1. Delivered to the district's designated Crisis Team via email and text message. The Safe2Say Something Crisis Center will call to request the student's address, parent/guardian name(s) and phone number. Calls will continue to be made through the list of designated team members until a response is received via telephone or in the Safe2Say Something management program.
2. The Safe2Say Something Crisis Center will contact the county emergency dispatch center and request a welfare check for the student.
3. The district's designated Crisis Team will respond to the report in accordance with the designated procedures. The Crisis Team will coordinate with law enforcement to follow up on a student welfare check.

In the event of an active emergency situation, the Safe2Say Something Crisis Center will contact the county emergency dispatch center immediately, without delay.

*Non-Life Safety Categories and Process –*

<b>Non-Life Safety    *(CV) = Crime/Violence</b>
Alcohol Possession (CV)
Anger Issues
Animal Cruelty (CV)
Breaks School District Code
Bullying/Cyber Bullying
Dating Violence
Depression/Anxiety
Discrimination
Distributing Inappropriate Photos (CV)
Drug use/Distribution/Possession (CV)
Drunk/Under the Influence (CV)
Eating Disorder
Gang Violence/Activity (CV)
General Harassment
Harm to Building/Property
Hate Crime/Speech (CV)
Hazing (CV)
Homeless Child/Student
Hostile Environment
Inappropriate Bus Behavior
Inappropriate Language/Behavior/Gesture
Inappropriate Physical Contact
Inappropriate Use of School Technology/Equip.
Intimidation
Missing Person
Other
Planned Fight/Assault

*Chart provided courtesy of the Pennsylvania Office of the Attorney General*

Non-Life Safety tips are those considered to be non-imminent. This may include acts that are considered violent or criminal, but are not currently active.

Non-Life Safety tips coming into the Safe2Say Something Crisis Center will be:

1. Delivered to the district's designated Crisis Team via email and text message between the hours of 6 a.m. to 6 p.m., Monday through Friday.
2. Delivered to the district's designated Crisis Team via email and text message between the hours of 9 a.m. to 4 p.m. on Saturdays, Sundays and holidays.
3. The Safe2Say Something Crisis Center may reach out to the district's Crisis Team for student information as deemed necessary, to provide that information to law enforcement.
4. The district's designated Crisis Team will respond to the report in accordance with the designated procedures.

*Non-Notification Categories and Process –*

Non-Notification
General School Complaint
General Student Concern
Non-School Based – Information Only
Non-School Event - Crime

*Chart provided courtesy of the Pennsylvania Office of the Attorney General*

Non-Notification tips coming into the Safe2Say Something Crisis Center will be delivered to the district's designated Crisis Team through the Safe2Say Something management program only, twenty-four (24) hours a day, seven (7) days a week, without direct notification via email or text message sent to the Crisis Team.

The district's designated Crisis Team will respond to the report in accordance with the designated procedures.

**General School Complaint** - tips may include complaints about school food, condition of the building, etc.

**General Student Concern** - tips may include reports of concern about student clothing, cleanliness, etc.

**Non-School Based – Information Only** - tips will include events that may be related to a student, but not a school issue, such as social media. These tips are being sent for informational purposes.

**Non-School Event – Crime** - tips will include crimes that may involve a student, but the event is unrelated to the school. These tips are being sent for informational purposes and will be

forwarded to law enforcement. The Safe2Say Something Crisis Center may reach out to the district's Crisis Team for student information as deemed necessary, to provide that information to law enforcement.

### Crisis Team

The Superintendent, School Safety and Security Coordinator or designee will establish a Crisis Team of three (3) to five (5) members, who will be designated, registered and trained to receive Safe2Say Something reports for all school buildings in the district.

The Crisis Team will be comprised of:

1. School Safety and Security Coordinator.
2. Building principal.
3. Director of Student Services.
4. **School** counselor.
5. Assistant Principal(s); other administrator or staff.

For purposes of communication, training and administration of district information in the Safe2Say Something program, the School Safety and Security Coordinator will be designated as the Crisis Team lead administrator. The lead administrator will be responsible for updating contact information for all school buildings and designated Crisis Team members in the Safe2Say Something program, and determining the priority order of team members to receive calls about Life Safety reports.

### Training

The Crisis Team lead administrator and team members designated to receive reports from the Crisis Center must attend training designated by the Safe2Say Something program. Training must include practicing report handling in the system.

The Crisis Team will ensure that middle school and high school students and other staff members are provided with **information about** how to make reports and also awareness on risk factors and the importance of reporting. **Information** may include online and interactive video training and will be integrated with appropriate curriculum.

### Confidentiality

Crisis Team members will receive training regarding confidentiality and the handling of student and staff information, in accordance with applicable laws, regulations, Board policies, administrative regulations and procedures. (20 U.S.C. 1232g; 24 P.S. 1304-D, Pol. 113.4, 207, 216, 236, 236.1, 249, 324, 800, 819)

Confidentiality will be handled in accordance with these procedures and the district's legal and investigative obligations.

The Safe2Say Something program is required to ensure anonymous reporting for individuals who submit reports. Crisis Team members should ensure that if the identity of an individual making a report becomes known through other means, other than voluntary disclosure, that individual's identity is not further disclosed and records of the Safe2Say Something program are maintained confidentially, in accordance with law. (24 P.S. 1304-D)

Crisis Team members whose other assignments and roles require confidentiality of specific student communications, in accordance with law, will ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Board policy and administrative regulations. (22 PA Code 12.12; 42 Pa. C.S.A. 5945; 42 Pa. C.S.A. 8337; Pol. 207)

### Receiving Reports

Upon receipt of a report notification via telephone call, text message and/or email, each Crisis Team member will log in to the Safe2Say Something management program to retrieve the report.

The Crisis Team will communicate with other team members regarding the report through established district processes and communication methods.

The Crisis Team will notify the Safe2Say Something Crisis Center by telephone if a report is received identifying a student who is not enrolled in the school district. Information on the student's current enrollment in another school or program will be provided to the Crisis Center, if known by the Crisis Team member responding to the report.

### *Tip Preservation –*

If the district's Crisis Team identifies the need for a tip reported to the Safe2Say Something Crisis Center to be preserved for further investigation, the district and/or law enforcement agency will contact the Safe2Say Something Crisis Center within seventy-two (72) hours of receiving the initial report to request that it be preserved.

### Law Enforcement Coordination

The Crisis Team lead administrator, in coordination with the Superintendent and/or School Safety and Security Coordinator, will schedule and facilitate meetings with the county emergency dispatch center and each law enforcement agency that has jurisdiction over school property to discuss communication and handling of reports from the Safe2Say Something program.

Communication strategies and guidelines for handling reports will be documented in the biannual memorandum of understanding with law enforcement agencies. (24 P.S.1319-B; 22 PA Code 10.11; Pol. 805.1)



Communication strategies and guidelines for handling reports with law enforcement agencies will be documented in the following manner:

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The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies on Safe2Say Something reports in accordance with the documented procedures.

When requested, designated Crisis Team members will provide student directory information, such as full name, address, home phone number, parent/guardian name(s), grade level, etc., to the Safe2Say Something Crisis Center, county emergency dispatch center and/or law enforcement agency with jurisdiction, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. The Crisis Team and/or Superintendent will consult the school solicitor regarding questions on disclosure of student directory information if necessary. (20 U.S.C. 1232g; Pol. 113.4, 216)

The district will ensure that all Crisis Team members designated to receive Safe2Say Something program reports have continual access to the district's electronic student information system and have received authorization and training on handling student education records.

When a law enforcement agency takes the lead in handling a Life Safety report, the designated Crisis Team member(s) will document this action and coordinate follow-up activities for students and/or staff based on the nature of the report, in accordance with procedures under Response below.

When a report is handled by the district's Crisis Team, and a determination is made to contact the law enforcement agency to take protective action or report an incident, the district will coordinate with the law enforcement agency in accordance with documented procedures, the memorandum of understanding and applicable laws, regulations and Board policies. (24 P.S.1306.2-B, 1319-B; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

#### Assessment and Response

Members of the Crisis Team receiving Safe2Say Something reports will identify if the report **has been categorized as a** Life Safety or Non-Life Safety report. Crisis Team members will make a determination about whether to anonymously communicate with the reporter, if possible, through the Safe2Say Something management program for additional information based on:

1. The nature of the report and the scope of information provided initially.
2. The recommendation of the county emergency dispatch center and/or law enforcement agency, when applicable.
3. The training and experience of the Crisis Team member(s).

Reports received initially from the Safe2Say Something Crisis Center will have inappropriate images and attachments blocked, including images or recordings that may be considered obscene or **pornographic**; however, Crisis Team members should be aware that images and attachments may be added by the reporter in follow-up responses and communication. If images or other

content that could be considered obscene or **pornographic** are added to the report, Crisis Team members will contact the Superintendent, who will coordinate with the school solicitor and/or law enforcement agency, in handling such images and attachments that are received, and addressing their disposition in the Safe2Say Something management program. Such images and attachments should not be disseminated or downloaded beyond the reporting system until such coordination occurs and further direction is provided. Under no circumstances should images constituting pornography be downloaded or saved to a school-issued or school-owned electronic device or computer, or printed into a paper or other format.

**Pornography** includes, but is not limited to:

1. Any visual or audio depiction, including any photograph, digital image, film, video, picture, recording or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct; and
2. Nude pictures or images of the genitalia of any male or female or the breasts of any female, including any photograph, digital image, film, video, picture or computer or computer-generated image or picture of such.

**Obscene** includes any material, if:

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

#### *Coordination With Other School Entities –*

The Crisis Team will contact and coordinate with other school entities in assessing and responding to a report if an identified student that is the subject of a report is enrolled in the district and also attends another school, such as a career and technical education program, approved private school placement or intermediate unit program.

#### *Coordination With Threat Assessment Process –*

When a student's behavior reported through the Safe2Say Something program indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, the Crisis Team shall report the student's behavior to the threat assessment team, in accordance with applicable law and Board policy. (24 P.S. 1302-E, Pol. 236.1)

*Life Safety Reports –*

The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies when assessing and responding to Life Safety reports. Coordination may include, but is not limited to:

1. Providing student or staff information for immediate response by law enforcement.
2. Providing required information to the Incident Command Post in an emergency situation. (22 PA Code 10.24)
3. Notification of the school community.
4. Cooperating in joint investigation and response to a report.
5. Providing care, support and/or ongoing monitoring following the resolution of a report.

The Crisis Team, in consultation with the building principal, Superintendent and law enforcement agency, will determine if the parent(s)/guardians(s) of a student(s) identified in or the subject of a report should be notified concerning a report, based on the nature of the report and the need for ongoing investigation.

*Non-Life Safety or Non-Notification Reports –*

The Crisis Team members receiving a report will determine if additional members of the Crisis Team should meet to assess and respond to a report.

The Crisis Team may reach out to and include other teams and/or staff who are familiar with the student and/or situation in assessing and responding to a report.

*Relation to Board Policies/Administrative Regulations/Procedures –*

In assessing and responding to reports, the Crisis Team will make a determination if handling the report should be done under one or more specific Board policies, administrative regulations or district procedures, based on the subject matter of the report. Policies that may address Safe2Say Something report subjects include, but are not limited to:

1. Threat Assessment. (Pol. 236.1)
2. Bullying/Cyberbullying. (Pol. 249)
3. Suicide Awareness, Prevention and Response. (Pol. 819)
4. Child Abuse. (Pol. 806)
5. Student Assistance Program. (Pol. 236)

6. Student Discipline. (Pol. 218)
7. Weapons. (Pol. 218.1)
8. Terroristic Threats. (Pol. 218.2)
9. Controlled Substances/Paraphernalia. (Pol. 227)
10. Tobacco and Vaping Products. (Pol. 222, 323, 904)
11. Searches. (Pol. 226)
12. Hazing. (Pol. 247)
13. Discrimination/Title IX Sexual Harassment. (Pol. 103, 103.1, 104)
14. Dating Violence. (Pol. 252)
15. Emergency Preparedness and Response. (Pol. 805)
16. Employee Conduct/Disciplinary Procedures and/or Educator Misconduct. (Pol. 317, 317.1)
17. Maintaining Professional Adult/Student Boundaries. (Pol. 824)

*Assessment –*

In assessing Safe2Say Something reports that are not addressed through other Board policies, administrative regulations and district procedures, the Crisis Team will follow a standard practice, which may include, but is not limited to:

1. Interviewing students, staff, parents/guardians or others regarding the subject(s) of the report.
2. Reviewing existing academic, disciplinary and/or personnel records and assignments, as appropriate, regarding the subject(s) of the report.
3. Conducting searches of lockers, storage spaces and other possessions on school property as applicable, in accordance with applicable law, regulations and Board policy. (Pol. 226)
4. Examining outside resources such as social media sites, in coordination with law enforcement, or contacting community agencies that may provide additional information about the subject(s) of the report, in accordance with law, regulations and Board policies.
5. Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Child Study team, Student Assistance Program team or others. (Pol. 103.1, 113, 113.1, 113.2, 113.3, 236)

6. Adding notes or attachments to the report in the Safe2Say Something management program for communication and coordination among the members of the Crisis Team, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. (20 U.S.C. 1232g; Pol. 113.4, 216)

The Crisis Team will conduct interviews and investigations in accordance with applicable laws, regulations, Board policies and administrative regulations, and will respect the rights and confidentiality of students, staff, parents/guardians and others in assessing and responding to Safe2Say Something reports. (Pol. 103, 103.1, 104)

*Response –*

Following assessment and coordination with other teams and individuals as necessary, the Crisis Team will recommend and/or implement one or more responses to address the Safe2Say Something report. The timeline for assessment and response, as well as the nature of responses, will vary based on the nature and complexity of the report. Responses may include but are not limited to:

1. Counseling – this may include counseling within or outside of the school. (Pol. 112, 146)
2. Monitoring – monitoring may be done by the Crisis Team, threat assessment team, a Child Study team, IEP team or other appropriate team of individuals within the district.
3. Parental notification, as appropriate.
4. Review of appropriate plan or support – this may include a review of a student’s IEP, Section 504 Service Agreement, Behavior Support Plan, Student Assistance Program, Employee Assistance Program or other type of plan or system of support. (Pol. 103.1, 113, 113.2, 146, 236)
5. Immediate intervention – this may include an immediate assessment or action through the threat assessment process, student services, Student Assistance Program, a crisis response team, law enforcement and/or a community agency.
6. Reporting/Law enforcement action – this may include a referral to law enforcement in accordance with the memorandum of understanding, reporting in accordance with **school safety and security** incident reporting, or other types of required reporting to state or federal agencies. (Pol. 103.1, 113.1, 113.2, 218, 218.1, 218.2, **218.3**, 222, 227, 317.1, 323, 351, 805.1, 806, 904)

*Interplay with Child Protective Services Law –*

The Crisis Team will respond to Safe2Say Something reports involving suspected child abuse in accordance with Board policy and the Child Protective Services Law, and will follow the requirements for making a mandated report, even if the county emergency dispatch center or law enforcement agency has also received the Safe2Say Something report. When a report of suspected child abuse is made by a school employee as a member of the Crisis Team, the district

is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, is not required to make an additional report. (23 Pa. C.S.A. 6305, 6311, 6313; Pol. 806)

### *School Safety and Security Incident Reporting –*

For **school safety and security** reporting purposes, the term **incident** will mean an instance involving an act of violence; the possession of a weapon; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco **products**; or conduct that constitutes an offense listed **in the school safety and security provisions of School Code**. (24 P.S. **1319-B**; 22 PA Code 10.2; 35 P.S. 780-102)

In accordance with reporting requirements, the Superintendent or designee will immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies. (24 P.S. **1306.2-B, 1319-B**; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

The Superintendent or designee will notify the parent/guardian of any student directly involved in an incident on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Superintendent or designee will inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian. (22 PA Code 10.2, 10.25; Pol. 805.1)

### *Students With Disabilities –*

When reporting an incident committed by a student with a disability to a law enforcement agency, the district will provide the information required by state and federal laws and regulations and will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district will ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records. (20 U.S.C. 1232g, 1415; Pol. 113.1, 113.4, 216)

For purposes of protection and continuity in handling students with disabilities, the district will provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each **law enforcement agency** that has jurisdiction over school property. Updated copies will be provided each time the administrative regulations and procedures for behavior support are revised by the district. (22 PA Code 10.23, 14.104; Pol. 113, 113.2, 805.1)

The district will invite representatives of each **law enforcement agency** that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require

intervention, as included in the district's Special Education Plan and positive behavior support program. (22 PA Code 10.23, 14.104, 14.133; Pol. 113, 113.2, 805.1)

#### Closure and Documentation

Crisis Team members designated to receive Safe2Say Something reports will coordinate and ensure that all reports are officially closed in the Safe2Say Something management program.

The Crisis Team will coordinate with the county emergency dispatch center and law enforcement agencies in documenting responses to reports and/or handling student information and records, in accordance with these procedures, the memorandum of understanding with law enforcement and applicable laws and regulations.

The Superintendent or designee will direct the Crisis Team to submit a report annually to the Board on aggregate data of Safe2Say Something program reports and responses.

Aggregate report and response data from the Safe2Say Something program will be included in the annual Board report from the School Safety and Security Coordinator. **(Pol. 805.2)**

The Superintendent or designee will develop reports, databases and/or files for documenting and storing information regarding Safe2Say Something reports, assessments, resolutions and follow-up responses.

Documentation from Safe2Say Something reports that includes specific student information will be handled by the district in accordance with applicable laws, regulations, Board policies, administrative regulations and procedures. (20 U.S.C. 1232g; 24 P.S. 1304-D, Pol. 113.4, 207, 216, 236, 236.1, 249, 800, 819)

Student Assistance Program documentation and follow-up information will be handled in accordance with Board policy, administrative regulations and program requirements. (Pol. 236)

#### Resources

Safe2Say Something Program Frequently Asked Questions:

<https://www.safe2saypa.org/faq/>

Safe2Say Something Resource Portal (contains team and student training guides, including awareness materials in multiple languages):

[www.safe2saypa.org/resources](http://www.safe2saypa.org/resources)

*School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA)*: FERPA guidance from the Privacy Technical Assistance Center, U.S. Department of Education, February 2019

Book	Policy Manual
Section	800 Operations
Title	Relations With Law Enforcement Agencies - L.L.
Code	805.1 Vol III 2024
Status	Review

## **Purpose**

The Board recognizes that cooperation with law enforcement agencies is considered essential for protecting students and staff, maintaining a safe environment in schools and safeguarding district property.

## **Authority**

It shall be the policy of the Board to establish and maintain a cooperative relationship between the school district and **law enforcement agencies with jurisdiction over school property of the school district** in maintaining school safety and security; responding to school safety and security reports; and reporting and resolution of incidents that occur on school property, at any school-sponsored activity or on any conveyance providing transportation to or from a school or school-sponsored activity.[\[1\]\[2\]\[3\]\[4\]\[5\]](#)

The Board directs the Superintendent to execute and update, on a biennial basis, a memorandum of understanding with each **law enforcement agency that** has jurisdiction over school property in accordance with state law and regulations.[\[1\]\[2\]\[6\]](#)

## **Definition**

**Incident** - an instance involving an act of violence; the possession of a weapon by any person; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco **products** by any person on school property; or conduct that constitutes an offense listed **in the school safety and security provisions of School Code.**[\[2\]\[7\]\[8\]\[9\]\[10\]\[11\]\[12\]\[13\]\[14\]\[15\]\[16\]](#)

## **Guidelines**

### Memorandum of Understanding

In accordance with state law and regulations, the Superintendent shall **form an advisory committee composed of relevant school staff to assist in the development of a memorandum of understanding with law enforcement. The Superintendent shall** execute and update, every two (2) years, a memorandum of understanding with each **law enforcement agency** that has jurisdiction over school property. The memorandum of understanding shall be signed by the Superintendent, chief of police **of the law enforcement agency with jurisdiction over the relevant school property** and each building principal, and be filed with the **PA Department of Education.**[\[1\]\[2\]\[6\]](#)

In developing and updating the memorandum of understanding, the district shall consult and consider the **model memorandum of understanding, in accordance with applicable law and regulations.**[\[1\]\[2\]\[6\]](#)



The memorandum of understanding shall comply with state law and regulations and set forth:<sup>[1]</sup>  
<sup>[2]</sup><sup>[6]</sup>

1. **A procedure for law enforcement agency review of the district's annual incident report required by law, prior to the Superintendent filing the report with the PA Department of Education.**
2. **A procedure for the resolution of incident data discrepancies in the report prior to filing the report.**
3. **Additional matters pertaining to crime prevention agreed to between the Superintendent and the law enforcement agency.**

#### Students With Disabilities

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each **law enforcement agency** that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.  
<sup>[17]</sup><sup>[18]</sup><sup>[19]</sup><sup>[20]</sup>

The district shall invite representatives of each **law enforcement agency** that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.<sup>[17]</sup><sup>[18]</sup><sup>[19]</sup><sup>[20]</sup><sup>[21]</sup>

#### {X} Training

{X} The district shall invite representatives of each **law enforcement agency** that has jurisdiction over school property to participate in district training related to subjects that enhance understanding of and build positive relationships with students, which may include but not be limited to training on trauma-informed approaches, restorative practices, suicide awareness and prevention, child abuse recognition and reporting, maintaining confidentiality of students' personally identifiable information and maintaining professional adult/student boundaries.<sup>[4]</sup>  
<sup>[22]</sup><sup>[23]</sup><sup>[24]</sup><sup>[25]</sup><sup>[26]</sup><sup>[27]</sup>

#### Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with **law enforcement** and Board policies.<sup>[1]</sup><sup>[2]</sup><sup>[7]</sup><sup>[9]</sup><sup>[10]</sup><sup>[11]</sup><sup>[12]</sup><sup>[13]</sup><sup>[14]</sup><sup>[15]</sup><sup>[16]</sup><sup>[20]</sup><sup>[28]</sup><sup>[29]</sup><sup>[30]</sup><sup>[31]</sup>

#### School Safety and Security Incidents Report

Annually, by July 31, the Superintendent shall report on the designated form, to the **PA Department of Education**, all new incidents as required by state law.<sup>[2]</sup>

Prior to submitting the **incidents** report, the Superintendent and each **law enforcement agency** having jurisdiction over school property shall do all of the following:<sup>[2]</sup>

1. No later than thirty (30) days prior to the deadline for submitting the report to the **PA Department of Education**, the Superintendent shall submit the report to the **law enforcement agency** that has jurisdiction over the relevant school property. The **law**

**enforcement agency** shall review the report and compare the data regarding criminal offenses and notification of law enforcement to determine whether the report accurately reflects **law enforcement** incident data.

2. No later than fifteen (15) days prior to the deadline for the Superintendent to submit the report to the **PA Department of Education**, the **law enforcement agency** shall notify the Superintendent, in writing, whether the report accurately reflects **law enforcement** incident data. Where the **law enforcement agency** determines that the report accurately reflects **law enforcement** incident data, the chief of police shall sign the report. Where the **law enforcement agency** determines that the report does not accurately reflect **law enforcement** incident data, the **law enforcement agency** shall indicate any discrepancies between the report and **law enforcement** incident data.
3. **Prior to submitting the report to the PA Department of Education, the Superintendent and the law enforcement agency shall attempt to resolve any discrepancy between the report and law enforcement incident data. If a discrepancy remains unresolved, the law enforcement agency shall notify the Superintendent and the PA Department of Education in writing.**
4. Where a **law enforcement agency** fails to take action as required above, the Superintendent shall submit the report to the **PA Department of Education** and indicate that the **law enforcement agency** failed to take the required action.

#### **PSBA Revision 6/24 © 2024 PSBA**

#### Legal

[1. 24 P.S. 1306.2-B](#)

[2. 24 P.S. 1319-B](#)

[3. 22 PA Code 10.1](#)

4. Pol. 805

5. Pol. 805.2

[6. 22 PA Code 10.11](#)

[7. 22 PA Code 10.2](#)

[8. 35 P.S. 780-102](#)

9. Pol. 218

10. Pol. 218.1

11. Pol. 218.2

12. Pol. 222

13. Pol. 227

14. Pol. 323

15. Pol. 351

16. Pol. 904

[17. 22 PA Code 10.23](#)

[18. 22 PA Code 14.104](#)

19. Pol. 113

20. Pol. 113.2

[21. 22 PA Code 14.133](#)

22. Pol. 113.4

23. Pol. 216

24. Pol. 333

25. Pol. 806

26. Pol. 819

27. Pol. 824

[28. 22 PA Code 10.21](#)

[29. 22 PA Code 10.22](#)

30. Pol. 103.1

31. Pol. 113.1

[22 PA Code 10.24](#)

[75 Pa. C.S.A. 3345.1](#)

Pol. 909

Book	Policy Manual
Section	800 Operations
Title	School Security Personnel - L.L.
Code	805.2 Vol V 2024
Status	Review

### **Authority**

The Board shall employ, contract for and/or assign staff to coordinate the safety and security of district students, staff, visitors and facilities.

**The district shall employ or contract for at least one (1) full-time school security personnel who has completed the training required by law and this Board policy to be on duty during the school day.**[\[1\]](#)

**The district shall certify to the state School Safety and Security Committee annually that it has met the requirements for school security personnel or has received a waiver, in accordance with applicable law.**[\[1\]](#)

### **Definitions**

**School security personnel** - school police officers, school resource officers and school security guards.[\[2\]](#)

**Independent contractor** - an individual, including a retired federal agent or retired state, municipal or military police officer or retired sheriff or deputy sheriff, whose responsibilities, including work hours, are established in a written contract with the district for the purpose of performing school security services.[\[2\]](#)

**School day - the hours between the morning opening of a school building and the afternoon dismissal of students on a day which classes are in session.**[\[1\]](#)

**Third-party vendor** - a company or entity approved by the PA Commission on Crime and Delinquency that provides school security services in accordance with law.[\[2\]](#)

### **Delegation of Responsibility**

The Superintendent shall appoint a school administrator to serve as the School Safety and Security Coordinator, in accordance with law. When a vacancy occurs in the role of the School Safety and Security Coordinator, the Superintendent shall appoint another school administrator to serve as the School Safety and Security Coordinator within thirty (30) days of the vacancy and shall notify the Board regarding the appointment.[\[3\]](#)

The Superintendent or designee shall submit the name and contact information for the appointed School Safety and Security Coordinator to the state's School Safety and Security Committee within thirty (30) days of the appointment.[\[3\]](#)

The School Safety and Security Coordinator shall report directly to the Superintendent, and shall be responsible for the following:[\[3\]](#)

1. Oversee all

{X} School Resource Officers (SROs)

{X} school security guards.

2. Review and provide oversight of all Board policies, administrative regulations and procedures related to school safety and security, and ensure compliance with federal and state laws and regulations regarding school safety and security.
3. Coordinate training and resources for students and staff related to situational awareness, trauma-informed approaches, behavioral health awareness, suicide and bullying awareness, substance use awareness, emergency procedures and training drills, and identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities or the community, in accordance with the standards established by the state's School Safety and Security Committee and the requirements of applicable law and regulations.[4][5][6][7][8][9][10][11][12][13]
4. Coordinate a tour of the district's buildings and grounds biennially, or when a building is first occupied or reconfigured, with law enforcement and first responders responsible for protecting and securing the district to discuss and coordinate school safety and security matters.
5. Serve as the liaison with law enforcement and other state committees and agencies on matters of school safety and security.
6. Serve on the district's threat assessment team(s) and participate in required training and the threat assessment process.[7][14]
7. Coordinate School Safety and Security Assessments, School Safety and Security grant requirements and respond to School Safety and Security surveys, as applicable.[11][15]

The School Safety and Security Coordinator shall, within one (1) year of appointment, complete required training as specified by the state's School Safety and Security Committee for serving in the role of a School Safety and Security Coordinator. This training shall be in addition to other training requirements for school administrators, but shall count toward professional education credit, where applicable.[3][16][17][18]

By June 30 of each year, the School Safety and Security Coordinator shall make a report to the Board at an executive session on the district's current safety and security practices, and identify strategies to improve school safety and security.[3][19]

The Board directs the School Safety and Security Coordinator to include the following information in the annual report:

1. Threat assessment team information, including verification of compliance with law and regulations, the number and composition of the district's threat assessment team(s), the total number of threats assessed in the past year and additional information on threat assessment required by the Superintendent or designee, in accordance with Board policy. [7][14]
2. **The number and type(s) of school security personnel contracted or employed by the district, including:[3]**

- a. **The number of school security personnel that are armed, listed by type(s) of personnel.**
  - b. **The school building at which each school security personnel is assigned, listed by type(s) of personnel.**
  - c. **The training, including the type of training and completion dates, of each school security personnel, listed by type(s) of personnel.**
  - d. **A listing of other individuals utilized by the district for school safety-related duties.**
3. {X} Reports of required emergency preparedness, fire, bus evacuation and school security drills.[11]
  4. {X} Information on required school safety and security training and resources provided to students and staff.[11]
  5. {X} Safe2Say Something aggregate data, including a breakdown of Life Safety and Non-Life Safety reports received.
  6. {X} School safety and security incident reports for the previous year(s) and/or data collected to date for the current year.[21]
  7. {X} Updates regarding the district's memorandum of understanding with law enforcement agencies.[21]
  8. {X} Updates to laws, regulations and/or Board policies related to school safety and security.
  9. {X} Information on tours, inspections and/or School Safety and Security Assessments of school facilities and programs.
  10. {X} Information on grants or funding applied for and/or received in support of school safety and security efforts.

A copy of the report, **including the required information on threat assessment and school security personnel**, shall be submitted to the state's School Safety and Security Committee.[3]

The Superintendent or designee shall implement job descriptions and procedures to address the responsibilities and requirements specific to each category of school security personnel in carrying out their duties.

School security personnel shall carry weapons, including firearms, in performance of their duties only if, and to the extent, authorized by the Board, including as provided in an agreement with a law enforcement agency for the stationing of a School Resource Officer or in a contract with an independent contractor or third-party vendor approved by the Board.

### **Guidelines**

{X} School Resource Officers (SROs).

The district shall establish an agreement with Kingston, Larksville, and Plymouth, in accordance with the provisions of law, for the assignment of a School Resource Officer(s) to specified district schools.[2][45]



**School Resource Officer (SRO)** - a law enforcement officer commissioned and employed by a law enforcement agency whose duty station is located in the district and whose stationing is established by an agreement between the law enforcement agency and the district. The term includes an active certified sheriff or deputy sheriff whose stationing in the district is established by a written agreement between the county, the sheriff's office and the district.[\[2\]](#)

The agreement shall address the powers and duties conferred on SROs, which shall include but not be limited to:[\[46\]](#)

1. Assist in identification of physical changes in the environment which may reduce crime in or around a school.
2. Assist in developing Board policy, administrative regulations or procedures which address crime, and recommending procedural changes.
3. Develop and educate students in crime prevention and safety.
4. Train students in conflict resolution, restorative justice and crime awareness.
5. Address crime and violence issues, gangs and drug activities affecting or occurring in or around a school.
6. Develop or expand community justice initiatives for students.
7. Other duties as agreed upon between the district and municipal agency.

Prior to assignment in the district, the district shall confirm that the law enforcement agency has completed a law enforcement agency background investigation and received the SRO's separation record, when required, in compliance with applicable law and regulations. The district shall coordinate with the law enforcement agency in making required reports regarding hiring and separation, and maintaining all required records, in accordance with applicable law and regulations.[\[32\]](#)[\[36\]](#)

SROs shall successfully complete required training, in accordance with law.[\[46\]](#)

#### {X} School Security Guards

The district shall **employ and/or contract for** one or more school security guards, in accordance with the provisions of law.[\[2\]](#)[\[25\]](#)[\[26\]](#)[\[47\]](#)

**School security guard** - an individual employed by the district or a third-party vendor or an independent contractor who is assigned to a school for routine safety and security duties, and has not been granted powers by the court to issue citations, detain individuals or exercise the same powers as exercised by police of the municipality in which the school property is located, in accordance with law. An independent contractor or individual employed by a third-party vendor contracted with the district shall meet the requirements of contracted services personnel, in accordance with Board policy and the provisions of applicable law.[\[2\]](#)[\[24\]](#)[\[26\]](#)[\[47\]](#)

#### *Background Checks –*

Prior to receiving an offer of employment, all school security guards shall comply with the requirements for background checks/certifications and employment history reviews for all school employees, in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for school security guards employed by the district and Board policy 818 for school security guards employed by an independent contractor or third-party vendor.[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)

The district shall conduct a law enforcement agency background investigation in compliance with applicable law and regulations for all school security guards employed by the district and shall review a background investigation conducted for all school security guards employed by an independent contractor or third-party vendor.[\[31\]](#)[\[32\]](#)

Following an offer of employment, the district shall request the separation record for a school security guard employed or contracted by the district, in accordance with applicable law and regulations for a law enforcement agency.[\[33\]](#)[\[34\]](#)

#### *Requirements -*

School security guards shall provide the following services, as directed by the district:[\[47\]](#)

1. School safety support services.
2. Enhanced campus supervision.
3. Assistance with disruptive students.
4. Monitoring visitors on campus.[\[48\]](#)
5. Coordination with law enforcement officials,  
    {X} including SROs.
6. Security functions which improve and maintain school safety.

School security guards shall successfully complete required training, in accordance with law, and applicable staff training in accordance with Board policy.[\[47\]](#)

{X} School security guards authorized to carry a firearm shall maintain an appropriate license and successfully complete required firearm training in accordance with law.[\[47\]](#)

The district shall make reports regarding hiring and separation, and shall maintain all records, as required for a law enforcement agency, in accordance with applicable law and regulations.[\[32\]](#)  
[\[36\]](#)

{X} The district shall enter into an intergovernmental agreement(s) otherwise providing for School Resource Officers with other political subdivisions, in accordance with the provisions of law.[\[45\]](#)[\[46\]](#)[\[51\]](#)

#### **PSBA Revision 9/24 © 2024 PSBA**

#### Legal

[1. 24 P.S. 1316-C](#)

[2. 24 P.S. 1301-C](#)

[3. 24 P.S. 1309-B](#)

4. Pol. 146.1

5. Pol. 227

6. Pol. 236

7. Pol. 236.1

8. Pol. 249

9. Pol. 333



10. Pol. 351
11. Pol. 805
12. Pol. 819
- [13. 24 P.S. 1310-B](#)
- [14. 24 P.S. 1302-E](#)
- [15. 24 P.S. 1305-B](#)
- [16. 24 P.S. 1316-B](#)
- [17. 24 P.S. 1205.1](#)
- [18. 24 P.S. 1205.5](#)
19. Pol. 006
20. Pol. 235.1
21. Pol. 805.1
- [22. 24 P.S. 1302-C](#)
- [23. 24 P.S. 1310-C](#)
- [24. 24 P.S. 1311-C](#)
25. Pol. 304
26. Pol. 818
- [27. 24 P.S. 111](#)
- [28. 24 P.S. 111.1](#)
- [29. 23 Pa. C.S.A. 6344](#)
- [30. 23 Pa. C.S.A. 6344.3](#)
- [31. 37 PA Code 241.5](#)
- [32. 44 Pa. C.S.A. 7301 et seq](#)
- [33. 37 PA Code 241.6](#)
- [34. 44 Pa. C.S.A. 7310](#)
- [35. 24 P.S. 1303-C](#)
- [36. 37 PA Code 241.1 et seq](#)
- [37. 24 P.S. 1304-C](#)
- [38. 24 P.S. 1305-C](#)
- [39. 22 PA Code 10.23](#)
- [40. 22 PA Code 14.104](#)
- [41. 22 PA Code 14.133](#)
42. Pol. 113.2
- [43. 24 P.S. 1306-C](#)
- [44. 24 P.S. 1307-C](#)
45. Pol. 909
- [46. 24 P.S. 1313-C](#)
- [47. 24 P.S. 1314-C](#)
48. Pol. 907
- [49. 24 P.S. 1309-C](#)

[50, 42 Pa. C.S.A. 8953](#)

[51, 53 Pa. C.S.A. 2303](#)

[24 P.S. 1306.2-B](#)

[24 P.S. 1319-B](#)

[53 Pa. C.S.A. 2301 et seq](#)

Pol. 705

Pol. 709

Book	Policy Manual
Section	800 Operations
Title	Child Abuse - M
Code	806 Vol III 2024
Status	Review

## **Authority**

The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

## **Definitions**

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

**Adult** - an individual eighteen (18) years of age or older.[\[5\]](#)

**Bodily injury** - impairment of physical condition or substantial pain.[\[5\]](#)

**Certifications** - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code.[\[6\]](#)[\[7\]](#)

**Child** - an individual under eighteen (18) years of age.[\[5\]](#)

**Child abuse** - intentionally, knowingly or recklessly doing any of the following:[\[5\]](#)

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:

- a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
  - c. Forcefully shaking a child under one (1) year of age.
  - d. Forcefully slapping or otherwise striking a child under one (1) year of age.
  - e. Interfering with the breathing of a child.
  - f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[\[8\]](#)
  - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender, has to register for life or has been determined to be a sexually violent predator or sexually violent delinquent.[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)
9. Causing the death of the child through any act or failure to act.
  10. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined in the law.[\[13\]](#)

The term **child abuse** does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term **child abuse** is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force: [\[14\]](#)

1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
3. Is necessary for self-defense or defense of another;
4. Is necessary to prevent the child from self-inflicted physical harm; or
5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

**Direct contact with children** - the possibility of care, supervision, guidance or control of children or routine interaction with children.[\[1\]](#)

**Independent contractor** - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children. [\[5\]](#)[\[15\]](#)

**Perpetrator** - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for

the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child; or an adult who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined in the law. Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child.[\[5\]](#)[\[13\]](#)

**Person responsible for the child's welfare** - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.[\[5\]](#)

**Program, activity or service** - any of the following in which children participate and which is sponsored by a school or a public or private organization:[\[5\]](#)

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

**Recent act or failure to act** - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.[\[5\]](#)

**Routine interaction** - regular and repeated contact that is integral to a person's employment or volunteer responsibilities.[\[5\]](#)

**School employee** - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[\[5\]](#)

**Serious mental injury** - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:[\[5\]](#)

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; **or**
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

**Serious physical neglect** - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:[\[5\]](#)

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

**Sexual abuse or exploitation** - any of the following:[5]

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

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

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

**Student** - an individual enrolled in a district school under eighteen (18) years of age.[5]

**Volunteer** - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children.[15]

**Delegation of Responsibility**

The Superintendent or designee shall:

1. Require each candidate for employment to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[6][7][16][17][18][19]
2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.[20][21][22]

School employees and independent contractors shall obtain and submit new certifications every sixty (60) months.[21]

Certification requirements for volunteers are addressed separately in Board Policy 916.[23]

The Superintendent or designee shall annually notify district staff, independent contractors and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations.

The Superintendent or designee shall ensure that the poster, developed by the PA Department of Education, displaying the statewide toll-free telephone numbers for reporting suspected child abuse, neglect and school safety issues be posted in a high-traffic, public area of each school. The designated area shall be readily accessible and widely used by students.[24]

The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.

## **Guidelines**

### **Aiding and Abetting Sexual Abuse**

School employees, acting in an official capacity for this district, are prohibited from assisting another school employee, contractor or agent in obtaining a new job if the school employee knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student.[16][17][18][19][22][25][26][27][28]

This prohibition applies only to assistance that extends beyond performance of normal processing of personnel matters including routine transmission of files or other information. This prohibition shall not apply if:[26]

1. The relevant information has been properly reported to law enforcement officials and any other authority required by federal, state or local law and the matter has been officially closed or the prosecutor or law enforcement officials notified school officials that there is insufficient information to establish probable cause.
2. The school employee, contractor or agent has been acquitted or otherwise exonerated of the alleged misconduct.
3. The case or investigation remains open and no charges have been filed against, or indictment of, the school employee, contractor or agent within four (4) years of the date on which the information was reported to the law enforcement agency.

### **Training**

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[1][3][4][27]

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[27][29]
3. District policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.[28]

Employees are required to complete a minimum of three (3) hours of training every five (5) years.[1]



## Duty to Report

School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:[15]

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that **the individual** has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.[15]

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.[15]

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.[30]

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.[31]

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.[32]

Any person who engages in intimidation, retaliation or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.[33]

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.[34]

## Reporting Procedures

School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies ([www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis)) or an oral report via the statewide toll-free telephone number (1-800-932-0313). A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.[15][35][36]



A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the building principal or administrator and if the initial report was made electronically, also provide the building principal or administrator with a copy of the report confirmation. The building principal or administrator shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation.[\[15\]](#)[\[35\]](#)[\[36\]](#)

When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the building principal or administrator with a copy of the report confirmation promptly after the written electronic report has been filed. The building principal or administrator shall in turn provide a copy of the report confirmation to the Superintendent or designee.[\[15\]](#)[\[35\]](#)[\[36\]](#)

{X} When necessary to preserve potential evidence of suspected child abuse, a school employee may, after the initial report is made, take or cause to be taken photographs of the child who is the subject of the report. Any such photographs shall be sent to the county agency at the time the written report is sent or within forty-eight (48) hours after a report is made by electronic technologies or as soon thereafter as possible. The building principal or administrator shall be notified whenever such photographs are taken.[\[37\]](#)

If the Superintendent or designee reasonably suspects that conduct being reported involves a **school safety and security** incident required to be reported under **law**, the Superintendent or designee shall inform **the law enforcement agency that has jurisdiction over the school's property**, in accordance with applicable law, regulations and Board policy.[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)  
[\[43\]](#)

### Investigation

The building principal or administrator shall facilitate the cooperation with the Department of Human Services of the Commonwealth **and/or** the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school.[\[15\]](#)[\[44\]](#)

Upon notification that an investigation involves suspected child abuse by a school employee, the building principal or administrator shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.[\[45\]](#)

## **PSBA Revision 6/24 © 2024 PSBA**

Legal

[1. 24 P.S. 1205.6](#)

[2. 23 Pa. C.S.A. 6301 et seq](#)

3. Pol. 333

4. Pol. 818

[5. 23 Pa. C.S.A. 6303](#)

- [6. 24 P.S. 111](#)
- [7. 23 Pa. C.S.A. 6344](#)
- [8. 18 Pa. C.S.A. 7508.2](#)
- [9. 42 Pa. C.S.A. 9799.12](#)
- [10. 42 Pa. C.S.A. 9799.24](#)
- [11. 42 Pa. C.S.A. 9799.55](#)
- [12. 42 Pa. C.S.A. 9799.58](#)
- [13. 22 U.S.C. 7102](#)
- [14. 23 Pa. C.S.A. 6304](#)
- [15. 23 Pa. C.S.A. 6311](#)
16. Pol. 302
17. Pol. 304
18. Pol. 305
19. Pol. 306
- [20. 23 Pa. C.S.A. 6344.3](#)
- [21. 23 Pa. C.S.A. 6344.4](#)
22. Pol. 309
23. Pol. 916
- [24. 23 Pa. C.S.A. 6332](#)
- [25. 24 P.S. 111.1](#)
- [26. 20 U.S.C. 7926](#)
27. Pol. 317.1
28. Pol. 824
- [29. 24 P.S. 2070.1a](#)
- [30. 23 Pa. C.S.A. 6318](#)
- [31. 23 Pa. C.S.A. 6319](#)
- [32. 18 Pa. C.S.A. 4906.1](#)
- [33. 18 Pa. C.S.A. 4958](#)
- [34. 23 Pa. C.S.A. 6320](#)
- [35. 23 Pa. C.S.A. 6305](#)
- [36. 23 Pa. C.S.A. 6313](#)
- [37. 23 Pa. C.S.A. 6314](#)
- [38. 22 PA Code 10.2](#)
- [39. 22 PA Code 10.21](#)
- [40. 22 PA Code 10.22](#)
- [41. 24 P.S. 1306.2-B](#)
- [42. 24 P.S. 1319-B](#)
43. Pol. 805.1
- [44. 23 Pa. C.S.A. 6346](#)
- [45. 23 Pa. C.S.A. 6368](#)

[24 P.S. 1527](#)

[24 P.S. 2070.1a et seq](#)

[22 PA Code 10.1 et seq](#)

[18 Pa. C.S.A. 4304](#)

Pol. 317

Book	Policy Manual
Section	800 Operations
Title	Opening Exercises/Moment of Silence/Flag Displays - L.L.
Code	807 Vol IV 2024
Status	Review

### **Purpose**

The Board adopts this policy to ensure that all district schools comply with state and federal laws concerning flag displays, opening exercises **and the moment of silence on the anniversary of September 11**, while respecting the rights of individuals.

### **Authority**

A United States flag shall be displayed in classrooms and on or near each school building during school hours, in clement weather and at other times determined by the Board.[\[1\]](#)

District schools shall provide opening exercises that include a salute to the flag and/or recitation of the Pledge of Allegiance or the National Anthem.[\[1\]](#)

Students may decline to recite the Pledge of Allegiance or National Anthem and to salute the flag on the basis of personal belief or religious conviction. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do participate.[\[1\]](#)[\[2\]](#)

**The Board directs the district to annually provide, during instructional hours, a moment of silence for students and staff to observe the anniversary of September 11, 2001.**[\[4\]](#)

### **PSBA Revision 7/24 © 2024 PSBA**

Legal	<a href="#">1. 24 P.S. 771</a>
	<a href="#">2. 22 PA Code 12.10</a>
	<a href="#">3. 24 P.S. 1516.1</a>
	<a href="#">4. 24 P.S. 1555</a>

Book	Policy Manual
Section	800 Operations
Title	Food Services - M
Code	808
Status	Review

### **Purpose**

**The Board recognizes that students require adequate, nourishing food and beverages in order to grow, learn and maintain good health. The Board directs that students shall be provided with adequate space and time to eat meals during the school day.**

### **Authority**

**The food service program shall be operated in compliance with all applicable state and federal laws and regulations, as well as federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture (USDA).[1][2][3][4][5][6][7][8][9][10]**

**The district shall ensure that, in the operation of the food service program, no student, staff member or other individual shall be discriminated against on the basis of race, color, national origin, age, sex or disability.[11][12]**

**Food sold by the school may be purchased by students and district employees but only for consumption on school premises. The price charged to students shall be established annually by the district in compliance with state and federal laws.[4][13]**

**Nonprogram food shall be priced to generate sufficient revenues to cover the cost of such items. A nonprogram food shall be defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account. Nonprogram foods include but are not limited to adult meals and a-la-carte items. All revenue from the sale of nonprogram food shall accrue to the child nutrition program account.[13][14]**

### **Delegation of Responsibility**

**Operation and supervision of the food service program shall be the responsibility of the Business Manager or designee.**

**The individual responsible for the operation and supervision of the food service program shall present to the Board each month for its approval a statement of receipts and expenditures for cafeteria funds.[4]**

**Cafeterias shall be operated on a nonprofit basis. A periodic review of the cafeteria accounts shall be made by the Superintendent and annually by the auditor.[3][4]**

**The individual responsible for the operation and supervision of the food service program shall ensure that school meals meet the standards required by the School Breakfast Program, the National School Lunch Program and the Special Milk Program.[2][3][4][6][7][8][9][10]**

The Superintendent or designee shall comply with state and federal requirements for conducting cafeteria health and safety inspections and ensuring employee participation in appropriate inspection services and training programs.[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

The Superintendent or designee shall develop and disseminate administrative regulations to implement this policy.

The Superintendent or designee shall annually notify students, parents/guardians and employees concerning the contents of this policy and applicable administrative regulations. Notification shall include information related to nondiscrimination.[\[12\]](#)

### **Guidelines**

To reinforce the district's commitment to nutrition and student wellness, foods served in school cafeterias shall:[\[19\]](#)

1. Be carefully selected to contribute to students' nutritional well-being and health.
2. Meet the nutrition standards specified in law and regulations and approved by the Board.
3. Be prepared by methods that will retain nutritive quality, appeal to students and foster lifelong healthy eating habits.
4. Be served in age-appropriate quantities.

The district shall use USDA Foods for school menus available under the Child Nutrition USDA Foods Programs.

### **Free/Reduced-Price School Meals and Free Milk**

The district shall provide free and reduced-price school meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program, the School Breakfast Program and the Special Milk Program.[\[20\]](#)[\[21\]](#)

The district shall conduct direct certification three (3) times per year using the Pennsylvania Student Eligibility System (PA-SES) to identify students who are eligible for free school meal benefits without the need for submission of a household application. Direct certification shall be conducted:[\[20\]](#)[\[21\]](#)

1. At or around the beginning of the school year.
2. Three (3) months after the initial effort.
3. Six (6) months after the initial effort.

The district may also conduct direct certification on a weekly or monthly basis.

### **Community Eligibility Provision (CEP) -**

The district participates in the Community Eligibility Provision (CEP), which provides an alternative to submission of household applications to identify students who are eligible for free and reduced-price meals. Under the CEP, the district shall serve to all students free lunches and breakfasts for a defined period, in accordance with applicable provisions of law.[\[22\]](#)

### **Accommodating Students With Special Dietary Needs**

The district shall make appropriate food service and/or meal accommodations to students with special dietary needs in accordance with applicable law, regulations and Board policy.[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)

### **School Meal Service and Accounts**

To ensure the effective operation of the district's food service program and delivery of school food program meals to students, the district shall:

1. Assign individual accounts to each student for the purchase of meals served in school cafeterias, which ensure that the identity of each student is protected.
2. Notify parents/guardians when the student's account reaches a low balance.
3. Notify parents/guardians when the student's account reaches a negative balance. The notice shall include information on payment options.
4. Provide a school food program meal to each student who does not have the money to pay for the school food program meal or who has a negative balance in their school meal account, except when the student's parent/guardian has specifically provided written notice to the district to withhold a school food program meal.[\[3\]](#)

When a student owes money for five (5) or more school food program meals, the district shall make at least two (2) attempts to contact the student's parent/guardian and shall provide the application for free/reduced-price school meal benefits to the parent/guardian to apply for benefits under federal school meal programs. The district shall offer assistance to parents/guardians with applying for free/reduced-price school meal benefits.[\[3\]](#)[\[20\]](#)[\[21\]](#)

Communications regarding a low balance or money owed by a student for school meals shall be made to the student's parent/guardian.[\[3\]](#)

School staff may communicate a low balance or money owed by a student for school meals to a student in grades 9-12; such communication shall be made to the individual student in a discreet manner.[\[3\]](#)

The district shall be permitted to contact the student's parent/guardian by means of a letter addressed to the parent/guardian that is delivered by the student.[\[3\]](#)

District schools shall be prohibited from:[\[3\]](#)

1. Publicly identifying or stigmatizing a student who cannot pay for a school food program meal or who has a negative school meal account balance. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes.
2. Requiring a student who cannot pay for a school food program meal to perform chores or other work to pay for the meal, unless chores or other work are required of all students regardless of their ability or inability to pay for a school food program meal.



3. Requiring a student or school staff to discard a school food program meal after it was served to the student due to the student's inability to pay for the meal or due to a negative school meal account balance.

This policy and any applicable procedures or administrative regulations regarding school meal charges and school meal accounts shall be communicated annually to school administrators, school food service personnel, other appropriate school staff and contracted food service personnel.

The district shall provide parents/guardians with a written copy of this policy and any applicable procedures or administrative regulations at the start of each school year, when a student enrolls in school after the start of the school year and when a parent/guardian is notified of a negative school meal account balance.

The district shall annually inform parents/guardians, students and staff about the contents of this policy and any applicable procedures via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods.

#### **Collection of Unpaid Meal Charges**

Reasonable efforts shall be made by the district to collect unpaid meal charges from parents/guardians. Efforts taken in the collection shall not have a negative impact on the student involved, but shall focus primarily on the parents/guardians responsible for providing funds for meal purchases.

#### **Procurement**

Procurement of goods or services for the food service program shall meet the requirements of applicable law, regulations and Board policy and procedures.[27][28][29]

#### **Professional Standards for Food Service Personnel**

The district shall comply with the professional standards for school food service personnel who manage and operate the National School Lunch and School Breakfast Programs. For purposes of this policy, professional standards include hiring standards for new food service program directors and annual continuing education/training for all individuals involved in the operation and administration of school meal programs. Such professional standards shall apply to both district-operated food service programs and contracted food service programs.[6][7][18][30]

#### **School Food Safety Inspections**

The district shall obtain two (2) safety inspections per year in accordance with local, state, and federal laws and regulations.[16][17][31]

The district shall post the most recent inspection report and release a copy of the report to members of the public, upon request.

#### **School Food Safety Program**

The district shall comply with federal requirements in developing a food safety program that enables district schools to take systematic action to prevent or minimize the risk of foodborne illness among students.[8][10][16]



**The district shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with applicable state and local laws and regulations and federal food safety requirements.**[\[17\]](#)[\[31\]](#)[\[32\]](#)

Legal

- [1. 2 CFR Part 200](#)
- [2. 24 P.S. 1335](#)
- [3. 24 P.S. 1337](#)
- [4. 24 P.S. 504](#)
- [5. 24 P.S. 807.1](#)
- [6. 42 U.S.C. 1751 et seq](#)
- [7. 42 U.S.C. 1773](#)
- [8. 7 CFR Part 210](#)
- [9. 7 CFR Part 215](#)
- [10. 7 CFR Part 220](#)
- [11. 7 CFR 210.23](#)
- [12. FNS Instruction 113-1 \(USDA\)](#)
- [13. 42 U.S.C. 1760](#)
- [14. 7 CFR 210.14](#)
- [15. 3 Pa. C.S.A. 5713](#)
- [16. 42 U.S.C. 1758\(h\)](#)
- [17. 7 CFR 210.13](#)
- [18. 7 CFR 210.30](#)
19. Pol. 246
- [20. 42 U.S.C. 1758](#)
- [21. 7 CFR Part 245](#)
- [22. 42 U.S.C. 1759a](#)
- [23. 7 CFR 15b.40](#)
24. Pol. 103.1
25. Pol. 113
26. Pol. 209.1
27. Pol. 610
28. Pol. 626
29. Pol. 827
- [30. 7 CFR 210.15](#)
- [31. 7 CFR 220.7](#)
- [32. 7 CFR 210.9](#)
- [P.L. 111-296](#)
- [7 CFR Part 15](#)
- Pol. 103

**Wyoming Valley West School District**  
**CAFETERIA PROCEDURES AND PURCHASE CHARGE POLICY**  
**2024 - 2025 School Year**

The Wyoming Valley West School District Cafeteria is serviced with a student account system. This system is a pre-paid program that allows students to deposit their meal money into their meal accounts to be used to purchase additional meal items, snacks, and beverages. Please read the following policy on making deposits, charging to your students' accounts, and payments returned due to insufficient funds.

- All students will receive one free lunch and one free breakfast. Wyoming Valley West has qualified for the Community Eligibility Program for the 2024-25 school year. All additional meal items and snacks will be an additional charge.
- No charging of additional meal items or snacks will be allowed. No exceptions will be made. No charging will be permitted by any staff member or teacher. Money must be on account for the meal paid for that day. No exceptions will be made.
- You can add money to your child's account by filling out an envelope and sealing the payment inside. Your child can drop off the envelope to the cashier in the cafeteria or at the high school and middle schools, drop it into the lockbox in the cafeteria each morning. The envelope should be clearly marked with your child's name and account number. If the payment is for more than one child, indicate how the money should be split (for example, Johnny = \$10.00 and Sally=\$15.00).
- We encourage payment be made in the form of a check and made out only to "Wyoming Valley West Cafeteria Fund".
- Money received on account is automatically deposited in Wyoming Valley West's Cafeteria Fund. The money remains on the student's account and will be drawn down as students purchase additional meal items and/or snacks.
- All students have been assigned a Student ID number to access their lunch account. This ID number will be like a PIN for an ATM machine. Students will enter their ID number into a PIN pad prior to the cashier. We will help your child learn his/her ID number.
- The High School and Middle School operates on a cashless system. Students must have money on their accounts in order to make purchases. If they choose not to utilize cash on account, then they can purchase a selection of items from the a la carte line in the back of the High School cafeteria only.
- You can access your student's account via the internet to view purchases and account balance. To check your child's account please visit [www.wvwsd.org](http://www.wvwsd.org). You will also have the ability to view and print out a copy of your child's meal purchase history report. This history report will show all the dates and times that your child has made purchases in the cafeteria.
- If checks are returned due to insufficient funds, a letter from the school district office will be sent to your home requesting re-payment of check value plus the bank fee.

Book	Policy Manual
Section	800 Operations
Title	Transportation - M
Code	810 Vol V 2023
Status	Review

## **Purpose**

Transportation for students shall be provided in accordance with law and Board policy.

## **Definitions**

**School bus** means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[\[1\]](#)

**School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[\[1\]](#)

## **Authority**

The Board shall provide transportation for resident students in grades kindergarten through 12 to the district's public schools and charter, regional charter and nonpublic schools located in the district or within the district's transportation boundary or other placements as required by law or agreements. The district's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district's border.[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Board shall purchase, lease, equip and maintain school buses/vehicles and/or contract for school bus/vehicle services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.[\[2\]](#)[\[3\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.[\[3\]](#)[\[12\]](#)

The Board shall provide transportation for students with disabilities, without regard to distance or hazardous walking conditions, when required by the student's individualized education program (IEP) or Section 504 Service Agreement.[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

The Board shall provide transportation for eligible resident students who are enrolled in nonpublic schools or charter schools as required by law.[\[2\]](#)[\[4\]](#)[\[18\]](#)

The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[\[19\]](#)[\[20\]](#)

The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.[\[20\]](#)[\[21\]](#)

The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[\[22\]](#)

The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[\[23\]](#)[\[24\]](#)

### **Delegation of Responsibility**

The school bus/vehicle driver shall be responsible to maintain order while students are being transported.

The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable.

The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[\[7\]](#)

The Superintendent or designee shall be responsible to:

1. Maintain records and make required reports regarding school transportation.[\[5\]](#)[\[7\]](#)
2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[\[7\]](#)
3. Provide each school bus/school vehicle driver with:
  - a. The Pennsylvania School Bus Driver's Manual;
  - b. The written rules for student conduct on buses/vehicles;
  - c. The procedures for evacuation drills; and
  - d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers.
4. {X} Prepare a district map or schedule indicating each bus stop and bus route.[\[7\]](#)

### **Guidelines**

#### **Student Health Information**

When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.[\[16\]](#)[\[17\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)

School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with district policies and procedures and applicable law.[\[30\]](#)[\[31\]](#)

#### **Evacuation Drills**

Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.[\[32\]](#)[\[33\]](#)[\[34\]](#)

Legal

- [1. 75 Pa. C.S.A. 102](#)
- [2. 24 P.S. 1361](#)
- [3. 24 P.S. 1362](#)
- [4. 24 P.S. 1726-A](#)
- [5. 22 PA Code 23.1](#)
- [6. 22 PA Code 23.2](#)
- [7. 22 PA Code 23.4](#)
8. Pol. 610
9. Pol. 611
10. Pol. 818
- [11. 75 Pa. C.S.A. 3345.1](#)
- [12. 67 PA Code 447.1 et seq](#)
- [13. 22 PA Code 23.3](#)
- [14. 24 P.S. 1374](#)
15. Pol. 103
16. Pol. 103.1
17. Pol. 113
18. Pol. 140
- [19. 20 U.S.C. 6312](#)
20. Pol. 251
- [21. 42 U.S.C. 11432](#)
- [22. 35 P.S. 4601 et seq](#)
- [23. 35 P.S. 4608](#)
- [24. 67 PA Code 212.101](#)
25. Pol. 121
26. Pol. 209.1
27. Pol. 209.2
28. Pol. 210
29. Pol. 210.1
30. Pol. 113.4
31. Pol. 216
- [32. 24 P.S. 1517](#)
- [33. 75 Pa. C.S.A. 4552](#)
34. Pol. 805
- [24 P.S. 1331](#)
- [24 P.S. 1365](#)
- [24 P.S. 1366](#)

[24 P.S. 2541](#)

[24 P.S. 2542](#)

[22 PA Code 15.1 et seq](#)

[22 PA Code 23.6](#)

[75 Pa. C.S.A. 4551-4553](#)

[20 U.S.C. 6301 et seq](#)

[42 U.S.C. 11431 et seq](#)

[49 CFR Part 37](#)

[49 CFR Part 38](#)

Pol. 810.1

Book	Policy Manual
Section	800 Operations
Title	School Bus Drivers and School Commercial Motor Vehicle Drivers - M
Code	810.1
Status	Review

***Note: This policy refers to school bus and commercial motor vehicle drivers only. Policy 810.3 applies to drivers of school vehicles used to transport students which do not qualify as a school bus or commercial motor vehicle.***

### **Purpose**

The Board recognizes that an employee must be fit to operate a school bus and commercial motor vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.

### **Definitions**

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

A **covered driver** shall include any district employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial motor vehicle owned, leased or operated by the school district. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus or commercial motor vehicle owned or leased by the district.[\[1\]](#)

**Commercial motor vehicle** - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:[\[1\]](#)

1. Has a gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, inclusive of towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater;
2. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds, whichever is greater;
3. Is designed to transport sixteen (16) or more passengers, including the driver; or
4. Is transporting hazardous materials and is required to be placarded.

**Driving** - operating a commercial motor vehicle or motor carrier vehicle on a highway, with the motor running, including while the commercial motor vehicle or motor carrier vehicle is temporarily stationary because of traffic, a traffic control device or other momentary delay. The term does not include operating a commercial motor vehicle or motor carrier vehicle with or without the motor running if the driver moved the vehicle to the side of or off of a highway and halted in a location where the vehicle can safely remain stationary.[\[2\]](#)[\[3\]](#)[\[4\]](#)

**Electronic device** - an electronic device includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer or any other device used to input, write, send, receive or read text.[3]

**Mobile telephone** - a mobile communication device which uses a commercial mobile radio service.[4]

**Safety-sensitive functions** include all on-duty functions performed from the time a driver begins work or is required to be ready to work until **the driver** is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing other requirements related to accidents.[1]

**School bus** means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[5]

**Texting** - manually entering alphanumeric text into or reading text from an electronic device. The following shall apply:[3]

1. The term includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access an Internet web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone or engaging in any other form of electronic text retrieval or entry, for present or future communication.
2. The term does not include:
  - a. Inputting, selecting or reading information on a global positioning system or navigation system.
  - b. Pressing a single button to initiate or terminate a voice communication using a mobile telephone.
  - c. Using a device capable of performing multiple functions, including, but not limited to, fleet management systems, dispatching devices, citizens band radios and music players, for a purpose that is not prohibited by law.

**Use a handheld mobile telephone or other electronic device** –[4]

1. Using at least one (1) hand to hold a mobile telephone to conduct a voice communication.
2. Dialing or answering a mobile telephone by pressing more than a single button.
3. Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, restrained by a seat belt.

### **Authority**

The Board shall implement a drug use and alcohol misuse prevention program for employees who are required to hold a commercial driver's license and who perform safety-sensitive functions in accordance with federal and state laws and regulations.[6][7][8][9]

All contracted transportation providers shall implement a drug use and alcohol misuse prevention program in accordance with federal law and regulations.[10]



Covered drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school bus and commercial motor vehicle operation.

The Board prohibits covered drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school bus or commercial motor vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.[\[2\]](#)[\[3\]](#)[\[11\]](#)[\[12\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which include the following components:

1. Selecting and contracting with a qualified medical review officer, substance abuse professional, a certified laboratory and other service agents as necessary.[\[13\]](#)
2. Establishment of procedures for required testing of covered drivers.[\[14\]](#)
3. Maintenance of the confidentiality of all aspects of the testing process.[\[8\]](#)
4. Delegation of responsibility for monitoring employee compliance with the provisions of Board policy and administrative regulations, **including, but not limited to, an annual query of the Federal Motor Carrier Safety Administration's Commercial Driver's License Drug and Alcohol Clearinghouse.**[\[15\]](#)
5. Designation of an employee responsible for receiving and handling results of drug and alcohol tests.[\[16\]](#)
6. Implementation of procedures for the **query**, preparation, maintenance, **reporting**, retention and disclosure of records, as required by law.[\[15\]](#)[\[17\]](#)
7. Distribution to affected employees of information and materials relevant to Board policies and administrative regulations regarding drug and alcohol testing.[\[18\]](#)
8. Distribution to affected employees of information and materials relevant to individuals or organizations that can provide counseling and treatment for drug and/or alcohol problems.

The Superintendent or designee shall provide each driver, upon hire or transfer, with:

1. This policy and its accompanying administrative regulations; and[\[18\]](#)
2. Educational materials that explain the state and federal requirements related to misuse of alcohol and use of controlled substances.[\[18\]](#)

The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.[\[18\]](#)

The Board designates the Superintendent and Director of Human Resources to be the contact **person** for questions about the drug use and alcohol misuse program.[\[18\]](#)

### **Guidelines**

#### **Employment Requirements**

All covered drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for drivers

employed by the district and Board policy 818 for drivers employed by an independent contractor.[10][19][20][21][22][23]

Prior to employment by the district as a covered driver or transfer to a covered driver position, the district shall obtain the following information in accordance with federal and state laws and regulations:

1. Alcohol and drug testing information from previous U.S. Department of Transportation-regulated employers during the past three (3) years with the covered driver's written consent.[15][24][25][26]
2. Commercial motor vehicle employment information for the past ten (10) years.[27][28]

#### *Additional Documentation -*

Prior to employment by the district as a covered driver or transfer to a covered driver position, and at least once each school year, the Superintendent or designee shall:

1. Obtain a copy of a valid commercial driver's license indicating the appropriate endorsements from the covered driver, **or authorize the applicable legal exemption in cases of emergency**.[29]
2. Obtain a copy of a Commonwealth of Pennsylvania School Bus Driver's Physical Examination Form from the covered school bus driver;[30]
3. Obtain a copy of a current Pennsylvania School Bus Endorsement card from the covered school bus driver;[30]
4. Review each covered driver's driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a commercial motor vehicle.[31][32]

Prior to employment by the district as a covered driver or transfer to a covered driver position, and every two (2) years, the Superintendent or designee shall obtain a valid Medical Examiner's Certificate, if applicable.[33]

#### *Reporting Requirements -*

Covered drivers shall report misconduct in accordance with Board policy 317 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[10][20][21][34]

Covered drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school bus or commercial motor vehicle.[35]

Covered drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."[35]

A covered driver **arrested**, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing before the end of the **next** business day following the driver's **arrest**, charge or **receipt of citation**. Notice is required no matter what type of vehicle the driver was driving.[28]

**An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the district or contract carrier based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge.**[10][28][34]

A covered driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing of the conviction within **fifteen (15)** days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.[27][28]

Any covered driver whose operating privilege is suspended, revoked or canceled by any state, who loses the privilege to drive a school bus or commercial motor vehicle in any state for any period, or who is disqualified from driving a school bus or commercial motor vehicle for any period, shall notify the Superintendent or designee and the contract carrier immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.[27][28]

Failure to comply with the reporting requirements may result in disciplinary action, up to and including termination, **in accordance with applicable law, regulations and Board policy.** [10][34]

#### Controlled Substances and Alcohol

##### *Drug and Alcohol Testing -*

The district shall require covered drivers to submit to the following drug and alcohol tests in accordance with state and federal laws and regulations: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.[6][7][8][14][36]

##### *Prohibited Conduct -*

Covered drivers shall not use medical marijuana products.

Covered drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A covered driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school bus or commercial motor vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.[30][37][38]
2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances. [35][39][40]
3. After consuming alcohol or a controlled substance within the previous eight (8) hours for school bus drivers and within the previous four (4) hours for commercial motor vehicle drivers.[30][41]

An exception shall be made for therapeutic use of prescribed controlled substances used by a covered driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school bus or commercial motor vehicle.[35]

A covered driver required to take a post-accident test shall not use alcohol for eight (8) hours following the accident, or until **the driver** undergoes a post-accident test, whichever occurs first.[42]

A covered driver shall not refuse to submit to a required test for drugs or alcohol.[1][36][43][44]

#### *Consequences/Discipline -*

The district shall remove a covered driver from performing safety-sensitive functions under the following circumstances:

1. A verified positive drug test result;[45][46]
2. A verified adulterated or substituted drug test result;[45][46]
3. An alcohol test result of 0.04 or higher; or[46][47]
4. A refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test.[43]

The district shall place a school bus driver who drives, operates or is in physical control of a school bus out of service for thirty (30) days if the school bus driver has any detectable amount of alcohol in **their** system.[36][38]

The district shall remove a commercial motor vehicle driver who is tested and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 until the start of the driver's next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.[48]

A covered driver employed by the district who violates Board policy or administrative regulations and tests positive for drugs or alcohol shall be subject to disciplinary action, up to and including termination, and shall be provided with a list of qualified substance abuse professionals.

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a covered driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.

If the district permits a covered driver who has been removed from performing safety-sensitive functions to return to a safety-sensitive function, the district shall ensure that the covered driver has been evaluated by a qualified substance abuse professional and has successfully completed the return-to-duty process before returning to a safety-sensitive function.[46][49]

#### Maintenance of Records

The district shall maintain records of its drug use and alcohol misuse prevention program in compliance with federal regulations, and in accordance with the district's records retention schedule.[15][17][50][51][52]

Drug and alcohol records shall be confidential and shall only be released in accordance with applicable law.[53][54][55]

Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.[\[53\]](#)[\[56\]](#)

### Acknowledgment of Receipt

Each covered driver shall sign a statement certifying that **they have** received a copy of this policy and its accompanying administrative regulations.[\[18\]](#)

The district shall keep the original signed statement in the personnel file of the covered driver employed by the district and provide a copy to the driver.[\[18\]](#)

### Training

Covered drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which covered drivers should also receive that training.[\[57\]](#)

The district shall ensure that employees who supervise covered drivers receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. Such training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.[\[58\]](#)

### Legal

- [1. 49 CFR 382.107](#)
- [2. 49 CFR 392.80](#)
- [3. 75 Pa. C.S.A. 1621](#)
- [4. 75 Pa. C.S.A. 1622](#)
- [5. 75 Pa. C.S.A. 102](#)
- [6. 49 CFR Part 382](#)
- [7. 49 CFR Part 40](#)
- [8. 49 U.S.C. 31306](#)
- [9. 67 PA Code 229.14](#)
10. Pol. 818
- [11. 49 CFR 392.82](#)
- [12. 75 Pa. C.S.A. 3316](#)
- [13. 49 CFR 40.15](#)
- [14. 49 CFR 382.105](#)
- [15. 49 CFR 382.701](#)
- [16. 49 CFR 40.3](#)
- [17. 49 CFR 382.401](#)
- [18. 49 CFR 382.601](#)
- [19. 23 Pa. C.S.A. 6344](#)
- [20. 23 Pa. C.S.A. 6344.3](#)
- [21. 24 P.S. 111](#)
- [22. 24 P.S. 111.1](#)
23. Pol. 304
- [24. 49 CFR 382.413](#)

[25. 49 CFR 382.703](#)  
[26. 49 CFR 40.25](#)  
[27. 49 U.S.C. 31303](#)  
[28. 75 Pa. C.S.A. 1604](#)  
[29. 75 Pa. C.S.A. 1606](#)  
[30. 67 PA Code 71.3](#)  
[31. 49 CFR 391.25](#)  
[32. 49 U.S.C. 31304](#)  
[33. 49 CFR 391.41](#)  
34. Pol. 317  
[35. 49 CFR 382.213](#)  
[36. 75 Pa. C.S.A. 1613](#)  
[37. 49 CFR 382.205](#)  
[38. 75 Pa. C.S.A. 1612](#)  
[39. 75 Pa. C.S.A. 1603](#)  
[40. 75 Pa. C.S.A. 3802](#)  
[41. 49 CFR 382.207](#)  
[42. 49 CFR 382.209](#)  
[43. 49 CFR 382.211](#)  
[44. 49 CFR 40.191](#)  
[45. 49 CFR 382.215](#)  
[46. 49 CFR 40.23](#)  
[47. 49 CFR 382.201](#)  
[48. 49 CFR 382.505](#)  
[49. 49 CFR 40.289](#)  
[50. 49 CFR 382.705](#)  
[51. 49 CFR 40.333](#)  
52. Pol. 800  
[53. 49 CFR 382.405](#)  
[54. 49 CFR 382.723](#)  
[55. 49 CFR 40.321](#)  
[56. 49 CFR 382.403](#)  
[57. 24 P.S. 1517](#)  
[58. 49 CFR 382.603](#)  
[24 P.S. 510](#)  
[75 Pa. C.S.A. 1601 et seq](#)  
Pol. 351



Book	Policy Manual
Section	800 Operations
Title	Transportation - Video/Audio Recording - M
Code	810.2
Status	Review

## **Purpose**

The use of video and audio recording equipment supports efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on district-owned, operated, or contracted school buses or school vehicles.

## **Definitions**

**School bus** means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[\[1\]](#)

**School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[\[1\]](#)

## **Authority**

The Board authorizes the use of video and audio recording on school buses and school vehicles for disciplinary and security purposes.[\[2\]](#)

The Board prohibits the use of audio recording on any school bus or school vehicle that is not being used for a school-related purpose.[\[2\]](#)

## **Delegation of Responsibility**

The Board directs the Superintendent or designee to ensure that:

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.[\[2\]](#)
2. This policy is posted on the district's publicly accessible website.[\[2\]](#)[\[3\]](#)
3. Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct.[\[2\]](#)

## **Guidelines**

The district shall comply with the provisions of federal and state laws and regulations regarding student record requirements as applicable to the district's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records.[4][5]

Legal

[1. 75 Pa. C.S.A. 102](#)

[2. 18 Pa. C.S.A. 5704](#)

[3. 24 P.S. 510.2](#)

4. Pol. 113.4

5. Pol. 216

[24 P.S. 510](#)

Pol. 218

Pol. 805.1

Pol. 810



Book	Policy Manual
Section	800 Operations
Title	School Vehicle Drivers - L.L.
Code	810.3
Status	Review

***Note: This policy only refers to drivers of school vehicles which do not qualify as a school bus or commercial motor vehicle. Policy 810.1 applies to school bus and commercial motor vehicle drivers.***

### **Purpose**

The Board recognizes that an employee must be fit to operate a school vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.

### **Definition**

**School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children. The term does not include a "school bus" or "commercial motor vehicle."[\[1\]](#)

### **Authority**

The Board shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school vehicles.

All contracted transportation providers shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school vehicles.[\[2\]](#)

School vehicle drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school vehicle operation.

The Board prohibits school vehicle drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.[\[3\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which may include the following components:

1. Establishment of procedures for drug and alcohol testing of school vehicle drivers.
2. Establishment of procedures for obtaining and reviewing each school vehicle driver's driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a vehicle.[\[4\]](#)

The Superintendent or designee shall provide each driver, upon hire or transfer, with:

1. This policy and any accompanying administrative regulations; and
2. Educational materials related to misuse of alcohol and use of controlled substances.

The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.

### **Guidelines**

School vehicle drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[2][5][6][7][8][9]

Prior to employment and at least once each school year, school vehicle drivers shall submit a copy of a valid driver's license to the Superintendent or designee.[4]

### **Reporting Requirements**

School vehicle drivers shall report misconduct in accordance with Board policy 317 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[2][10]

School vehicle drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school vehicle.

School vehicle drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."

A school vehicle driver **arrested**, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee and the contract carrier in writing before the end of the **next** business day following the driver's **arrest**, charge or **receipt of citation**. Notice is required no matter what type of vehicle the driver was driving.

**An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the district or contract carrier based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge.[2][10]**

A school vehicle driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking

violations, shall notify the Superintendent or designee and the contract carrier in writing of the conviction within **fifteen (15)** days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.

Any school vehicle driver whose operating privilege is suspended, revoked, canceled or recalled by any state, shall notify the Superintendent or designee and the contract carrier immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.[\[4\]](#)

### **Controlled Substances and Alcohol**

#### *Prohibited Conduct -*

School vehicle drivers shall not use medical marijuana products.

School vehicle drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A school vehicle driver shall not report **for** duty, drive, operate or be in the actual physical control of the movement of a school vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.[\[11\]](#)
2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.  
[\[12\]](#)
3. After consuming alcohol or a controlled substance within the previous eight (8) hours.

An exception shall be made for therapeutic use of prescribed controlled substances used by a school vehicle driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school vehicle.

#### *Consequences/Discipline -*

The district shall place a school vehicle driver who drives, operates or is in physical control of a school vehicle out of service for thirty (30) days if the school vehicle driver:[\[4\]](#)[\[11\]](#)

1. Has any detectable amount of alcohol in **their** system; or
2. Refuses to take a test to determine their alcohol content.

A school vehicle driver who refuses to take a drug or alcohol test required pursuant to Board policy and administrative regulations has not refused to take a Department of Transportation (DOT)-test.[\[13\]](#)[\[14\]](#)

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action, **up to and including termination**, for a school vehicle driver who violates **applicable law and regulations**, Board policy or administrative regulations.[\[2\]](#)  
[\[10\]](#)

### **Maintenance of Records**

Drug and alcohol test information for school vehicle drivers shall be maintained separate from test information for covered drivers, such information shall be treated as confidential and shall only be released in accordance with law.[\[15\]](#)

Drug and alcohol test information for school vehicle drivers shall not be included on the U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form.

#### Acknowledgment of Receipt

Each school vehicle driver shall sign a statement certifying that **they have** received a copy of this policy and its accompanying administrative regulations.

The district shall keep the original signed statement in the school vehicle driver's personnel file and provide a copy to the driver.

#### Training

School vehicle drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which school vehicle drivers should also receive that training.

#### Legal

[1. 75 Pa. C.S.A. 102](#)

2. Pol. 818

[3. 75 Pa. C.S.A. 3316](#)

[4. 75 Pa. C.S.A. 1606](#)

[5. 23 Pa. C.S.A. 6344](#)

[6. 23 Pa. C.S.A. 6344.3](#)

[7. 24 P.S. 111](#)

[8. 24 P.S. 111.1](#)

9. Pol. 304

10. Pol. 317

[11. 75 Pa. C.S.A. 1612](#)

[12. 75 Pa. C.S.A. 3802](#)

[13. 49 CFR 40.191](#)

[14. 49 CFR 40.261](#)

[15. 49 CFR 40.13](#)

[24 P.S. 510](#)

[23 Pa. C.S.A. 6301 et seq](#)

[67 PA Code 71.3](#)

[75 Pa. C.S.A. 1601 et seq](#)

[49 CFR Part 40](#)

Pol. 351

Book	Policy Manual
Section	800 Operations
Title	Bonding - L.L.
Code	811
Status	Review

### **Purpose**

Prudent trusteeship of district resources dictates that employees responsible for the safekeeping of district funds be bonded.

### **Authority**

**The Board directs that** the district be indemnified against loss of money by bonding each employee required to be bonded by policy or by **law**. The Board shall bear the cost of bonds **for designated employees.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

**Enumeration and valuation on such bonds shall be determined annually.**

### **Guidelines**

All other employees shall be covered under a blanket bond.

**The amount of each bond shall be commensurate with the financial responsibility of the position.**

Legal	<a href="#">1. 24 P.S. 409</a>
	<a href="#">2. 24 P.S. 431</a>
	<a href="#">3. 24 P.S. 436</a>
	<a href="#">4. 24 P.S. 511</a>
	<a href="#">5. 24 P.S. 684</a>

Book	Policy Manual
Section	800 Operations
Title	Property Insurance - R
Code	812
Status	Review

### **Purpose**

The Board recognizes its responsibility under law to insure the real and personal property of this school district.

### **Authority**

The Board has the authority and responsibility to provide adequate insurance coverage to protect the district's interests in its buildings and properties. **Such coverage shall** insure for actual cost value **and**/or replacement cost.[\[1\]](#)

**In placing insurance, the Board shall be guided by the service of an insurance agent, scope of coverage provided, price of desired coverage and assurance of coverage.**

The Board **shall** appoint **an insurance advisor, who may be the** Agent of Record **and** who will coordinate all insurance approved by the Board.

### **Guidelines**

A complete file of all policies and information concerning all **property** insurance coverage shall be maintained **in the district administration office.**

Legal [1. 24 P.S. 774](#)



Book	Policy Manual
Section	800 Operations
Title	Copyright Material - L.L.
Code	814
Status	Review

### **Authority**

The Board **emphasizes** that **federal law** makes it illegal for anyone to duplicate copyrighted materials without permission. The Board **acknowledges** that severe penalties are provided for unauthorized copying of audio, visual, **software, online** or printed materials unless the copying falls within the bounds of the fair use doctrine.[\[1\]](#)

### **Definition**

Under the **fair use doctrine**, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. **In order for the duplication or alteration of** a product to fall within the bounds of fair use, four (4) standards must be met:

1. *Purpose And Character Of The Use* – The use must be for such purposes as teaching or scholarship and must be nonprofit.
2. *Nature Of The Copyrighted Work* – Staff may make single copies of: book chapters for use in research, instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals or newspapers.
3. *Amount And Substantiality Of The Portion Used* – Copying the whole of a work cannot be considered fair use; copying a small portion may be **considered fair use** if **appropriate** guidelines are followed.
4. *Effect Of The Use Upon The Potential Market For Or Value Of The Copyrighted Work* – If resulting economic loss to the copyright holder can be shown, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties.

### **Delegation of Responsibility**

Staff may make copies of copyrighted school district materials that fall within the **established administrative regulations**. Where there is reason to believe the material to be copied does not fall within **the administrative regulations**, prior permission shall be obtained from the principal.

Staff members who fail to **adhere to** this policy may be held personally liable for copyright infringement.

**Staff members shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately.**



Legal

[1. 17 U.S.C. 101 et seq](#)

Book	Policy Manual
Section	800 Operations
Title	Acceptable Use of Internet, Computers and Network Facilities - M
Code	815
Status	Review

## **Purpose**

The Board recognizes that information technology tools and network facilities are used **in the district's instructional and operational programs** to support learning, enhance instruction and support daily operations through interpersonal communications and access to information, research and collaboration.

**The district provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.**

**For instructional purposes**, the use of the district's information technology tools and network facilities shall be consistent with the district's mission, the curriculum adopted by the district, **as well as the varied instructional needs, learning styles, abilities and developmental levels of students.**

## **Definitions**

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

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

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

**Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.**[\[2\]](#)

**Educational purpose** - includes use of the information technology tools, network facilities, and Internet access for classroom activities, professional or career development, and to support the district's curriculum, **Board policies, administrative regulations** and mission statement.

**Hacking** - any attempt to gain unauthorized access, or the unauthorized access, to network facilities or using district network facilities to attempt or to gain unauthorized access to other networks or computing resources.

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

**Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:**[\[3\]](#)[\[4\]](#)

1. Taken as a whole, with respect to minors, appeals to **a prurient** interest in nudity, sex or excretion;
2. Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; **and**
3. **Taken as a whole** lacks serious literary, artistic, political or scientific value as to minors.

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

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

**Illegal activities/uses** - any use of network facilities which violates a municipal ordinance, or local, state, or federal law, including those activities relating to intellectual property rights, trade secrets, the distribution of obscene or pornographic materials or the Family Educational Rights and Privacy Act.

**Information technology** - any electronic device, computer hardware and software, operating systems, web-based information and applications, telephones and other telecommunications products, video equipment and multimedia products, information kiosks and office products such as photocopiers and fax machines.

**Minor** - for purposes of compliance with the **federal** Children's Internet Protection Act (CIPA), an individual who has not yet attained the age of seventeen (17). For other purposes, **minor** shall mean the age of minority as defined in the relevant law.[\[3\]](#)[\[4\]](#)

**Network facilities** -

1. Computer hardware and software, electronic connections, electronic devices and other information technology tools used for information processing, as well as peripheral devices connected to these tools.
2. Network bandwidth including Internet bandwidth and other devices necessary to facilitate network connectivity such as email services, file servers, routers, switches, hubs, firewalls, premise wiring, network data ports, etc.

**Obscene - any material or performance, if:**[\[5\]](#)

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

**3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.**

**Online collaboration** - using site-based or web-based technology tools to communicate and work productively with other users to complete educationally relevant tasks.

**Personal use** - incidental personal use of school computers is permitted for employees so long as such use does not interfere with the employee's job duties and performance, with system operations or with other system users. Personal use must comply with this policy and all other applicable **Board policies, administrative regulations**, district procedures and rules, as well as ISP terms, local, state and federal laws, and must not damage the district's information technology tools, network facilities and Internet access systems.

**Staff** - includes administrative, teaching, support and volunteer personnel employed by or voluntarily affiliated with the Wyoming Valley West School District.

**Technology protection measure** - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.[4]

**Technology tools** - includes any district-owned, leased or licensed or user-owned personal hardware, software or other technology used on district premises or at district events, or connected to the district network, containing school district programs or district or student data (including images, files and other information) attached or connected to, installed in or otherwise used in connection with a computer.

**Telecommunications** - any system that allows users access to a wide variety of information from electronic networks found on local, state, national and international databases, Internet or intranet servers and other information technology tools. Examples include, but are not limited to, Internet technologies, email, Internet-based discussion groups and bulletin boards.

**Authority**

The **availability of access to electronic information** does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received. The district shall not be responsible for any information **that may be** lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.

The district **shall not be** responsible for any unauthorized charges or fees resulting from access to the Internet **or other network facilities**.

The Board **declares** that the use of information technology tools, **the Internet** and network facilities is a privilege, not a right. The **district's information technology tools and network facilities** are the property of the district. Users **shall** have no expectation of privacy in **anything they create**, store, send, **delete**, access, receive **or display on or over the district's Internet, information technology tools and network facilities, including personal files**. The district reserves the right to monitor, **track and log network access and use on district computers and network facilities; monitor fileserver space and file storage utilization by district users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action**. The district shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the district's Internet, information technology tools and network facilities.[6][7][8]

The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the building principal or designee.

**The Board establishes the following list of subject areas as inappropriate matter, in addition to those stated in law and defined in this policy, which shall not be accessed by minors:[4]**

- 1. Hate speech.[9][10]**
- 2. Lewd, vulgar or profane.**
- 3. Threatening.[11][12]**
- 4. Harassing or discriminatory.[9][10][13]**
- 5. Bullying.[14]**
- 6. Consisting of/Relating to weapons.[15]**
- 7. Terroristic.[16]**

**The district reserves the right to restrict access to any Internet sites or network functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking/filtering. Specifically, the district operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers and network facilities used and accessible to adults and students. The technology protection measure shall be enforced during use of computers and network facilities with Internet access.[3][4][17]**

**Upon request by students or staff, the Superintendent or designee shall expedite a review and may authorize the adjustment of technology protection measures to enable access to material that is blocked or filtered but is not prohibited by this policy.[17]**

**Upon request by students or staff, building administrators may authorize the temporary adjustment of technology protection measures to enable access for bona fide research or for other lawful purposes. Written permission from the parent/guardian is required prior to adjusting Internet blocking/filtering for a student's use. If a request for temporary adjustment of technology protection measures is denied, the requesting student or staff member may appeal the denial to the Superintendent or designee for expedited review.[3][18]**

#### **Delegation of Responsibility**

**The district shall make every effort to ensure that district resources are used responsibly by students and staff.**

**The district shall inform staff, students, parents/guardians and other users about this policy through staff and student handbooks, posting on the district website and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request.[17]**

**Users of district networks or district-owned equipment shall, prior to being given access or being issued equipment, sign user agreements acknowledging awareness of the provisions of this policy and awareness that the district uses monitoring systems to monitor and detect inappropriate use.**

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

**Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels and to evaluate and use**

the information to meet their educational goals.

Students, staff **and other authorized individuals** have the responsibility to respect and protect the rights of every other user in the district and on the Internet.

**Building principals shall make initial determinations of whether inappropriate use has occurred, and may consult with the Superintendent or designee and the school solicitor when necessary.**

The Superintendent or designee shall be responsible for **recommending technology and** developing procedures used to determine whether the district's technology tools and network facilities are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to: [\[3\]](#)[\[4\]](#)[\[19\]](#)

1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors or determined inappropriate for use by minors by the Board.
2. Maintaining and securing a usage log.
3. Monitoring online activities of **minors on district technology tools and network facilities.**

**The Superintendent or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior, including:**[\[4\]](#)

1. **Interaction with other individuals on social networking websites and in chat rooms.**
2. **Cyberbullying awareness and response.**[\[14\]](#)[\[20\]](#)

### Guidelines

**District computers and** network accounts **shall** be used only by the authorized **user** of the **computer or** account for its approved purpose. **Network** accounts will be made available according to **established district** procedures. All communications and information accessible via the network should be assumed to be the property of the district and shall not be disclosed. Network users shall respect the privacy of other users on the system.

A guest may receive an individual network account with the approval of the Technology **Coordinator** or designee if there is a specific district-related purpose requiring such access. **Guests assigned a network account must** sign **a user agreement as stated in this policy** and must comply with this policy and all other **Board** policies, **administrative regulations**, procedures and rules, as well as local, state and federal laws. A parental signature will be required if the guest is a minor.

### Safety

**It is the district's goal to** protect users of the network from harassment and unwanted or unsolicited **electronic** communications. Any network user who receives threatening or unwelcome electronic communications **or inadvertently visits or accesses an inappropriate site** shall report such immediately to a teacher, **building** administrator **or other appropriate school staff.** **Network users** shall not reveal personal information to other users on the network **or Internet**, including chat rooms, email, **social networking websites**, etc.

Internet safety measures shall effectively address the following:[\[4\]](#)[\[19\]](#)



1. Control of access by minors to inappropriate matter on the Internet and World Wide Web.
2. Safety and security **of minors** when using electronic **mail, chat rooms, social networking websites** and other forms of direct electronic communications.
3. Prevention of unauthorized online access by minors, including hacking and other unlawful activities.
4. Unauthorized disclosure, use and dissemination of personal information regarding minors.  
[21][22][23]
5. Restriction of minors' access to materials harmful to them **or which have been designated as inappropriate matter in Board policy.**

#### Prohibitions

**Users are expected to act in a responsible, ethical and legal manner in accordance with Board policy, accepted rules of network etiquette and federal and state law and regulations.** Specifically, the following are prohibited **uses of district computers and/or network facilities:**

1. Facilitating illegal activity.
2. Commercial or for-profit purposes.
3. **Nonwork or nonschool related work.**
4. Product advertisement.
5. **Bullying/Cyberbullying.**[14][20]
6. Hate mail, discriminatory remarks, harassment and offensive or inflammatory **communication.**[9][10][14][24]
7. **Unauthorized or** illegal installation, distribution, reproduction or use of copyrighted materials.[25]
8. **Accessing, sending, receiving, transferring, viewing, sharing or downloading** obscene, pornographic, lewd or otherwise illegal materials, images or photographs.[26]
9. **Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy.**
10. **Vulgar** language or profanity.
11. Transmission of material **that a reasonable person would know to be** offensive or objectionable to recipients.
12. Intentional obtaining or modifying of files, passwords and data belonging to other users.
13. **Impersonation of another user, anonymity and pseudonyms.**
14. **Fraudulent copying, communications or modification of materials** in violation of copyright **laws.**[25]
15. Loading or **accessing** unauthorized games, programs, files or other electronic media.

16. Disruption of the work of other **users**.
17. Destruction, modification, abuse **or unauthorized access to network** hardware, software, **systems and files**.
18. Hacking, port scanning, unauthorized attempts to access network resources, creating malicious code, phishing, spamming or use of the network to develop programs that harass other users or infiltrate a computer system and/or damage the software components of a computer or system.
19. **Accessing the Internet, district computers or other network facilities without authorization.**
20. Attempting to use network facilities while access privileges are suspended or revoked.
21. Disabling, circumventing, **adjusting or bypassing the Internet blocking/filtering technology protection measure(s)** or other security measure **without authorization.**
22. **Accessing, sending, receiving, transferring, viewing, sharing, deleting or downloading confidential information without authorization.**
23. Attaching personal technology tools directly to the network without the express permission of the Superintendent or designee.

#### Security

**System** security is protected through the use of passwords **and/or encryption and district security procedures**. Failure to adequately protect or update passwords could result in unauthorized access to personal or district files. To protect the integrity of the system, **these** guidelines shall be followed:[23][27][28]

1. **Staff, students and other authorized** users shall not reveal their passwords to another individual or use any other user's password.
2. Users are responsible to log off a computer or secure the computer when not in use and are not permitted to use a computer that has been logged in under another user's name.
3. Any user identified as a security risk or having a history of problems with other **computers or network systems** may be denied access to the **district's computers and network facilities**.

#### Copyright

The illegal use of copyrighted **materials** is prohibited. Any data uploaded to or downloaded from the network **or Internet** shall be subject to fair use guidelines **and applicable laws and regulations**.[25][29]

All software installed on district technology must be approved by the Technology **Coordinator** for the purposes of network security and licensing.

#### District Website

**The district shall establish and maintain a website and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All authorized users publishing content on the district website shall receive appropriate training and comply with this and other applicable district policies.**



**Users shall not copy or download information from the district website and disseminate such information on unauthorized web pages without authorization from the building principal.**

### ***Accessibility –***

**District staff who maintain district websites and web pages shall post content which is accessible to individuals with disabilities, to the same extent that it is available to other users, based on the needs of the individuals and limitations of the platform. This shall include, but is not limited to:[9][10][13][30][31][32]**

- 1. Including alternate text descriptions or captions for images.**
- 2. Including captions for video content.**
- 3. Avoiding text that is posted as an image or conveyed using only color cues.**
- 4. Creating links and attachments in formats that are accessible to screen readers and other assistive technology, and may be accessed through keyboard or speech navigation.**
- 5. Formatting text so that it is accessible to screen readers and other assistive technology, and may be accessed through keyboard or speech navigation.**

**All district websites shall contain clear contact information that may be used by members of the public to request accommodations or assistance.**

### **Consequences for Inappropriate Use**

**Users of district computers and network facilities shall be responsible for damages to the equipment, systems, platforms and software resulting from deliberate or willful acts.[17]**

**Illegal use of the district computers and network facilities; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.**

**General rules and Board policies for behavior and communications apply when using the district computers, network facilities and Internet, in addition to the stipulations of this policy.**

**Vandalism shall result in loss of access privileges, disciplinary action and/or referral to legal authorities. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the district, the Internet or other networks; this includes but is not limited to uploading or creating computer viruses.**

**Failure to comply with this policy or inappropriate use of the Internet, district facilities or computers shall result in usage restrictions, loss of access privileges, disciplinary action and/or referral to legal authorities.[6][7][8]**

Legal

[1. 18 U.S.C. 2256](#)

[2. 18 Pa. C.S.A. 6312](#)

[3. 20 U.S.C. 7131](#)

[4. 47 U.S.C. 254](#)

[5. 18 Pa. C.S.A. 5903](#)

6. Pol. 218

7. Pol. 233  
8. Pol. 317  
9. Pol. 103  
10. Pol. 104  
[11. 24 P.S. 1302-E](#)  
12. Pol. 236.1  
13. Pol. 103.1  
14. Pol. 249  
15. Pol. 218.1  
16. Pol. 218.2  
[17. 24 P.S. 4604](#)  
[18. 24 P.S. 4610](#)  
[19. 47 CFR 54.520](#)  
[20. 24 P.S. 1303.1-A](#)  
21. Pol. 113.4  
22. Pol. 216  
23. Pol. 830  
24. Pol. 247  
25. Pol. 814  
26. Pol. 237  
27. Pol. 800  
28. Pol. 830.1  
[29. 17 U.S.C. 101 et seq](#)  
[30. 42 U.S.C. 12101 et seq](#)  
[31. 29 U.S.C. 794](#)  
[32. 28 CFR 35.160](#)  
[24 P.S. 4601 et seq](#)  
[18 Pa. C.S.A. 2709](#)  
Pol. 113.1  
Pol. 220  
Pol. 816  
Pol. 824

Book	Policy Manual
Section	800 Operations
Title	District Social Media - O
Code	816 - New Policy
Status	Review

## **Purpose**

The purpose of this policy is to establish the process and standards for approval and operation of district-owned social media accounts, and to identify the differences between personally owned social media accounts and those maintained by the district.

## **Definitions**

**Social media** - a category of Internet-based resources that integrate user-generated content and user participation to share information, ideas, personal messages and other content, including photos and videos. Social media includes **social networks**, which are online platforms where users can create profiles, share information and personal messages, and connect with others.

**District-owned social media account** - a social media account, regardless of platform, that is approved by the Board and operated by a designated district employee(s), and is designed to further the educational mission of the district by providing information to the school community and general public.

**Personal social media account** - a social media account, regardless of platform, that is attributed to and operated by an employee, individual school director or student for personal use and is not approved by the Board as an official communications channel of the district.

{X} **Nonpublic forum** – created when a district-owned social media account enables members of the public to read and receive district information, but the district has not designated opportunity for expressive activity by the public, and no commenting or posting of information by members of the public is permitted. In terms of social media, the ability to comment, post or reply is disabled on the district’s account for public users.

## **Authority**

The Board shall approve all official social media accounts created and/or maintained as district-owned accounts.[1]

All district-owned social media accounts shall display the official name and logo of the district or the individual district school.

{X} The Board establishes district-owned social media accounts as a **nonpublic forum** and directs school staff to disable functions allowing public users to comment or post information on district-owned social media accounts.

## **Delegation of Responsibility**

The Board designates the Technology Coordinator or designee to oversee all district-owned social media accounts and serve as the primary contact person for district-owned social media accounts.

The Superintendent or designee shall notify students and staff about this policy through employee and student handbooks, posting on the district website and by other appropriate methods.

All district staff assigned to monitor and maintain district-owned social media accounts shall receive training on:

1. Regularly reviewing district-owned social media accounts, in coordination with the district's chief communications representative, to update, remove and/or correct information.[6]
2. Complying with confidentiality provisions of student and staff information, in accordance with applicable law, regulations and Board policy and administrative regulations.[7][8]
3. Monitoring content for confidentiality and intellectual property violations, documenting potential violations, and notifying appropriate district staff to consider further action.[7][8][9]
4. Monitoring content for web accessibility standards and responding to public requests for accommodations.[2][4][5]

## **Guidelines**

### **Posting of Personally Identifiable Information**

The Board authorizes posting of student images in photos or videos depicting the educational process or school-related events on district-owned social media accounts, unless the students' parents/guardians have opted out of sharing directory information under the Family Educational Rights and Privacy Act and Board policy.[7][8][10][11]

The Board prohibits posting of other personally identifiable information of students on district-owned social media accounts without the consent of the parent/guardian, in accordance with applicable law, regulations and Board policy and administrative regulations.[7][8]

The Board prohibits posting of staff images in photos or videos when a staff member has submitted a request to the Superintendent or designee that their image not be posted publicly online.

The Board directs district staff to post images and information to social media accounts in a manner that protects the safety and security of students and staff, such as posting images without identification.

### **Accessibility**

The Board directs district staff who maintain district-owned social media accounts to post content that is accessible to individuals with disabilities, to the greatest extent possible based on the limitations of the platform. This shall include, but is not limited to:[4][5][12][13][14][15]

1. Including alternate text descriptions or captions for images.
2. Including captions for video content.
3. Avoiding text that is posted as an image.

4. Creating links and attachments in formats that are accessible to screen readers and other assistive technology.
5. Formatting text so that it is accessible to screen readers and other assistive technology.

All district-owned social media accounts shall contain clear contact information that may be used by members of the public to request accommodations or assistance.

### Intellectual Property Rights

The illegal use of copyrighted, branded or trademarked materials or trade secrets is prohibited on district-owned social media accounts. All content shall be subject to copyright fair use guidelines and applicable laws, regulations and Board policy and administrative regulations.[9]

### Connecting with Other Social Media Accounts

Content or information posted to district-owned social media accounts shall not be connected to other social media accounts through linking or tagging if the outside account is for a commercial application, product or service and the district or its employees would receive financial or other compensation as a result of the connection.

District-owned social media accounts shall not be connected to social media accounts of individual students through linking or tagging.

### Personal Social Media Accounts

The district shall not authorize, endorse or participate in posting on private social media accounts of individual school directors or school employees.

School directors and employees are strongly encouraged to use privacy settings on social media accounts and to clearly identify that it is their personal social media account and that it does not officially represent the Board or district.

In accordance with Board policy establishing professional boundaries, school employees should only communicate with students through district-provided communication devices or platforms, and shall not follow, accept or make requests to connect or be friends with current students on personal social networking or social media platforms.[16]

The district respects employees' freedom of expression. The district does not actively monitor personal social media accounts of current school employees; however, the district reserves the right to address employees' job-related speech or employee speech posted on social media that has the potential to affect the district's operations. Speech that takes place off-site and on an employee's own time, including posting on personal social media accounts, may be addressed if the district establishes that the employee's expression infringed on the interests of the district in promoting the efficient and effective functioning and educational purpose of the district. If employee speech or expression would violate law or Board policy in a traditional forum, it is also prohibited in an online forum. When an employee speaks as a citizen on a matter of public concern, the district shall consult with the school solicitor in determining the appropriate course of action, in accordance with applicable law, regulations and Board policy.[17][18][19][20][21][22]

Student use of personal social media accounts shall be addressed in accordance with applicable Board policies and administrative regulations related to student conduct, expression and students' individual rights and responsibilities. In accordance with Board policy, the district shall provide education on network etiquette and appropriate online behavior for students, including interaction with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.[2][4][23][24][25][26][27][28]

## Consequences

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with applicable law, regulations and Board policy and administrative regulations.[16][21][29]

### Legal

[1. 24 P.S. 510](#)

2. Pol. 815

3. Pol. 913

4. Pol. 103

5. Pol. 104

6. Pol. 911

7. Pol. 113.4

8. Pol. 216

9. Pol. 814

[10. 20 U.S.C. 1232g](#)

[11. 34 CFR Part 99](#)

[12. 42 U.S.C. 12101 et seq](#)

[13. 29 U.S.C. 794](#)

[14. 28 CFR 35.160](#)

15. Pol. 103.1

16. Pol. 824

[17. 24 P.S. 1122](#)

[18. 24 P.S. 2070.1a et seq](#)

[19. 22 PA Code 235.1 et seq](#)

[20. U.S. Const. Amend. I](#)

21. Pol. 317

22. Pol. 320

[23. 24 P.S. 1303.1-A](#)

[24. 47 U.S.C. 254](#)

25. Pol. 218

26. Pol. 220

27. Pol. 235

28. Pol. 249

29. Pol. 317.1

Knight First Amendment Inst. at Columbia Univ. v. Trump, 928 F.3d 226 (2d Cir. 2019)

Davison v. Randall, 912 F.3d 666 (4th Cir. 2019)

Garcetti v. Ceballos, 547 U.S. 410 (2006)

Mike Campbell v. Cheri Toalson Reish, 986 F.3d 822 (8th Cir. 2021)

Pickering v. Board of Education, 391 U.S. 563 (1968)

Connick v. Myers, 461 U.S. 138 (1983)

Rankin v. McPherson, 483 U.S. 378 (1988)

Pol. 801

Book	Policy Manual
Section	800 Operations
Title	Contracted Services Personnel - L.L.
Code	818
Status	Review

## **Purpose**

In its effort to provide cost-effective programs, the Board uses outside independent contractors for a variety of purposes. The district is required to ensure that such contractors comply with certain legal requirements regarding contractor employees involved in the delivery of services to the district. This policy is adopted to outline those requirements and the manner in which the district shall direct and monitor contractor compliance.

## **Definitions**

For purposes of this policy, **contractor employee** shall include an individual who:

1. Is employed or offered employment by an independent contractor or a subcontractor of an independent contractor, or is an individual independent contractor; and
2. Has or will have direct contact with children.

**Direct Contact with Children** - the possibility of care, supervision, guidance or control of children or routine interaction with children.[\[1\]](#)

For purposes of this policy, **independent contractor** shall mean an individual or entity that contracts with the district to provide services.

## **Authority**

The district is required by law to ensure that independent contractors and contractor employees comply with the mandatory background check requirements for criminal history and child abuse certifications, the employment history review requirement, and the arrest and conviction reporting requirements.[\[2\]](#)[\[3\]](#)[\[4\]](#)

## **Guidelines**

Prior to using contracted services, a written contractual agreement shall be entered into between the district and the independent contractor and maintained centrally by the district in a manner similar to that for other contracts. Requests for proposals, bid specifications for proposals and resulting contracts shall specify the following:

1. Mandatory requirements for criminal history background checks, child abuse certifications, employment history reviews, and arrest and conviction reporting for contracted services involving direct contact with children, as mandated by law and set forth in this policy.[\[5\]](#)
2. A requirement that all contracted transportation providers provide a program of drug and alcohol testing for covered drivers. A covered driver shall include any contractor employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial vehicle owned, leased or operated by the independent contractor in connection



with school district services.[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

3. That failure to comply with this policy and the requirements for criminal history background checks and child abuse certifications, employment history reviews, and required reporting of employee arrests, convictions or other misconduct by an independent contractor or contractor employee shall be grounds for termination of the contract.

The Superintendent or designee shall review all information provided pursuant to this policy and determine if information is disclosed that precludes employment or continued service of an independent contractor or contractor employee.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[11\]](#)

Information submitted by an independent contractor or contractor employee in accordance with this policy shall be maintained centrally in a manner similar to that for school employees.

### Pre-Employment Requirements

#### *Employment History Review -*

Independent contractors shall conduct an employment history review, in compliance with state law, prior to assignment of a contractor employee to perform work for the district in a position or assignment involving direct contact with children. The independent contractor may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment of a current contractor employee and may report the information as permitted by law.[\[4\]](#)

Independent contractors shall inform the district, in writing, upon receipt of an affirmative response to any of the abuse and sexual misconduct background questions for a contractor employee. If the district objects to the assignment, the independent contractor may not assign the contractor employee to the district.[\[4\]](#)

Independent contractors shall, upon request, provide the district to which a contractor employee is assigned access to the employee's employment history review records.

#### *Criminal History -*

Prior to assignment of contractor employees to perform work for the district in a position or assignment involving direct contact with children, contractor employees shall submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[\[2\]](#)[\[3\]](#)

Contractor employees shall report, on the designated form, all arrests and convictions as specified on the form. Contractor employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment/contract, termination if already hired/contracted, and/or criminal prosecution.[\[3\]](#)

#### *Tuberculosis Test -*

Contractor employees providing services for students shall undergo a test for tuberculosis in accordance with the regulations and guidance of the Pennsylvania Department of Health.[\[12\]](#)[\[13\]](#)

### Arrest and Conviction Reporting Requirements

All independent contractors shall adopt policies and procedures that require their employees, who are providing services to the district and who have direct contact with children, to notify the independent contractor, in writing, within seventy-two (72) hours of the occurrence, of an arrest or conviction required to be reported by law. Contractor employees shall also be required to report to the independent contractor, within seventy-two (72) hours of notification, that the

employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law. The policies and procedures shall also include the provision that the failure on the part of contractor employees to make such a timely notification shall subject them to disciplinary action, including termination.[\[3\]](#)[\[11\]](#)

If the independent contractor receives notice of such arrest or conviction or that the contractor employee has been named as a perpetrator in a founded or indicated report, from either the contractor employee or a third party, the independent contractor shall immediately report, in writing, that information to the Superintendent or designee.

The independent contractor shall immediately require a contractor employee to submit new certifications when there is a reasonable belief that the employee was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.[\[3\]](#)[\[11\]](#)

Contractor employees who provide transportation services shall immediately notify the independent contractor and the district's transportation supervisor of any traffic citations or the suspension, revocation or cancellation of operating privileges.[\[14\]](#)

### Educator Misconduct

If the Superintendent reasonably suspects that conduct being reported involves an incident required to be reported under the Educator Discipline Act, the Superintendent or designee shall notify the Pennsylvania Department of Education, in accordance with applicable law, regulations and Board policy **317.1**.[\[15\]](#)[\[16\]](#)

### Training

Independent contractors shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[\[1\]](#)

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[\[17\]](#)
3. District policy related to reporting of suspected abuse and sexual misconduct.[\[18\]](#)
4. Maintenance of professional and appropriate relationships with students.[\[19\]](#)

Employees of independent contractors who have direct contact with children are required to complete a minimum of three (3) hours of training every five (5) years.[\[1\]](#)

Contractor employees shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which contractor employees should also receive that training.

### Child Abuse Reporting

All contractor employees who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.[\[18\]](#)[\[20\]](#)

### Confidentiality

No contractor employee shall be permitted access to confidential student information unless the district has determined that such access is necessary for the contractor employee to fulfill his/her responsibilities. Contractor employees with access to confidential student information shall maintain the confidentiality of that information in accordance with Board policies and procedures and applicable law. If a contractor employee has questions about the confidentiality of student information, the contractor employee should consult with the building principal.[21][22]

Legal

[1. 24 P.S. 1205.6](#)

[2. 23 Pa. C.S.A. 6344](#)

[3. 24 P.S. 111](#)

[4. 24 P.S. 111.1](#)

[5. 55 PA Code 3490.132](#)

[6. 49 CFR Part 382](#)

[7. 67 PA Code 71.3](#)

[8. 75 Pa. C.S.A. 1612](#)

[9. 75 Pa. C.S.A. 3802](#)

10. Pol. 810.1

[11. 23 Pa. C.S.A. 6344.3](#)

[12. 24 P.S. 1418](#)

[13. 28 PA Code 23.44](#)

[14. 75 Pa. C.S.A. 1606](#)

[15. 24 P.S. 2070.9a](#)

16. Pol. 317.1

[17. 24 P.S. 2070.1a et seq](#)

18. Pol. 806

19. Pol. 824

[20. 23 Pa. C.S.A. 6311](#)

21. Pol. 113.4

22. Pol. 216

[24 P.S. 1362](#)

[22 PA Code 8.1 et seq](#)

[23 Pa. C.S.A. 6301 et seq](#)

[75 Pa. C.S.A. 1601 et seq](#)

Pol. 610

Pol. 810

Book	Policy Manual
Section	800 Operations
Title	Suicide Awareness, Prevention and Response - M
Code	819
Status	Review

## **Purpose**

The Board is committed to protecting the health, safety and welfare of its students and the school community; **promoting healthy development; and safeguarding against the threat or attempt of suicide. This policy supports the provision of a comprehensive district program of education, training and resources designed to promote school connectedness and behavioral health, and prevent suicide.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

## **Authority**

**The Board directs the district to** provide education on youth suicide awareness and prevention; methods of prevention, intervention and response to suicide attempt or suicide; and **reporting procedures.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

**The district is committed to providing access to age and developmentally-appropriate youth suicide awareness and prevention supports and resources to all district students, without bias or discrimination.**[\[2\]](#)[\[3\]](#)

The district shall notify employees, students and parents/guardians of this policy and shall post the policy on the district's website.[\[1\]](#)

## **Definitions**

**Behavioral health - the emotion, behaviors and biology related to a person's mental well-being, their ability to function in everyday life and their concept of self.**

**Behavioral service providers – include, but are not limited to, state, county or local behavioral health service providers, crisis intervention center or psychiatric hospital. The term includes a private service provider which contracts with a state, county or local government to act as a behavioral health agency.**[\[4\]](#)[\[7\]](#)

**Bias – the attitudes or beliefs we have about a person or group that affect our understanding, actions and decisions in a conscious or subconscious manner.**[\[4\]](#)

**Individualized Management Plan – a plan developed for a student who is referred to the threat assessment team that documents the concerns that brought a student to the team's attention, as well as the resources and supports a student might need based on the information gathered during the assessment. The Individualized Management Plan is developed primarily for documentation and communication purposes.**[\[4\]](#)

**Postvention – a multi-component crisis response to provide support, promote healing after a tragic loss and to minimize risk of contagion after a suicide.**

**Prevention** - refers to efforts that seek to reduce the factors that increase the risk for suicidal thoughts and behaviors and increase the factors that help strengthen, support and protect the behavioral health and wellness of individuals.

**Protective factors** - refer to characteristics associated with a lower likelihood of negative outcomes or that reduce a risk factor's impact. Protective factors may be seen as positive countering events.

**Resilience** - the process of adapting well in the face of adversity, trauma, tragedy, threats or significant sources of stress, or "bouncing back" from difficult experiences.

**Risk factors** - refer to characteristics at the biological, psychological, family, community or cultural level that precede and are associated with a higher likelihood of negative outcomes, including suicide.

**Safety Plan** – an agreement developed between the student, parent/guardian, appropriate team members and behavioral health professionals, following a suicide screening or assessment, that documents communications, conveys an understanding of the seriousness of the student's distress and provides a set of skills and resources the student can use in a crisis.

**School connectedness** - the belief by students that adults and peers in the school care about their learning as well as about them as individuals.

**School personnel** - include, but may not be limited to, administrators, teachers, school-based behavioral health professionals (e.g., school counselor, school psychologist, school social worker), paraprofessionals, support staff, coaches, bus drivers, custodians and cafeteria workers.

**Self-harm** – behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Self-harm behaviors can be either suicidal or nonsuicidal.

**Suicide** - death caused by self-directed injurious behavior with intent to die as a result of the behavior.

**Suicide attempt** - a potentially self-injurious behavior for which there is evidence that the person had at least some intent to kill themselves.

**Suicide threat** - a verbal or nonverbal communication that an individual intends to harm themselves with the intention to die but has not acted on the behavior.

**Threat assessment** – a fact-based process for the assessment of and intervention with students whose behaviors may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.[4]

**Warning signs** - evidence-based indicators, often observable, that someone may be in danger of suicide, either immediately or in the very near future.

### **Delegation of Responsibility**

The Superintendent or designee, in collaboration with designated school personnel, shall develop administrative regulations regarding the district's protocols for response to suicide threats, suicide attempts and suicide.

### **Guidelines**

## **Suicide Awareness and Prevention Education for Students**

Students shall receive age **and developmentally**-appropriate, **student-centered** lessons on the importance of safe and healthy choices, coping strategies **focused on resiliency**, how to recognize risk factors and warning signs, as well as help-seeking strategies for self or others, including how to engage school resources.

**These lessons shall be integrated into the curriculum of health classes and other classes as appropriate. The lessons may be taught by health and physical education teachers, classroom teachers, student services staff or community service providers.**

Lessons shall contain information on comprehensive health and wellness, including emotional, behavioral and social skills development **by:**

- 1. Informing students about broader behavioral health issues such as depression and substance use, as well as specific risk factors, protective factors and warning signs for suicide.**
- 2. Encouraging students to seek help for themselves or their peers, including when concerns arise via social media or other online forum, and to avoid making promises of confidence when they are concerned about the safety of a peer or other individual.**
- 3. Adhering to safe and effective messaging guidelines, avoiding graphic testimonials and including research-based suicide prevention resources.**
- 4. Promoting a healthy school climate where students feel connected to and can identify trusted adults in the building.**
- 5. Providing local, state and/or national resources for seeking help.**

## **Suicide Awareness and Prevention Education for School Personnel**

All **school personnel** shall receive **written** information **about the district's protocols for suicide awareness and prevention, including** risk factors, warning signs, response **and communication** procedures, referrals and resources.

**School personnel shall also receive information regarding strategies to enhance protective factors, resilience and school connectedness.**

As part of the district's professional development plan, professional educators in school buildings serving students in grades six (6) through twelve (12) shall participate in **a minimum of** four (4) hours of youth suicide awareness and prevention training every five (5) years.<sup>[1][8][9]</sup>

**The district shall make required training and refresher training available on an ongoing basis, so that educators may fulfill training requirements throughout the required timeframe.**

**The district may also require training of professional staff in grades K-5, as well as ancillary school-wide staff, and may increase the training requirement.**

**School safety and security training for employees may include suicide awareness.[9]**

Additional professional development in **suicide risk screening and/or** assessment and crisis intervention shall be provided to **specialized staff and school behavioral** health professionals **such as school crisis response/intervention team members, threat assessment team**



**members, designated administrators, school counselors, school psychologists, school social workers** and school nurses.

#### Resources for Parents/Guardians

The district may provide parents/guardians with resources including, but not limited to, health promotion and suicide risk, including characteristics and warning signs, and information about local, **state and national** behavioral health resources.

### **METHODS OF PREVENTION**<sup>[1]</sup>

The district shall utilize a multifaceted approach to suicide prevention which integrates school and community-based supports.

The methods of prevention utilized by the district include, but are not limited to, education, **training and awareness**; early identification and support for students at risk; and delegation of responsibility for planning and coordination of suicide prevention efforts.

Information received in confidence from a student may be revealed to the student's parents/guardians, the building principal, **the threat assessment team and/or crisis response/intervention team** or other appropriate authority when the health, welfare or safety of the student or any other person is **clearly in jeopardy, in accordance** with **applicable law, regulations and Board policy**.<sup>[4][10][11][12][13][14][15]</sup>

#### Suicide Prevention Coordinators

##### *District-Wide -*

A district-level suicide prevention coordinator shall be designated by the Superintendent **or designee**. This may be an existing district employee. The district suicide prevention coordinator shall be responsible for planning and coordinating implementation of this policy.

##### *Building-Level -*

Each building principal shall designate a school suicide prevention coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. This may be an existing district employee, **who may also be a member of the threat assessment team**.<sup>[4]</sup>

#### Early Identification Procedures

Early identification of individuals with warning signs or suicide risk factors **that appear to adversely impact the student** is crucial to the district's suicide prevention efforts. To promote awareness, **school personnel**, students and parents/guardians should be educated about suicide risk factors and warning signs.

#### Referral Procedures

Any **school personnel** who **observes** a student **exhibiting a warning sign for suicide**, or who has another indication that a student may be contemplating suicide, shall **immediately** refer the student for **suicide risk screening and/or** assessment and intervention **in accordance with Board policy and district procedures**.<sup>[4][15][16]</sup>

**In the absence of a warning sign for suicide, students demonstrating suicide risk factors that appear to be adversely impacting the student, or other indications of self-harm, should be referred to an appropriate team or staff member (e.g., principal, school counselor, Student Assistance Program team) for support and follow-up.**

**When a student's behavior indicates a threat to the safety of the student, school personnel shall report the student to the threat assessment team, an appropriate member of the team or the suicide prevention coordinator. The threat assessment team, crisis response/intervention team and designated staff responsible for conducting or arranging suicide risk screening and assessment shall coordinate to provide assessment and intervention in accordance with Board policy and district procedures.[4][15][16][17]**

**School personnel shall arrange for or provide continuous adult supervision to ensure the student's safety.**

### **Safe2Say Something**

**When the district receives a report through the Safe2Say Something program, members of the Safe2Say Something team shall coordinate with the appropriate emergency dispatch center(s), local law enforcement and/or district team, in accordance with district procedures.[9]**

### **Documentation**

**The district shall document the referral, including specific **reasons** identified as indications that the student may be at risk.[4]**

## **METHODS OF ASSESSMENT AND INTERVENTION[1]**

**The methods of **assessment and** intervention utilized by the district include, but are not limited to, responding to threats of suicide **or self-harm**, suicide attempts in school, suicide attempts outside of school and suicide.**

**The district shall maintain a trained school crisis response/intervention team. Team members may include, but not be limited to, designated administrators, school counselors, school nurse, school psychologist, social worker, school security personnel, members of the Student Assistance Program team and others as designated by the district such as community behavioral health agency resources.**

**The district's threat assessment team shall serve as a crisis response/intervention team, and may coordinate with district behavioral health staff and community behavioral health agency resources as needed.[4]**

**The Superintendent or designee shall establish administrative regulations for coordination of appropriate teams and staff in suicide assessment and intervention.**

**Suicide intervention procedures shall involve collaboration and coordination with the student, the parent/guardian, suicide prevention coordinator, the threat assessment team and/or the crisis response/intervention team and additional support services as needed.**

### **Student Assessment and Intervention**

**When a student has been referred for assessment, designated members of the threat assessment team and/or crisis response/intervention team shall coordinate with appropriate behavioral health staff to assess and respond to the student's behavior, which may include development or update of an Individualized Management Plan and/or Safety Plan, where appropriate, in accordance with Board policy and administrative regulations.[4]**

**A district-approved suicide **risk screening or** assessment **tool** may be used by trained **behavioral** health staff such as **school** counselors, psychologists or social workers.**



Parents/Guardians of a student identified as being at risk of suicide shall be notified by the **building principal or designee and informed of crisis and community resources**. If the school suspects that the student's risk status is the result of abuse or neglect, school staff shall immediately notify Children and Youth Services, **in accordance with applicable law and Board policy**. [4][6]

The district shall identify **and develop agreements with behavioral** service providers to whom students **may** be referred for further **suicide risk screening and/or** assessment and **intervention**.

If the student has been identified as being at increased risk of suicide, the district shall **develop a new, or update a previous**, Safety Plan to support the student and the student's family. **The Plan should be developed collaboratively with input from the student, the student's parents/guardians, appropriate team members and behavioral health professionals**.

#### Students With Disabilities

For students with disabilities who are identified as being at risk for suicide or who attempt suicide, the team **receiving the referral or other district staff** shall notify the appropriate **Individualized Education Program (IEP) team or Section 504 team** to address the student's needs in accordance with applicable law, regulations and Board policy. [3][4][18][19][20][21]

If a student is identified as being at risk for suicide or attempts suicide and the student may require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy. [3][18][19][20][21]

#### Documentation

The district shall document observations, recommendations and actions conducted throughout the **course of** intervention, **suicide risk screening and/or** assessment **and follow-up**, including verbal and written communications with students, parents/guardians, **appropriate team members** and **behavioral** service providers. [4]

### **METHODS OF RESPONSE TO SUICIDE ATTEMPT OR SUICIDE** [1]

**The district's crisis response/intervention team shall coordinate with first responders, district behavioral health staff and/or community behavioral health resources in response to a suicide attempt or suicide.**

#### Response to Suicide Attempt

Methods of response to a suicide attempt utilized by the district include, but are not limited to:

1. **Acting in accordance with professional development and crisis response training including, but not limited to:**
  - a. **The rendering of first aid until professional medical services and/or transportation can be received.**
  - b. **Supervision of the student and movement of all other students out of the immediate area.**
2. **Coordinating with the threat assessment team to document or follow up on the threat assessment process, in accordance with Board policy, where applicable.** [4]

3. Notifying students, employees and parents/guardians.
4. Working with families.
5. Responding appropriately to the media.
6. Collaborating with community providers.

#### Re-entry Procedures

A student's excusal from school attendance after a **behavioral** health crisis and the student's return to school shall be consistent with state and federal laws and regulations, **and in accordance with Board policy**.<sup>[3][18][19][20][22][23]</sup>

**Prior to** a student returning to school after a **behavioral** health crisis, a district-employed **behavioral** health professional, **member(s) of the threat assessment team**, the building principal **or designee** shall meet with the parents/guardians of the student and, if appropriate, meet with the student to discuss **the student's return to school and to create an individual re-entry plan**.<sup>[4]</sup>

When authorized by the student's parent/guardian, the designated district employee shall coordinate with the appropriate outside **behavioral service** providers, **request releases of information and written documentation from the treating facility and encourage their involvement in the re-entry process**.

**A school behavioral health professional shall** periodically check in with the student **and monitor the student's re-entry plan, which may include strategies and supports to facilitate the student's progress and transition back into the school community, including referrals to other school-based teams or programs (e.g. Student Assistance Program)**.

**Re-entry of a student with a disability requires coordination with the appropriate team to address the student's needs in accordance with applicable law, regulations and Board policy**.<sup>[3][18][19][20][21]</sup>

#### Response to Suicide (Postvention)

**Upon confirmation of a suicide, the district shall immediately implement established postvention procedures which shall include methods for informing the school community; identifying and monitoring at-risk youth; and providing resources and supports for students, staff and families.**

#### **DOCUMENTATION PROCEDURES**<sup>[1]</sup>

Effective documentation assists in preserving the safety of the student and ensuring communication among school staff, parents/guardians and **behavioral** service providers.

When **school personnel** take notes on any conversations or situations involving or relating to an at-risk student, the notes should contain only factual or directly observed information, not opinions or hearsay.

As stated in this policy, **school personnel** shall be responsible for effective documentation of incidents involving suicide prevention, intervention and response, **in accordance with applicable laws, regulations and Board policy**.<sup>[4]</sup>

**Reports and information shall be maintained confidentially and made available to appropriate district staff in accordance with applicable laws, regulations and Board policy**.<sup>[4][11][12][13][14][24][25]</sup>

## SUICIDE AWARENESS, PREVENTION AND CRISIS RESOURCES<sup>[1]</sup>

### *Crisis Resources:*

- National Suicide & Crisis Lifeline: 988 or visit <http://988lifeline.org>
- National Suicide Prevention Lifeline: 1-800-273-TALK (8255) or visit <http://www.suicidepreventionlifeline.org/>
- Crisis Text Line: TEXT 741741 or visit <http://www.crisistextline.org/>

### *National:*

- [Centers for Disease Control and Prevention – Risk and Protective Factors](#)
- [Suicide Prevention Resource Center – Risk and Protective Factors](#)
- [Substance Abuse and Mental Health Services Administration \(SAMHSA\). Preventing Suicide: A Toolkit for High Schools](#)
- Suicide Prevention Resource Center - [Safe and Effective Messaging for Suicide Prevention](#)
- Suicide Prevention Resource Center - [After a Suicide Toolkit](#)
- [Recommendations for Reporting on Suicide](#)

### *Pennsylvania:*

- [Suicide Prevention Task Forces](#) - groups of dedicated individuals that are committed to reducing the number of suicides and offering support to those who have been touched by suicide within their communities/counties in Pennsylvania.
- [Suicide Prevention Guide](#)
- [List of Crisis Intervention contact information by county](#)
- [List of County CASSP and Children's Behavioral Health Contact Persons](#)
- [Prevent Suicide PA's Act 71 Information](#)
- [STAR Center's Postvention Manual](#)

### National and State Organizations

#### *National:*

- [American Association of Suicidology \(AAS\)](#)
- [American Foundation for Suicide Prevention \(AFSP\)](#)
- [Suicide Prevention Resource Center \(SPRC\)](#)

#### *Pennsylvania:*

- [Prevent Suicide PA](#)
- [Jana Marie Foundation](#)
- [Aevidum](#)
- [Services for Teens at Risk \(STAR-Center\)](#)
- [Pennsylvania Department of Education](#)
- [Pennsylvania Network for Student Assistance Services \(PNSAS\)](#)

#### Legal

[1. 24 P.S. 1526](#)

2. Pol. 103

3. Pol. 103.1

4. Pol. 236.1

5. Pol. 249

6. Pol. 806

[7. 24 P.S. 1301-E](#)

8. Pol. 333

9. Pol. 805

[10. 22 PA Code 12.12](#)

[11. 20 U.S.C. 1232g](#)

[12. 34 CFR Part 99](#)

13. Pol. 207

14. Pol. 216

15. Pol. 236

16. Pol. 146

[17. 24 P.S. 1302-E](#)

18. Pol. 113

19. Pol. 113.2

20. Pol. 113.3

21. Pol. 114

22. Pol. 117

23. Pol. 204

24. Pol. 113.4

25. Pol. 209

Pol. 146.1

Pol. 816

Pol. 911

Book	Policy Manual
Section	800 Operations
Title	Automated External Defibrillator (AED)/Cardiopulmonary Resuscitation (CPR) - L.L.
Code	822 - New Policy
Status	Review

### **Purpose**

The Board is committed to providing a safe and healthy environment for the school community.

Maintaining automated external defibrillator (AED) units and staff trained in cardiopulmonary resuscitation (CPR) in the schools enables responders to deliver early defibrillation and resuscitation to victims.

### **Authority**

Except in extenuating circumstances, each school shall have one (1) person certified in the use of cardiopulmonary resuscitation (CPR) during regular school hours when school is in session and students are present.[\[1\]](#)

The automated external defibrillator (AED) units are owned by the district and shall be properly maintained and located in secure and accessible locations.

The automated external defibrillator (AED) units shall be used in accordance with approved district procedures.

### **Guidelines**

A Core Team shall be trained in CPR and AED procedures by completing a training program offered by approved providers. Members of the team shall be provided opportunities for annual training and retraining.

Written guidelines for medical emergencies related to the use of automated external defibrillator (AED) units shall be provided to all members of the core team.

Responders' use of automated external defibrillator (AED) units shall not replace the care provided by emergency medical services (EMS) providers. Patient care shall be transferred to the EMS providers upon their arrival.

### **Delegation of Responsibility**

The Superintendent or designee shall develop and disseminate administrative regulations that detail the use of automated external defibrillator (AED) units.

Automated external defibrillator (AED) units may be used by all members of the district's core team who have successfully completed training and any trained volunteer who has a current course completion card.

[24 P.S. 1423](#)

[42 Pa. C.S.A. 8332](#)

[42 Pa. C.S.A. 8331.2](#)

[42 Pa. C.S.A. 8337.1](#)

Pol. 123.2

Book	Policy Manual
Section	800 Operations
Title	Opioid Antagonist - L.L.
Code	823 Vol VI 2024
Status	Review

### **Authority**

As a means of enhancing the health and safety of its students, staff and visitors, the district may obtain, maintain and administer doses of an opioid antagonist and other facilities for emergency use to assist a student, staff member or other individual believed or suspected to be experiencing an opioid overdose.[\[1\]](#)[\[2\]](#)

### **Definitions**

**Drug overdose** - shall mean an acute medical condition, including, but not limited to, severe physical illness, coma, mania, hysteria or death, which is the result of consumption or use of one or more controlled substances causing an adverse reaction. An individual's condition may be deemed to be a drug overdose if a prudent person, possessing an average knowledge of medicine and health, would reasonably believe that the condition is in fact a drug overdose and requires immediate medical attention.[\[1\]](#)

**Opioid** - shall mean illegal drugs such as heroin, as well as prescription medications used to treat pain such as morphine, codeine, methadone, oxycodone, hydrocodone, fentanyl, hydromorphone and buprenorphine.

**Opioid antagonist** - a drug or device approved by federal law for emergency reversal of known or suspected opioid overdose, including naloxone hydrochloride or other similarly acting drugs approved by the U.S. Food and Drug Administration for the treatment of an opioid overdose.[\[2\]](#)[\[3\]](#)

### **Delegation of Responsibility**

The Superintendent or designee, in consultation with the school nurse(s) and the school physician, shall establish appropriate internal procedures for the acquisition, stocking and administration of **opioid antagonists** and related emergency response procedures pursuant to this policy.

The school physician shall be the prescribing and supervising medical professional for the district's stocking and use of **opioid antagonists**. The Superintendent or designee shall obtain a standing order from the school physician for administration of **opioid antagonists**.

The school nurse shall be responsible for **managing the** building-level administration, **maintenance and stocking** of **opioid antagonists**.

### **Guidelines**

The school nurse shall develop a plan for annually informing all parents/guardians, students and staff about this policy and specifically:



1. The availability of **an opioid antagonist** to treat opioid drug overdoses and what it does;
2. The symptoms of opioid drug overdoses;
3. How students and staff should report suspected overdoses;
4. The protection from criminal prosecution provided by law for persons who report a suspected overdose using their real name and remain with the overdosing person until emergency medical services (EMS) or law enforcement arrive, as well as for the person whose overdose they report; and[1][2]
5. The protection from civil liability provided by law for persons who report overdoses or administer **an opioid antagonist** in overdose emergencies.[1][2]

#### Standing Order From the School Physician

The school physician shall provide and annually renew a standing order for administration of **an opioid antagonist** to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose.

The standing order shall include at least the following information:

1. Type of **opioid antagonist** (intranasal and auto-injector).
2. Date of issue.
3. Dosage.
4. Signature of the school physician.

The standing order shall be maintained in the Superintendent's office, and copies of the standing order shall be kept in each location where **an opioid antagonist** is stored.

#### Training

Before any school district employee may have custody of **an opioid antagonist** or administer **an opioid antagonist** under this policy, the employee must successfully complete an online Pennsylvania Department of Health training program about recognizing opioid-related overdoses, administering **an opioid antagonist** and promptly seeking medical attention for drug overdoses. Evidence that such training has been completed shall be placed in the employee's personnel file.[2][4]

A list of school district employees who successfully complete such training shall be maintained, updated and kept in the school nurse's office and the school district administration office.

#### Acquisition, Storage and Disposal

**Opioid antagonists** shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

**Opioid antagonists** shall be made readily accessible to those employees who have completed the required training to administer it in the event of a suspected drug overdose. All properly trained employees shall be informed of the exact location where **an opioid antagonist** is being stored within the school nurse's office or other location.

The school nurse shall obtain sufficient supplies of **opioid antagonists** pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh **opioid antagonist** stocks, and



maintain records thereof, in accordance with the established internal procedures, manufacturer recommendations and Department of Health Guidelines.

#### Administration of **an Opioid Antagonist**

When responding to a suspected drug overdose, district employees shall follow the steps outlined below:

1. Call for medical help immediately (Dial 9-1-1).
2. Check for signs of opioid overdose.
3. Perform initial rescue breathing (or CPR if needed), as instructed in training.
4. Administer **the opioid antagonist**, as instructed in training.
5. Continue rescue breathing (or CPR if needed), as instructed in training.
6. Administer second dose of **the opioid antagonist** if needed, as instructed in training.
7. Place in recovery position, as instructed in training.
8. Stay with the individual until emergency medical help arrives.
9. Cooperate with EMS personnel responding to the incident.
10. Notify the building administrator or designee of the incident.

#### Referral to Law Enforcement and Parental Notification

The Superintendent or designee shall immediately report incidents involving the use of controlled substances on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with **law** enforcement and Board policies. [\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving use of controlled substances immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian. [\[5\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)

#### Referral to Student Assistance Program

Any student who experiences a drug overdose shall be referred to the district's Student Assistance Program. [\[13\]](#)

#### Indemnification

The school district shall indemnify and hold harmless any employee who administers **an opioid antagonist** in good faith to another individual experiencing a suspected drug overdose, if all of these conditions apply: [\[2\]](#)[\[14\]](#)[\[15\]](#)

1. The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering **an opioid antagonist** to that individual.

2. The employee successfully completed the training contemplated by this policy.
3. The employee promptly sought additional medical assistance before or immediately after administering **an opioid antagonist**.
4. The employee is administering **an opioid antagonist** pursuant to this policy.

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Legal

- [1. 35 P.S. 780-113.7](#)
- [2. 35 P.S. 780-113.8](#)
- [3. 21 U.S.C. 301 et seq](#)
4. Pol. 324
- [5. 22 PA Code 10.2](#)
- [6. 22 PA Code 10.21](#)
- [7. 22 PA Code 10.22](#)
- [8. 24 P.S. 1306.2-B](#)
- [9. 24 P.S. 1319-B](#)
10. Pol. 227
11. Pol. 805.1
- [12. 22 PA Code 10.25](#)
13. Pol. 236
- [14. 42 Pa. C.S.A. 8547](#)
- [15. 42 Pa. C.S.A. 8548](#)
16. Pol. 916

Book	Policy Manual
Section	800 Operations
Title	Maintaining Professional Adult/Student Boundaries - R
Code	824 Vol I 2025
Status	Review

### **Authority**

This policy applies to district employees, volunteers, student teachers and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as **adults**. The term **adults** as used in this policy, does not include district students who perform services on a volunteer or compensated basis.

All adults shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that can lead to more egregious misconduct.

The Board directs that all adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[\[1\]](#)

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families that exist independently of the district or to interfere with participation in civic, religious or other outside organizations that include district students.

### **Definition**

For purposes of this policy, **legitimate educational reasons** include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the adult's assigned job duties.

### **Delegation of Responsibility**

The Superintendent or designee shall annually inform students, parents/guardians and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website and by other appropriate methods.

The building principal or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

Independent contractors doing business with the district shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.[\[2\]](#)

### **Guidelines**

Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior.

### Prohibited Conduct

#### *Romantic or Sexual Relationships -*

Adults shall be prohibited from dating, courting or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[\[3\]](#)[\[4\]](#)

Prohibited romantic or sexual interaction involving students includes, but is not limited to:

1. Sexual physical contact.
2. Romantic flirtation, propositions or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Personal comments about a student's body.
5. Sexual jokes, notes, stories, drawings, gestures or pictures.
6. Spreading sexual or romantic rumors.
7. Touching a student's body or clothes in a sexual or intimate way.
8. Accepting massages, or offering or giving massages other than in the course of injury care legitimately administered by an athletic trainer, coach or health care provider.
9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
10. Displaying or transmitting sexual objects, pictures or depictions.

#### *Social Interactions -*

In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate.

Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.

6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building principal.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names or otherwise in an overly familiar manner.
15. Telling a student personal secrets, sharing personal secrets with a student or asking students to keep any conversation, gift or activity a secret.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.
18. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.[5][6]

#### *Electronic Communications -*

For purposes of this policy, **electronic communication** shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only.

When available, district-provided email or other district-provided communication devices or platforms shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices or platforms shall be in accordance with district policies and procedures.[7]

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the

communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Adults shall not follow or send or accept requests for current students to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the district for this purpose, without the prior written approval of the building principal.

### Exceptions

An emergency situation or a legitimate educational reason may justify deviation from the rules regarding communication or methods for maintaining professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that they have maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Relationships" section of this policy.

There will be circumstances where personal relationships develop between an adult and a student's family, e.g. when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are consistent with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through nondistrict-related civic, religious, athletic, scouting or other organizations and programs whose participants may include district students. Such community involvement is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

### Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall promptly notify the building principal or Title IX Coordinator. Reports may be made using the Discrimination/Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report orally or in writing. Upon receipt of a report, school staff shall promptly notify the Title IX Coordinator.[5][8]

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[9][10]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent, Title IX Coordinator and immediate supervisor, promptly, but not later than fifteen (15) days following discovery of such misconduct.[5][8][11][12]

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the school safety and security provisions of School Code, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[9][10][11][12][13][14][15][16][17][18]

It is a violation of Board policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[5][8]

### Investigation

The Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports of discrimination/harassment.[5][8]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the person making the report or any witnesses. If as the result of an investigation any individual, including the reported adult, the person making the report or a witness is found to have knowingly provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and Board policies. **Obstruction** includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony and destruction of or hiding evidence.[5][8][12][19][20][21][22]

### Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures.[8][12][19]

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in district schools for an appropriate period of time or permanently, as determined by the Superintendent or designee.

### Training

The district shall provide training with respect to the provisions of this policy to current and new district employees, volunteers and student teachers subject to this policy.

The district, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this policy and related procedures.

## **PSBA Revision 7/24 © 2024 PSBA**

### Legal

[1. 24 P.S. 510](#)

2. Pol. 818

[3. 18 Pa. C.S.A. 3124.2](#)

[4. 24 P.S. 2070.9f](#)

5. Pol. 103

6. Pol. 103.1

7. Pol. 815

8. Pol. 104

[9. 23 Pa. C.S.A. 6311](#)

10. Pol. 806

[11. 24 P.S. 2070.9a](#)

12. Pol. 317.1

[13. 24 P.S. 1306.2-B](#)

[14. 24 P.S. 1319-B](#)

[15. 22 PA Code 10.2](#)

[16. 22 PA Code 10.21](#)

[17. 22 PA Code 10.22](#)

18. Pol. 805.1

19. Pol. 317

20. Pol. 113.1

21. Pol. 218

22. Pol. 233

[24 P.S. 2070.1a et seq](#)

[22 PA Code 235.1 et seq](#)

[23 Pa. C.S.A. 6301 et seq](#)



Book	Policy Manual
Section	800 Operations
Title	Fraud - L.L.
Code	828
Status	Review

### **Authority**

The Board expects all Board members, district employees, volunteers, consultants, vendors, contractors and other parties that maintain a relationship with the school district to act with integrity, due diligence, and in accordance with law in their duties involving the district's resources. The Board is entrusted with public funds, and no one connected with the district shall do anything to erode that trust.

### **Definitions**

**Fraud, financial improprieties, or irregularities** include but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the district.
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, securities, supplies, or other assets.
4. Impropriety in handling money or reporting financial transactions.
5. Profiteering because of insider information of district information or activities.
6. Disclosure of confidential and/or proprietary information to outside parties.
7. Acceptance or seeking of anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the district.
8. Destruction, removal, or inappropriate use of district records, furniture, fixtures, or equipment.
9. Failure to provide financial records to authorized state or local entities.
10. Failure to cooperate fully with any financial auditors, investigators or law enforcement.
11. Other dishonest or fraudulent acts involving district monies or resources.

### **Delegation of Responsibility**

The Superintendent or designee shall be responsible to implement and maintain a system of internal controls designed to prevent and detect potential risks, fraud, financial impropriety, or fiscal irregularities within the district, subject to review and approval by the Board.

District administrators are responsible to be alert to an indication of fraud, financial impropriety, or irregularity within their areas of responsibility.

The Superintendent shall recommend to the Board for its approval completion of a forensic audit when it is deemed necessary and beneficial to the district.

### Reporting

All employees shall be alert for any indication of fraud, financial impropriety or irregularity within their area of responsibility.

An employee who suspects fraud, impropriety, or irregularity shall immediately report his/her suspicions to the Superintendent.

If the report involves the Superintendent, the employee shall report his/her suspicions to the Board President who shall be responsible to conduct an investigation in place of the Superintendent.

Employees who bring forth a legitimate concern or suspicion about a potential impropriety shall not be retaliated against. Those who do retaliate against such an employee shall be subject to disciplinary action.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### Investigation

The Superintendent shall investigate reports of fraudulent activities in a manner that protects the confidentiality of all parties and the facts, in cooperation with appropriate individuals and agencies.

If an investigation substantiates the occurrence of a fraudulent activity, the Superintendent shall issue a report to the Board and designated individuals.

The final disposition of the matter regarding employee discipline and decision to file a criminal complaint or refer the matter to law enforcement and/or a regulatory agency for independent investigation shall be determined by the Board and Superintendent in consultation with legal counsel.

Results of an investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know, until the results are made public.

Legal

[1. 43 P.S. 1423](#)

[2. 18 U.S.C. 1513](#)

3. Pol. 317

[43 P.S. 1421 et seq](#)

[15 U.S.C. 7201 et seq](#)

Book	Policy Manual
Section	800 Operations
Title	Security of Computerized Personal Information/Breach Notification - M
Code	830 - New Policy
Status	Review

## **Purpose**

The Board is committed to the security of the district's computerized data and to addressing the risk of a breach of the district's systems involving the possible disclosure of personal information. This policy addresses the manner in which the district will respond to unauthorized access and acquisition of computerized data that compromises the security and confidentiality of personal information.

## **Authority**

The Board requires that records containing personal information be securely maintained, stored and managed in compliance with state and federal laws, regulations, Board policy, administrative regulations and the district's Records Management Plan.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

The Board directs the district to provide notice as required by law to any resident of the Commonwealth whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons.[\[1\]](#)

## **Definitions**

**Breach of the security of the system** - unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of a database of personal information regarding multiple individuals and that causes, or the district reasonably believes has caused, or will cause, loss or injury to any resident of the Commonwealth. Acquisition of personal information by an employee or agent acting in good faith on behalf of the school district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.[\[9\]](#)

**Determination** - a verification or reasonable certainty that a breach of the security of the system has occurred.[\[9\]](#)

**Discovery** - the knowledge of or reasonable suspicion that a breach of the security of the system has occurred.[\[9\]](#)

**Encryption** - the use of an algorithmic process to transform data into a form in which there is a low probability of assigning meaning without use of a confidential process or key.[\[9\]](#)

**Personal information** - includes an individual's first name or first initial and last name in combination with and linked to any one or more of the following, when not encrypted or redacted:[\[9\]](#)

1. Social Security number.

2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.
4. Medical information, meaning any individually identifiable information contained in the individual's current or historical record of medical history or medical treatment or diagnosis created by a health care professional.[\[9\]](#)
5. Health insurance information, meaning an individual's health insurance policy number or subscriber identification number in combination with access code or other medical information that permits misuse of an individual's health insurance benefits.[\[9\]](#)
6. A user name or email address, in combination with a password or security question and answer that would permit access to an online account.

**Personal information** does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.[\[9\]](#)[\[10\]](#)

**Records** - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.[\[9\]](#)

**Redact** - includes, but is not limited to, alteration or truncation such that no more than the last four (4) digits of a Social Security number, driver's license number, state identification card number or account number is accessible as part of the data.[\[9\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall ensure that the district provides notice, as required by law, of any breach of the security of the district's systems.[\[1\]](#)

The Superintendent, in collaboration with appropriate administrators, shall develop administrative regulations to implement this policy, which shall include, but not be limited to:[\[1\]](#)

1. Procedures following discovery of a breach.
2. Procedures for the determination of a breach and whether breach notification is required under the law.
3. Breach notification procedures including timeline requirements, who must be notified and methods for such notice.

### **Guidelines**

Upon determination of a breach of the security of the system, the Superintendent or designee shall provide notice to the district attorney in the county where the breach occurred and to any resident of the Commonwealth whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made in accordance with the provisions of law regarding timelines and methods of notification.[\[1\]](#)

The notice shall be made without an unreasonable delay, except when a law enforcement agency determines and advises the district in writing, citing the applicable section of law, that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system.[\[11\]](#)[\[12\]](#)

The district shall also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.[\[1\]](#)

Legal

[1. 73 P.S. 2301 et seq](#)

2. Pol. 113.4

3. Pol. 216

4. Pol. 324

5. Pol. 800

6. Pol. 800.1

7. Pol. 815

8. Pol. 830.1

[9. 73 P.S. 2302](#)

10. Pol. 801

[11. 73 P.S. 2303](#)

[12. 73 P.S. 2304](#)

[15 U.S.C. 1681a](#)

Book	Policy Manual
Section	800 Operations
Title	Data Governance - Storage/Security - M
Code	830.1 - New Policy
Status	Review

## **Purpose**

The district is required to collect, create, store and manage data and information. Accurately maintaining and protecting such data is essential for efficient district operations, legal compliance, confidentiality and upholding trust with the school community.

This policy addresses the Board's commitment to sound data governance related to the integrity and security of the data collected, maintained, stored and managed by the district.

## **Authority**

The Board recognizes the importance of establishing and maintaining a system of data governance that addresses district staff responsibilities and complies with federal and state laws and regulations regarding data storage, security and records management. The district's data governance system shall meet or exceed industry and/or government standards for data protection and privacy of personal information.[\[1\]](#)[\[2\]](#)

The Board directs that the creation, collection, retention, retrieval and disposition of district records shall be governed by Board policy and the district's Records Management Plan and Records Retention Schedule.[\[3\]](#)

The Board directs notifications of a breach of the security of the district's computerized data system involving an individual's personal information to be conducted in accordance with law and Board policy.[\[4\]](#)[\[5\]](#)

## **Definitions**

**Confidential data/information** - information regarding which law, Board policy or contract prohibit disclosure or that may be disclosed only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information and other personal information regarding students, employees and district residents.[\[6\]](#)[\[7\]](#)[\[8\]](#)

**Critical data/information** - information that is essential to district operations and that must be accurately and securely maintained to avoid disruption to district operations.

**Data governance** - the district's comprehensive system to ensure the integrity of data created, collected, stored, secured and managed by the district.

**Encryption** - the use of an algorithmic process to transform data into a form in which there is a low probability of assigning meaning without use of a confidential process or key.[\[9\]](#)

**Personal information** - includes an individual's first name or first initial and last name in combination with and linked to any one or more of the following when not encrypted or redacted:  
[\[5\]](#)[\[9\]](#)

1. Social Security number.
2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.
4. Medical information, meaning any individually identifiable information contained in the individual's current or historical record of medical history or medical treatment or diagnosis created by a health care professional.[9]
5. Health insurance information, meaning an individual's health insurance policy number or subscriber identification number in combination with access code or other medical information that permits misuse of an individual's health insurance benefits.[9]
6. A user name or email address, in combination with a password or security question and answer that would permit access to an online account.

**Personal information** does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.[9][10]

**Records Management Plan** - the system implemented by the district for the storage, retention, retrieval and disposition of all records generated by district operations.[3]

**Records Retention Schedule** - a comprehensive listing stating retention periods and proper disposition of records.[3]

### **Delegation of Responsibility**

The Superintendent, in coordination with the Business Manager and Technology Coordinator, shall develop procedures necessary to implement this policy.

All individuals who are granted access to confidential and/or critical data/information are required to keep the information secure and are prohibited from disclosing or assisting in the unauthorized disclosure of such data/information.[5][11]

The Business Manager shall conduct regular vulnerability and risk assessments to monitor the integrity of the district's system of data governance.

The Superintendent shall ensure that this policy is reviewed at least annually and updated as necessary.[1][2]

### **Guidelines**

The district's system of data governance shall include, but not be limited to, the following:

1. Data security controls that meet or exceed industry and/or government standards for data protection and privacy, to ensure that only authorized individuals have access to computerized data.
2. A plan for backup and recovery of data to protect against information loss. Redundant backup systems of data storage shall be securely maintained in separate physical locations or in separate data storage systems.

3. Training requirements for individuals who have access to confidential and/or critical data and information.
4. Provisions to minimize the risk of unauthorized access, alteration or erasure of computerized data.[5]
5. An inventory of all software applications, digital tools and platforms, and related instruments comprising the data governance system.
6. Procedures for addressing a breach of data and cybersecurity incidents.[5]
7. Procedures and acceptable use provisions for access to data and protection of privacy and personal information for students, staff and district residents.[5][12]
8. A requirement that all service providers retained or contracted by the district for data governance and records management purposes meet or exceed industry and/or government standards for data protection and privacy of personal information.

### Service Providers

Service providers retained or contracted by the district shall comply with law, Board policy, administrative regulations and district procedures regarding data security and integrity of data containing confidential and/or critical data/information of the district.[3][5]

The district shall ensure that the agreement or contract for service with a service provider who may have access to confidential and/or critical data/information reflects appropriate data security provisions.

### Consequences

Failure to comply with law, Board policy, administrative regulations or procedures regarding data governance and security may result in the following disciplinary measures and possible pursuit of civil and criminal sanctions:[13][14][15]

1. Employees may be disciplined up to and including termination.
2. Volunteers may be excluded from providing services to the district.
3. The termination of a business relationship with a service provider.

### Legal

[1. 73 P.S. 2305.1](#)

[2. 73 P.S. 2305.2](#)

3. Pol. 800

[4. 73 P.S. 2301 et seq](#)

5. Pol. 830

6. Pol. 113.4

7. Pol. 216

8. Pol. 324

[9. 73 P.S. 2302](#)

10. Pol. 801

11. Pol. 828

12. Pol. 815



13. Pol. 317

14. Pol. 818

15. Pol. 916