

**SHARPSVILLE AREA SCHOOL DISTRICT**  
**Regular Meeting**  
**December 3, 2024**

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The regular meeting of the Sharpsville Area School Board was held in the Cafeteria at the Sharpsville Area Elementary School on Tuesday, December 3, 2024 at 7:11 p.m. with President Darla Grandy presiding. The following members were present: Rosemary Ferguson, Brian Foltz, Darla Grandy, John Heutsche, Margaret Hurl, Michael Lenzi, and Jerry Trontel. The following member was absent: Kevin Setterberg. Michael Garcia arrived at 7:13 p.m.

Also present were Superintendent John Vannoy, Business Manager/Board Secretary Ashley Mocker, Solicitor Andrews & Price (Salvatore Bittner), and guests.

**ADOPTION OF THE AGENDA**

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There was a motion by Mr. Foltz, seconded by Mr. Lenzi, to approve the meeting agenda.

Approved: Ferguson, Foltz, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

**SECRETARY REPORT**

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Board Secretary Ashley Mocker had no official action to report.

**CONSENT AGENDA**

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There was a motion by Mr. Lenzi, seconded by Mrs. Ferguson, to approve the following consent agenda items:

1. Board Minutes for the following meetings:
  - a. November 18, 2024 Regular Meeting
2. The monthly financial activity of the Payroll, General Fund, Capital Reserve Accounts, Middle School Activity Account, High School Activity Account, and Cafeteria Account will be reviewed at the January 2025 meeting.
3. To authorize payment of the December bills for the General Fund, Capital Reserve Fund, and Cafeteria Fund, with retroactive approval at the January 2025 meeting.

#### 4. Field Trip Requests

November 19, 2024	What's So Cool About Manufacturing	Wheatland Steel Processing	\$240.00
November 20, 2024	United Way Steam Career Day	Hickory VFW Hermitage, PA	N/A
December 2, 2025	HS Chorus Buhl Christmas Concert	Buhl Park Sharon, PA	N/A
December 10, 2024	HS Chorus Sharpsville Service Club December Meeting	Sharpsville Service Club Sharpsville, PA	N/A
December 12-14, 2024	HS Band Honors Band Festival	Grove City College Grove City, PA	\$444.20
December 12, 2024	Middle School Young Playwrights City Theater Young Playwrights Matinee	City Theatre Pittsburgh, PA	\$120.00
December 13, 2024	Blue Crew Delivering Donations	Happy Tales Veterinary Hospital Clark, PA	\$181.10
January 31, 2025	MS Chorus Jr. High Chorus Festival	Greenville High School Greenville, PA	\$80.00
January 31, 2025	HS Chorus Jr. High School Chorus Festival	Greenville High School Greenville, PA	\$239.60
February 5-7, 2025	HS Chorus District Chorus Festival	Rochester High School Beaver County	\$942.00
May 8 and 9, 2025	AP Biology Study Field Ecology at Pymatuning Lake	Pymatuning Laboratory of Ecology Linesville, PA	\$791.60

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

#### **FINANCE REPORT**

Mr. Trontel recommended the following action:

### **RESOLUTION 12 OF 2024**

There was a motion by Mr. Trontel, seconded by Mr. Heutsche, to approve Resolution 12 of 2024 stating the Board of Directors of the Sharpsville Area School District has determined that there will be no increase in the rate of any tax for the support of its public schools for the 2025-2026 fiscal year by more than the Index, established by the Department of Education for the District, whereas, the adjusted index for the District is 5.8%. The Resolution is attached to and a part of these minutes.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

### **RESOLUTION 13 OF 2024**

There was a motion by Mr. Trontel, seconded by Mrs. Hurl, to approve Resolution 13 of 2024 approving the following 2025 Voting Delegates to the Mercer County Tax Collection Committee, the same being attached to and a part of these minutes:

- |                     |                                      |
|---------------------|--------------------------------------|
| 1. Primary Delegate | Business Manager/Board Secretary     |
| 2. First Alternate  | Superintendent                       |
| 3. Second Alternate | Chairperson of the Finance Committee |

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

### **SIGNATURE AUTHORITY**

There was a motion by Mr. Trontel, seconded by Mr. Heutsche, to approve a Resolution with First National Bank for signature authority of Board Officers.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

### **POLICY REPORT**

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Mr. Lenzi recommended the following action:

## **SECOND READING OF REVISED POLICIES**

There was a motion by Mr. Lenzi, seconded by Mr. Foltz, to approve the second reading of the following revised policies, the same being attached to and a part of these minutes:

- #903 Public Comment in Board Meetings
- #222 Tobacco and Vaping Products
- #227 Controlled Substances/Paraphernalia
- #323 Tobacco and Vaping Products
- #351 Controlled Substance Abuse
- #146.1 Trauma-Informed Approach
- #218 Student Discipline
- #218.1 Weapons
- #218.2 Terroristic Threats
- #801 Public Records
- #803 School Calendar
- #805 Emergency Preparedness and Response
- #805.1 Relations with Law Enforcement Agencies

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

## **SECOND READING OF NEW POLICY**

There was a motion by Mr. Lenzi, seconded by Mrs. Ferguson, to approve the second reading of the following new policy, the same being attached to and a part of these minutes:

- #815.1 Use of Generative Artificial Intelligence in Education

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

## **CURRICULUM/TECHNOLOGY REPORT**

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There was no official action to report.

## **PERSONNEL REPORT**

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Mrs. Ferguson had no official action to report.

**BUILDINGS/GROUNDS REPORT**

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Mr. Garcia had no official action to report.

**NEGOTIATIONS REPORT**

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There was no official action to report.

**PUBLIC RELATIONS REPORT**

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Mr. Lenzi had no official action to report.

**CAFETERIA REPORT**

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Mrs. Hurl had no official action to report.

**ATHLETIC REPORT**

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Mr. Heutsche recommended the following action:

**BOYS' BASKETBALL COACH**

There was a motion by Mr. Heutsche, seconded by Mr. Trontel, to approve George Mehler as a Volunteer Boys' Basketball Coach for the 2024-2025 school year.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

**GIRLS' BASKETBALL COACH**

There was a motion by Mr. Heutsche, seconded by Mrs. Ferguson, to approve Allison Davis as an Elementary Volunteer Girls' Basketball Coach for the 2024-2025 school year.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

**WRESTLING COACHES**

There was a motion by Mr. Heutsche, seconded by Mr. Foltz, to approve the following Volunteer Wrestling Coaches for the 2024-2025 school year:

Kevin McElhinny	Boys'/Girls' Volunteer
Justin Michael	Boys'/Girls' Volunteer

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

#### **MERCER COUNTY CAREER CENTER REPORT**

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Mr. Garcia had no official action to report.

#### **MIDWESTERN INTERMEDIATE UNIT IV REPORT**

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Mr. Lenzi had no official action to report.

#### **SUPERINTENDENT'S REPORT**

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Mr. Vannoy recommended the following action:

#### **2025 MEETING DATES**

There was a motion by Mr. Lenzi, seconded by Mrs. Hurl, to approve the 2025 Board Meeting dates, the same being attached to and a part of these minutes.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

#### **BUS DRIVER**

There was a motion by Mr. Foltz, seconded by Mrs. Hurl, to approve Joseph Sok as an STA Bus Driver for the 2024-2025 school year effective October 31, 2024.

Approved: Ferguson, Foltz, Garcia, Grandy, Heutsche, Hurl, Lenzi, and Trontel

Opposed: None

Motion Carried.

#### **EXECUTIVE SESSION**

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Mrs. Grandy announced that the Board will meet in Executive Session immediately following adjournment for personnel matters and negotiations.

**ADJOURNMENT**

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There was a motion by Mrs. Ferguson, seconded by Mr. Lenzi, to adjourn the meeting.

Motion Carried.

The meeting adjourned at 7:25 p.m.

A handwritten signature in dark ink, appearing to read "Ashley N. Mocker", written over a horizontal line.

Ashley N. Mocker, Board Secretary

## **SHARPSVILLE AREA SCHOOL DISTRICT RESOLUTION NO. 12 OF 2024**

**WHEREAS**, on June 27, 2006, the Pennsylvania legislature passed Act 1 of Special Session 2006, entitled the “Taxpayer Relief Act” (hereinafter “Act 1”);

**WHEREAS**, Act 1 requires school districts to limit tax increases to the level set by an inflation index unless the tax increase is approved by voters in a referendum or the school district obtains from the Department of Education or a court of common pleas certain referendum exceptions;

**WHEREAS**, Act 1 does, however, allow a board of school directors to elect to adopt a resolution indicating that it will not raise the rate of any tax for the support of the public schools for the following fiscal year by more than its index, provided this resolution must be adopted no later than 110 days prior to the date of the election immediately preceding the upcoming fiscal year;

**WHEREAS**, the adjusted index for the 2025-26 fiscal year is 5.8%;

**WHEREAS**, the Sharpsville Area School District Board of Directors has made the decision that it shall not raise the rate of any tax for the support of the Sharpsville Area School District for the 2025-26 fiscal year by more than its index.

**AND NOW**, on this 3<sup>rd</sup> day of December, 2024, it is hereby **RESOLVED** by the Sharpsville Area School District (hereinafter “District”) Board of Directors (hereinafter “Board”) the following:

1. The Board certifies that it will not increase any school district tax for the 2025-26 school year at a rate that exceeds the index as calculated by the Pennsylvania Department of Education.
2. The Board certifies that it will comply with the procedures set forth in Section 687, of the Pennsylvania Public School Code (hereinafter “School Code”), 24 P.S. §6-687, for the adoption of its proposed and final budget.
3. The Board certifies that increasing any tax at a rate less than or equal to the index will be sufficient to balance its final budget of the 2025-26 fiscal year.
4. The Administration of the District will submit the District’s information on a proposed increase in the rate of a tax levied for the support of the District to the Pennsylvania Department of Education on the uniform form prepared by the Pennsylvania Department of Education no later than five days after the Board’s adoption of this Resolution.
5. The Administration of the District will send a copy of this Resolution to the Pennsylvania Department of Education no later than five days after the Board’s adoption of this Resolution.



6. The Board understands and agrees that by passing this Resolution it is not eligible to seek referendum exceptions under Section 333(f) of Act 1 and is not eligible to request approval from the voters through a referendum to increase a tax rate by more than the index as established for the 2025-26 fiscal year.
7. Once this Resolution is passed, the Administration of the District is not required to comply with the preliminary budget requirements set forth in paragraphs (a) and (c) of Section 311 of Act 1. Provided, however:
  - (a) The Board understands and agrees that, upon receipt of the information submitted by the District as set forth in paragraphs 4 and 5 above, the Pennsylvania Department of Education shall compare the District's proposed percentage increase in the rate of the tax with the index.
  - (b) Within ten days of the receipt of this information, the Pennsylvania Department of Education shall inform the District whether its proposed tax rate increase is less than or equal to the index.
  - (c) If the Pennsylvania Department of Education determines that the District's proposed increase in the rate of the District's tax exceeds the index, the District is subject to the preliminary budget requirements as set forth in paragraph (a) and (c) of Section 311 of Act 1.

**DULY ADOPTED**, by the Board of School Directors of this School District, this 3<sup>rd</sup> day of December, 2024.

SHARPSVILLE AREA SCHOOL DISTRICT  
Sharpsville, Pennsylvania

By:   
President

ATTEST:

  
Secretary

(SEAL)

**SHARPSVILLE AREA SCHOOL DISTRICT**

**RESOLUTION NO. 12 of 2022**

**2024 TCC Voting Delegate Appointment Resolution**


**Background.** Act 32 § 505(b) requires the governing bodies of school districts, townships, boroughs, and cities that impose an earned income tax to appoint one voting delegate and one or more alternate delegates to be their Tax Collection Committee (TCC) representatives. The purpose of this resolution is to appoint the required delegates. The appointed individuals have consented to appointment.

**RESOLVED**, by the governing body of the Sharpsville Area School District that the following individuals are appointed as TCC delegates for the Sharpsville Area School District:

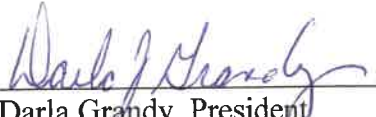
1. Primary voting delegate: Business Manager/Board Secretary
2. First alternate voting delegate: Superintendent
3. Second alternate voting delegate: Finance Committee Chairperson
4. If the primary voting delegate cannot be present for a TCC meeting, the first alternate voting delegate shall be the representative at the TCC meeting. If both the primary voting delegate and the first alternate voting delegate cannot be present for a TCC meeting, the second alternate voting delegate shall be the representative at the TCC meeting.
5. These appointments are effective January 1, 2025 and shall continue until successors are appointed. Delegates shall be appointed each year in November or December or as soon thereafter as possible. All delegates shall serve at the pleasure of this governing body and may be removed at any time.

**Certification of adoption.** The undersigned certifies that the above Resolution was adopted at a public meeting on December 3, 2024.

**ATTEST:**

  
Ashley Mocker, Secretary

**SHARPSVILLE AREA  
SCHOOL DISTRICT**

By:   
Darla Grandy, President



Book	Policy Manual
Section	900 Community
Title	Public Comment in Board Meetings
Code	903 Vol I 2024
Status	First Reading
Legal	<p><u>1. 65 Pa. C.S.A. 710</u></p> <p><u>2. 24 P.S. 407</u></p> <p><u>3. 65 Pa. C.S.A. 709</u></p> <p><u>4. 65 Pa. C.S.A. 710.1</u></p> <p>5. Pol. 006</p> <p><u>6. 65 Pa. C.S.A. 712.1</u></p> <p>7. Pol. 103</p> <p>8. Pol. 103.1</p> <p>9. Pol. 104</p> <p><u>10. 18 Pa. C.S.A. 5101</u></p> <p><u>11. 18 Pa. C.S.A. 5508</u></p> <p><u>12. 18 Pa. C.S.A. 3503</u></p> <p>13. Pol. 805.2</p> <p>14. Pol. 906</p> <p>15. Pol. 113.4</p> <p>16. Pol. 216</p> <p>17. Pol. 800</p> <p>18. Pol. 801</p> <p><u>19. 65 Pa. C.S.A. 706</u></p> <p>20. <i>Alekseev v. City Council of Philadelphia</i>, 8 A.3d 311 (Pa. 2010)</p> <p><u>21. 65 Pa. C.S.A. 711</u></p> <p><u>U.S. Const. Amend. I</u></p> <p><u>PA Const. Art. I</u></p> <p><u>65 Pa. C.S.A. 701 et seq</u></p> <p><u>18 Pa. C.S.A. 1 et seq</u></p> <p><u>18 Pa. C.S.A. 5903</u></p> <p><i>Counterman v. Colorado</i>, 600 U.S. 66, 143 S. Ct. 2106, 216 L. Ed. 2d 775 (2023)</p> <p><i>Hatchard v. Westinghouse Broadcasting</i>, 516 Pa. 184, 532 A.2d 346 (1987)</p>

## **Purpose**

The Board recognizes the value of public **input** and the importance of **designating time for public comment during open** Board meetings. **The Board also recognizes the importance of diverse viewpoints and commentary.**

**This policy addresses the right for the public to comment at open Board meetings and the responsibility of the Board to conduct its business in an orderly and efficient manner. An authorized individual's public comment will be free from interruption, except when the individual's conduct is in violation of law or Board policy.**<sup>[1]</sup>

## **Authority**

**An opportunity for district residents and taxpayers**

**{X } employees**

**{X } students**

**to provide comment on matters of concern, official action or deliberation which are or may be before the Board, shall be provided as designated on the Board meeting agenda and in compliance with law, Board policy and district procedures.**<sup>[1][2][3][4][5]</sup>

**{X } The presiding officer may expand the opportunity to provide public comment to others when deemed necessary to inform the Board.**

**Copies of the agenda, which includes a listing of each matter of business that will be or may be the subject of deliberation or official action at the meeting, shall be made available to individuals in attendance at the meeting.**<sup>[3]</sup>

The Board **requires** that public comment **on agenda items** be made at the beginning of each meeting.<sup>[4]</sup>

If the Board determines there is not sufficient time at a meeting for public comments, the comment period may be deferred to the next regular meeting or to a special meeting occurring before the next regular meeting.<sup>[4]</sup>

**{X } The Board shall provide a second public comment period, after the items for action or deliberation have been completed, to comment on items of concern or other matters involving the school district.**

When items are added to the agenda after the public comment period has ended, the Board shall offer a further public comment opportunity limited to the added items.<sup>[4][6]</sup>

**An individual's public comment may be interrupted or terminated only under limited circumstances, such as when the individual's commentary is in clear violation of law or Board policy, including but not limited to the following:**

- 1. Sexual harassment, racial, ethnic, religious or nationality intimidation towards an individual or individuals in the school community.**<sup>[7][8][9]</sup>
- 2. Disclosure of confidential personal information regarding students or staff.**
- 3. Speech that traditionally has not been protected under the First Amendment, such as obscenity, defamation and speech integral to criminal conduct.**

4. **Speech that is profane.**
5. **Speech that constitutes true threats such as inciting imminent lawless action or subjecting individuals to fear of violence.**
6. **Speech that does not concern matters that may come before the Board for deliberation or official action, for example, sales of commercial products or services.**

### **Guidelines**

#### **Sign-in and Request to Comment**

**[CHOOSE ONE OF THE FOLLOWING TWO OPTIONS OR INSERT YOUR LOCAL DISTRICT PROCEDURE FOR SIGN-IN AND REQUESTS TO COMMENT][1]**

**{X }** All individuals wishing to **comment during the** Board meeting shall **complete a document designated for requests to comment and submit the document to the** Board Secretary **prior to the start of the meeting.**

**{ }** All individuals wishing to **comment during the** Board meeting **shall sign in on the sheet provided at the meeting and provide the following information on the sign-in sheet:**

1. Name **of commenter.**
2. **Municipality** of the **commenter.**
3. Topic to be addressed.
4. Group **or organization** affiliation, if applicable.

**{X } , including acknowledgement that the individual has been requested to and is authorized to speak on behalf of the organization and identification of the organization's connection to the district.**

#### **{X } Statement of Presiding Officer**

**{X }** Prior to public comment during the meeting, the presiding officer shall make a statement providing direction and establishing expectations for the period of public comment.

#### **Public Comment**

**Individuals shall wait to be recognized by the presiding officer before commenting, must direct all comments to the Board,** and must preface their comments by an announcement of their name, and group affiliation, if applicable.

**{X }** The public comment session at the beginning of the meeting shall be limited to not more than

**{X }** thirty (30) minutes.

**{ }** one (1) hour.

**{ }** \_\_\_\_\_ Other.

**{X }** The second public comment period shall be limited to not more than

**{X } thirty (30) minutes.**

**{ } \_\_\_\_\_ Other.**

**{X } Each statement made by a participant shall be limited to**

**{ X} three (3) minutes.**

**{ } \_\_\_\_\_ Other.**

**{ X} Commenters may not cede their time to other individuals.**

**No individual may speak more than once on the same topic,**

**{X } in either public comment session,**

**unless all others who wish to speak on that topic have been heard and there is time remaining in the public comment period.**

**{ X} All statements shall be directed to the presiding officer; no participant may address or question school directors individually.**

**The presiding officer and the district solicitor have the authority to:**

- 1. Interrupt an individual to warn the commenter that the statement is too lengthy or conduct is otherwise in violation of this policy.**
- 2. After warning, terminate the individual's opportunity to comment when the conduct continues and is in violation of this policy.**
- 3. Call a recess or adjourn to another time when an individual's conduct is otherwise in violation of this policy.**
- 4. Request an individual to leave the meeting when that person's conduct is disrupting the operation of the meeting.[10][11]**
- 5. If the individual refuses to leave the meeting, request the assistance of school security personnel or law enforcement to remove the disorderly person to enable the Board to proceed with the orderly operation of the meeting.[12][13]**
- 6. Waive the Board's rules regarding public comment with the approval of a majority of those present and voting.**

**{X } Where the presiding officer's ruling regarding public comment is disputed, it may be overruled by a majority of those school directors present and voting.**

### **Response to Public Comment**

**The purpose of public comment at Board meetings is to allow the Board to learn the thoughts of the public prior to Board deliberation and official action.**

**Although the public comment period of the meeting is not a question and answer session between the public and the Board, the Board may direct staff to follow up and address public inquiries in a reasonably prompt manner.**

**Whenever public comments are subject to the Board policy regarding public complaints, the individual shall be directed to follow the process outlined in the policy for resolution of the issue.[14]**

**{ } Recording and Release of Public Comment**

**{ } District recordings shall not be the official record of an open Board meeting, but may be available for public access, upon request, in accordance with the law, relevant court decisions and Board policy. Recordings of Board meetings, including the public comment portions of the meeting, shall be retained and disposed of in accordance with the district's records retention schedule.[5][15][16][17][18]**

**Public Comment Recorded in Board Minutes**

**The following information regarding public comment is required to appear in the official minutes of each open Board meeting:[5][19]**

- 1. The names of all citizens who appeared before the Board.**
- 2. The subject of their testimony.**

**{X } Board Committees**

**{X } Public comment at committee meetings shall be at the discretion of each committee.[4][5][20]**

**{ }, unless held as a Committee of the Whole.**

**{ } In general, meetings of committees of the Board shall not include a public comment period.[4][5][20]**

**{ }, unless held as a Committee of the Whole.**

**Recording Devices and Cameras**

**Electronic recording devices and cameras, in addition to those used as official recording devices, shall be permitted at open meetings. The Board is authorized to establish reasonable rules for the use of recording devices and cameras during Board meetings.[1][21]**

**NOTES:**

**If a policy uses the statement allowing public comment prior to each official action of the Board, please keep it in the policy. (This is permissible under the Sunshine Act.)**

**Language regarding placards or banners being permitted within the meeting room has been removed due to legal challenges. Please note that the district should review this language with their solicitor.**

**PSBA Revision 2/24 © 2024 PSBA**



Book	Policy Manual
Section	200 Pupils
Title	Tobacco and Vaping Products
Code	222 Vol II 2024
Status	First Reading
Legal	<u>1. 18 Pa. C.S.A. 6305</u> <u>2. 18 Pa. C.S.A. 6306.1</u> 3. Pol. 210 4. Pol. 227 <u>5. 20 U.S.C. 7973</u> <u>6. 22 PA Code 10.23</u> <u>7. 20 U.S.C. 1400 et seq</u> 8. Pol. 103.1 9. Pol. 113.1 10. Pol. 113.2 11. Pol. 805.1 <u>12. 22 PA Code 10.2</u> <u>13. 22 PA Code 10.25</u> <u>14. 24 P.S. 1306.2-B</u> <u>15. 24 P.S. 1319-B</u> <u>16. 22 PA Code 10.22</u> 17. Pol. 218 <u>24 P.S. 510</u> <u>20 U.S.C. 7114</u> <u>20 U.S.C. 7118</u> <u>20 U.S.C. 7971 et seq</u> <u>34 CFR Part 300</u> <u>Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts</u>

## **Purpose**



The Board recognizes that tobacco and vaping products, **including** electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to prohibit student possession, use, purchase and sale of **tobacco and vaping products**.

### **Definition**

**For purposes of this policy, tobacco product encompasses** not only tobacco but also vaping products including electronic cigarettes (e-cigarettes). **Tobacco products**, for purposes of this policy and in accordance with state law, shall be defined to include the following:[1][2].

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.
2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.
3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following:[1][2].

1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. *NOTE: This exception shall be governed by Board policy relating to Medications.*[3]
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. *NOTE: Guidance issued by the PA Department of Health directs schools to prohibit possession of any form of medical marijuana by students at any time on school property or during any school activities on school property. This exception shall be governed by Board policy relating to Controlled Substances/Paraphernalia.*[4]

### **Authority**

The Board prohibits possession, use, purchase or sale of **tobacco products, regardless** of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.[1][2][5].

The Board prohibits student possession or use of products marketed and sold as tobacco cessation products or for other therapeutic purposes, except as authorized in the Board's Medication policy.[3]

The Board prohibits student possession of any form of medical marijuana at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.[4]

The Board authorizes the confiscation and disposal of **tobacco** products prohibited by this policy.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[6][7][8][9][10][11]

### **Delegation of Responsibility**

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

The Superintendent or designee shall notify students, parents/guardians and staff about the Board's tobacco and vaping products policy by publishing information in student handbooks, parental newsletters, posters and by other efficient methods, such as posted notices, signs and on the district website.[2]

{ } Code of Student Conduct

{ } school calendar

{ } district newsletter

### **Reporting**

#### *Parental Report –*

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a **tobacco product**, immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[11][12][13]

#### ***Annual School Safety and Security Incidents Report -***

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of **tobacco products** by students to the **PA Department of Education** on the required form.[11][14][15]

#### *Law Enforcement Incident Report –*

The Superintendent or designee may report incidents of possession, use or sale of **tobacco products** by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[1][2][11][12][14][15][16]

### **Guidelines**

A student who violates this policy shall be subject to prosecution initiated by the district and, if convicted, shall be required to pay a fine for the benefit of the district, plus court costs. In lieu of the imposition of a fine, the court may admit the student to an adjudication alternative.[2]

**{X } School counselors shall provide students who have violated this policy with information regarding available tobacco cessation programs.**

Tampering with devices installed to detect use of **tobacco products** shall be deemed a violation of this policy and subject to disciplinary action.[17]

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Book	Policy Manual
Section	200 Pupils
Title	Controlled Substances/Paraphernalia
Code	227 Vol II 2024
Status	First Reading
Legal	1. Pol. 210 2. Pol. 210.1 3. <u>35 P.S. 780-102</u> 4. <u>21 U.S.C. 812</u> 5. <u>24 P.S. 510</u> 6. <u>24 P.S. 511</u> 7. <u>22 PA Code 12.3</u> 8. <u>22 PA Code 10.23</u> 9. <u>20 U.S.C. 1400 et seq</u> 10. Pol. 103.1 11. Pol. 113.1 12. Pol. 113.2 13. Pol. 805.1 14. Pol. 218 15. <u>24 P.S. 1306.2-B</u> 16. <u>24 P.S. 1319-B</u> 17. <u>42 Pa. C.S.A. 8337</u> 18. Pol. 233 19. Pol. 236 20. <u>22 PA Code 10.2</u> 21. <u>22 PA Code 10.21</u> 22. <u>22 PA Code 10.22</u> 23. <u>22 PA Code 10.25</u> 24. <u>35 P.S. 807.1</u> 25. <u>35 P.S. 807.2</u> <u>22 PA Code 403.1</u> <u>35 P.S. 780-101 et seq</u> <u>35 P.S. 807.1 et seq</u>

20 U.S.C. 7114

20 U.S.C. 7118

21 U.S.C. 801 et seq

34 CFR Part 300

Pol. 122

Pol. 805

Pol. 823

## **Purpose**

The Board recognizes that the **use and** abuse of controlled substances **as defined in this policy** is a serious problem with legal, physical and social implications for the whole school community. **The purpose of this policy is to prohibit student possession, use and/or distribution of controlled substances, except as permitted by applicable state or federal law and Board policy.**[1][2]

## **Definitions**

For purposes of this policy, **controlled substances** shall include:[3][4]

1. **Any** controlled substance prohibited by federal or **Pennsylvania** laws.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal laws.
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy.[1][2]

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.

For purposes of this policy, **look-alike drug** shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.

## **Authority**

The Board prohibits students from using, possessing, distributing and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities.[5][6][7]

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[8][9][10][11][12][13]

### Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property or during nonschool hours to the same extent as provided in Board policy on student discipline.[14]

### Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to identify and control substance abuse in the schools which:

1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence or distributing controlled substances.[15][16][17]
2. Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student use of controlled substances.
3. { X } Provide education concerning the dangers of abusing controlled substances.
4. { X } Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

### Guidelines

Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[14][18][19]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents involving **the prohibited** possession, use or sale of controlled substances on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[13][15][16][20][21][22]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving **the prohibited** possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[13][20][23]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of **prohibited** possession, use or sale of controlled substances to the **PA Department of Education on the required form**. [13][15][16]

In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized.

{ } No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.

### Anabolic Steroids

The Board prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid.[24]

Students shall be made aware of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their unauthorized use, possession, purchase or sale could subject students to suspension, expulsion and/or criminal prosecution.[18][25]

### Reasonable Suspicion/Testing

If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva or the administration of a Breathalyzer test.

### NOTES:

Off-Campus Activities - Content related to off-campus conduct is now located in Policy 218 Student Discipline.

Maintenance – make sure any drug testing policy has been reviewed by district solicitor. See Andrews & Price memo for guidance.

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Book	Policy Manual
Section	300 Employees
Title	Tobacco and Vaping Products
Code	323 Vol II 2024
Status	First Reading
Legal	<u>1. 18 Pa. C.S.A. 6305</u> <u>2. 18 Pa. C.S.A. 6306.1</u> 3. Pol. 317 4. Pol. 351 <u>5. 20 U.S.C. 7973</u> 6. Pol. 818 <u>7. 35 P.S. 637.1 et seq</u> <u>8. 24 P.S. 1306.2-B</u> <u>9. 24 P.S. 1319-B</u> 10. Pol. 805.1 <u>11. 22 PA Code 10.2</u> <u>12. 22 PA Code 10.22</u> <u>20 U.S.C. 7971 et seq</u>

### **Purpose**

The Board recognizes that tobacco and vaping products, **including electronic cigarettes**, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to regulate use of tobacco and **vaping products** by district employees and contracted personnel.

### **Definition**

**For purposes of this policy, tobacco product encompasses** not only tobacco but also vaping products **including** electronic cigarettes (e-cigarettes). **Tobacco products**, for purposes of this policy and in accordance with state law, shall be defined to include the following:[1][2]

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.



2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.
3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following:[1][2].

1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled.
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. *Federal law requires the district to maintain a drug-free workplace, at which marijuana of any kind is prohibited.*[3][4]

### **Authority**

The Board prohibits use of **tobacco products** by district employees and contracted personnel at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; or on property owned, leased or controlled by the school district.[2][5][6][7]

{ } , except as expressly permitted in designated areas which must be located at least fifty (50) feet from school buildings, stadiums or bleachers.

{ X} The Board also prohibits use of **tobacco products** by district employees at any time while responsible for the supervision of students during school-sponsored activities that are held off school property.[2]

This policy does not prohibit possession of **tobacco products** by district employees and contracted personnel of legal age.

The Board deems it to be a violation of this policy for any district employee or contracted personnel to furnish a **tobacco product** to a student.[1]

### **Delegation of Responsibility**

The Superintendent or designee shall notify employees and contracted personnel about the Board's tobacco and vaping products policy by publishing information in handbooks, newsletters, posters and other efficient methods such as posted notices, signs and on the district website.[2]

### **Reporting**

#### ***Annual School Safety and Security Incidents Report –***

The Superintendent shall annually, by July 31, report incidents of prohibited possession, use or sale of **tobacco products** on school property to the **PA Department of Education** on the required form.[8][9][10]

*Law Enforcement Incident Report –*

The Superintendent or designee may report incidents involving the sale of **tobacco products** to minors by employees on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.<sup>[1][2][3][8][9][10][11][12]</sup>

**PSBA Revision 5/24 © 2024 PSBA**



Book	Policy Manual
Section	300 Employees
Title	Controlled Substance Abuse
Code	351 Vol II 2024
Status	First Reading
Legal	<u>1. 35 P.S. 780-101 et seq</u> <u>2. 41 U.S.C. 8101</u> <u>3. 24 P.S. 111</u> <u>4. 41 U.S.C. 8103</u> <u>5. 24 P.S. 527</u> 6. Pol. 317 <u>7. 41 U.S.C. 8104</u> <u>8. 24 P.S. 1306.2-B</u> <u>9. 24 P.S. 1319-B</u> <u>10. 22 PA Code 10.2</u> <u>11. 22 PA Code 10.21</u> <u>12. 35 P.S. 780-102</u> 13. Pol. 805.1 <u>41 U.S.C. 8101 et seq</u> Pol. 810.1 Pol. 810.3

### **Purpose**

The Board recognizes that the misuse of **controlled substances** by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by **controlled substance abuse** by district employees, especially as **it** relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.

### **Definitions**

**Controlled Substances** – shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.[1]

**Conviction – for purposes of this policy, is defined as** a finding of guilt, including a plea of nolo contendere, an imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.[2]

**Criminal Drug Statute** - a federal or state criminal statute involving the manufacture, distribution, dispensation, use or possession of a controlled substance.[2]

**Drug-free Workplace** - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance.[2]

### **Authority**

The Board requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction.[3][4]

Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver **or convicted of an offense defined as a felony under the Controlled Substance, Drug, Device and Cosmetic Act, shall be terminated from his/her employment with the district, in accordance with applicable law, regulations and Board policy.**[1][3][5][6]

### **Delegation of Responsibility**

A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the employee's workplace shall be provided by the

☒ {X } Superintendent or designee

☐ { } Personnel Director

☐ { } Business Manager

☐ { } (Other) \_\_\_\_\_

and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.[4][7]

Within ten (10) days after receiving notice of the conviction of a district employee, the district shall notify any federal agency or department that is the grantor of funds to the district.[4]

The district shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.[4][6][7]

In establishing a drug-free **workplace** awareness program, the

☒ {X } Superintendent or designee

☐ { } Personnel Director

{ } (Other) \_\_\_\_\_

shall inform employees about:[4]

1. Dangers of drug abuse in the workplace.
2. Board's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.[4]

### **Guidelines**

The Superintendent or designee shall immediately report incidents involving the **prohibited** possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[8][9][10][11][12][13]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of **prohibited** possession, use or sale of controlled substances or drug paraphernalia to the **PA Department of Education** on the required form.[8][9][13]

### **NOTE:**

Pre-Employment Drug Testing - if backup materials have pre-employment drug testing policy that is newer than 5 years, keep the policy as is and note on Cross-Reference that this is a local policy, PSBA does not draft policy on this subject, and the policy was kept "as is" since it is recent--please review the draft policy with your school solicitor. If the policy is 5 years or older, please mark the policy as "Not Included" and note on Cross-Reference that this is a local policy, PSBA does not draft policy language on this subject, and the policy was not included because it has not been recently revised and we recommend consulting with the school solicitor in drafting language on this subject.

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Book	Policy Manual
Section	100 Programs
Title	Trauma-Informed Approach
Code	146.1 Vol III 2024
Status	First Reading
Legal	<u>1. 24 P.S. 102</u> <u>2. 24 P.S. 1311-B</u> 3. Pol. 204 4. Pol. 113.1 5. Pol. 113.2 6. Pol. 218 7. Pol. 233 8. Pol. 105 9. Pol. 107 10. Pol. 112 11. Pol. 113 12. Pol. 114 13. Pol. 146 14. Pol. 209 15. Pol. 236 16. Pol. 333 17. Pol. 824 18. Pol. 917 19. Pol. 918 20. Pol. 246 21. Pol. 805 22. Pol. 805.1 23. Pol. 805.2 24. Pol. 806 25. Pol. 819 26. Pol. 236.1 27. Pol. 602 28. Pol. 701

29. Pol. 100

30. 24 P.S. 1310-B

31. 24 P.S. 328

32. Pol. 004

33. 24 P.S. 1205.7

34. Pol. 818

35. Pol. 916

36. Pol. 235.1

37. Pol. 103.1

38. Pol. 113.3

PA Commission on Crime and Delinquency, School Safety and Security Committee - Model Trauma-Informed Approach Plan

## **Purpose**

The Board recognizes the impact that trauma may have on the educational environment of the schools, individual student achievement and the school community as a whole. The Board desires to address the effects of trauma in order to meet the academic, behavioral and professional needs of students and staff. The purpose of this policy is to direct district staff to develop and implement a plan for trauma-informed approaches to education throughout the district.

## **Definitions**

**Trauma** - for purposes of this policy, includes effects of an event, series of events or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's cognitive functioning and physical, social, emotional, mental or spiritual well-being.[1]

**Trauma-informed approach** - for purposes of this policy, includes a school-wide approach to education and a classroom-based approach to student learning that recognizes the signs and symptoms of trauma and responds by fully integrating knowledge about trauma into policies, professional learning, procedures and practices for the purposes of recognizing the presence and onset of trauma, resisting the reoccurrence of trauma and promoting resilience tailored to the district's culture, climate and demographics and the community as a whole.[1]

**Secondary trauma** - the impact of working with students experiencing trauma on a regular basis, which may cause traumatic responses and/or burnout in the individual providing support and care.

## **Authority**

The Board directs district staff to develop and implement a trauma-informed approach plan that uses evidence-based practices and reflects the needs and resources of the district and school community.[2]

The Board shall review current district resources, programs, school climate measures, partnerships with outside agencies, procedures and Board policies through a trauma-informed lens, and shall make revisions or determinations as necessary to facilitate implementation of the district's trauma-informed approach plan.

{ X } This shall include, but not be limited to:

1. {X } Student attendance policy and practices that focus on reasons for absence and school attendance improvement.[3]
2. {X } Student disciplinary policies, practices and a Code of Student Conduct that incorporate restorative practices.[4][5][6][7]
3. {X } Curriculum and planned instruction that embed social and emotional learning.[8][9]
4. {X } Student services policies and programs that focus on development and support of students.[10][11][12][13][14][15]
5. {X } Policies and training that focus on building and maintaining appropriate, supportive relationships between adults and students in the school community.[16][17][18][19]
6. {X } School wellness policy, instruction and practices that promote healthy behaviors.[20]
7. {X } Policies and practices that promote student safety and security, and build positive relationships with law enforcement agencies.[21][22][23][24][25]
8. {X } Threat assessment policy and practices that focus on understanding a student's background in order to appropriately assess behavior and address the student's needs.[26]
9. {X } Review of the annual budget to ensure fiscal resources for training and programs related to the trauma-informed approach plan.[27]
10. {X } Review of the facilities and future facilities planning to provide environments that are attentive to the needs of students and staff with transition and sensory sensitivities.[28]
11. {X } Culturally responsive practices that focus on identifying, valuing and integrating the cultures, languages, heritage and experiences of all students and staff to ensure a supportive school climate and community.

### **Delegation of Responsibility**

The Board designates the

{X } Superintendent

{ } Director of Student Services

{ } school psychologist

{ } **school** counselor

{ } Other \_\_\_\_\_ (must be assigned to the school district)

to oversee the implementation of the district's trauma-informed approach plan and integrate the coordination of services and professional development into the district's comprehensive plan. The \_\_\_\_\_ shall serve as a member of the district's Student Assistance Program team.[2][13][15][16][21][29]

{X } The Board directs the Superintendent or designee to research and apply for available funding opportunities for implementation of the district's trauma-informed approach plan aligned with the provisions of law.[2].



{X } The Board directs the School Safety and Security Coordinator to include information regarding the district's implementation of the trauma-informed approach plan into the annual report to the Board on school safety and security practices.[23]

## **Guidelines**

### **Training**

The district's trauma-informed approach plan shall include provisions for evidence-based training and professional development, based on assigned roles and responsibilities, including but not limited to:[2][21][30]

1. Required training for newly elected/appointed or re-elected/appointed school directors on best practices related to trauma-informed approach, in accordance with applicable law and Board policy.[31][32]
2. Required training on trauma-informed approach for certificated administrative and professional employees as part of the professional education plan, in accordance with applicable law and Board policy.[16][21][33]
3. {X } Training on trauma-informed approach and trauma-related topics for all district staff and contracted service personnel to increase knowledge and understanding of trauma's impact on students and staff.[16][21][30][34]
4. { } Training on trauma-informed approach for all school security personnel employed or contracted by the district, as well as invitation to training for local law enforcement agencies with which the district maintains a memorandum of understanding to increase knowledge and awareness in interacting with students who may have experienced trauma. [22][23]
5. { } Opportunities for volunteers, parents/guardians and other community members to obtain resources or attend training or information sessions on trauma-related approach and trauma-related topics impacting the school community.[18][19][35]

### **Screening**

The Board directs district staff to identify and implement evidence-based screening tools for students and the school community based on the trauma-informed approach plan, and in accordance with applicable law and regulations, including obtaining parental consent where appropriate or required. Screening tools may include, but are not limited to, those identifying the prevalence of Adverse Childhood Experiences (ACEs), social-emotional needs and school climate indicators. Screening shall be conducted by qualified district staff or community agencies with which the district has a contract or other agreement.[13][15][26][36]

The trauma-informed approach plan shall require that screening results are reviewed by appropriate district staff or other contracted providers, and referrals for individual educational and behavioral services or evaluation for such services are made when indicated by individual or universal screening. Identification and referrals for special education and related services evaluations shall comply with applicable state and federal laws and regulations, and Board policy. [11][12][37][38]

### **Services**

The district's trauma-informed approach plan shall include provisions for identification of student needs; a referral system for individual assessments and coordination of services among the student and student's family, the school and county-based services; community care

organizations; public health entities; nonprofit youth service providers; community-based organizations; before-school or after-school care providers; or other similar community groups. [2].

Coordinated student services shall be based on the district's approved trauma-informed approach plan, which shall address recognition and response to the effects of trauma on education and instruction, absenteeism and school completion, and the secondary impact of trauma on school employees. [2].

{X } The district's trauma-informed approach plan shall be implemented within the current framework for

{X } Multi-Tiered Systems of Support (MTSS).

{X } Positive Behavioral Interventions and Support (PBIS).

The trauma-informed approach plan shall address coordination with designated district staff and teams responsible for implementing the district's approved plan for K-12 student services and other district programs including, but not limited to, special education and related services, gifted education, guidance counseling, Student Assistance Program, threat assessment team, health services and home and school visitor services. [10][11][12][13][14][15][26][30][37]

Parental notification and consent may be required prior to referral for or implementation of student services, in accordance with applicable law and regulations. [13][14][15]

The district shall develop partnerships with community-based services and organizations, public health entities, nonprofit youth service providers and other community groups to implement the trauma-informed approach plan and provide referrals and/or services to address and mitigate the impact of trauma for students and staff in accordance with the district's approved plan and framework for support.

The Board shall, where appropriate, review and approve a memorandum of understanding or other agreement with each partnering organization or entity for the provision of services, in accordance with the resources of the district and the approved trauma-informed approach plan.

### Education

The district's trauma-informed approach plan shall integrate age-appropriate instruction for students related to trauma-informed topics and social-emotional learning as part of the district's approved curriculum. Instructional topics may include, but not be limited to [8][25]

{X } resilience;

{X } self-awareness, self-management, responsible decision-making, relationship skills and social awareness;

{X } safe and healthy choices and behaviors;

{X } coping strategies;

{X } seeking help for self or others;

{ } Other \_\_\_\_\_.

### Staff Wellness and Support

The district shall monitor and address the impact of trauma, including secondary trauma, on school employees as part of the trauma-informed approach plan. The plan shall include training and resources to identify the warning signs of trauma and provide confidential support and services to promote staff wellness, including but not limited to

☐ Employee Assistance Program,

☒ work environment that provides space for separation and self-regulation,

☒ training on development of self-care plans and peer support,

☐ Other \_\_\_\_\_.

#### Data Collection and Plan Review

The district shall review and revise the trauma-informed approach plan

☐ annually,

☐ periodically,

☒ as needed,

☐ as part of the district's K-12 student services plan,

based on a review of relevant data, district resources and programs, and the needs of students and staff. Such data may include, but not be limited to:

1. ☒ Aggregate data from evidence-based screening tools administered as part of the trauma-informed approach plan.
2. ☒ Anecdotal information from staff and students related to trauma and secondary trauma impact in the school environment.
3. ☐ Feedback from parents/guardians and the community on the district's implementation of trauma-informed approach to education.
4. ☐ Results of school climate surveys and other student or staff surveys on school environment.
5. ☒ Aggregate data on student absences, Student Assistance Program referrals, health and school nurse services, student removal discipline and graduation rates.**[15]**
6. ☒ Aggregate data on Employee Assistance Program use and staff feedback on training related to trauma-informed approach.
7. ☒ **School safety and security incident** reports.**[22]**
8. ☒ Safe2Say Something aggregate data.
9. ☒ PBIS inventories and surveys.

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Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Code	218 Vol III 2024
Status	First Reading
Legal	<u>1. 22 PA Code 12.3</u> <u>2. 22 PA Code 12.4</u> <u>3. 24 P.S. 510</u> 4. Pol. 103 5. Pol. 103.1 <u>6. 22 PA Code 12.2</u> 7. Pol. 113.1 8. Pol. 235 9. Pol. 146.1 <u>10. 22 PA Code 12.5</u> 11. Pol. 233 <u>12. 22 PA Code 10.23</u> <u>13. 20 U.S.C. 1400 et seq</u> 14. Pol. 113.2 15. Pol. 805.1 <u>16. 24 P.S. 1317</u> <u>17. 24 P.S. 1318</u> <u>18. 22 PA Code 10.2</u> <u>19. 35 P.S. 780-102</u> <u>20. 24 P.S. 1319-B</u> <u>21. 22 PA Code 10.21</u> <u>22. 22 PA Code 10.22</u> <u>23. 24 P.S. 1306.2-B</u> <u>24. 22 PA Code 10.25</u> 25. Pol. 218.1 26. Pol. 218.2 27. Pol. 222 28. Pol. 227

29. 24 P.S. 1302-E

30. Pol. 236.1

22 PA Code 12.1 et seq

22 PA Code 403.1

20 U.S.C. 7114

34 CFR Part 300

Mahanoy Area School District v. B.L., 594 U.S. \_\_\_\_\_ (2021)

Pol. 122

Pol. 123

Pol. 218.3

Pol. 805

## **Purpose**

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

## **Authority**

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the district.[1][2][3][4][5]

The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.[1][2][4][5][6][7][8]

{X } The Board shall approve the inclusion of restorative practices in the Code of Student Conduct to address violations where applicable.[9]

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct and district rules and regulations.[10]

Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated.[11]

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy.[7][11]

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with **law** enforcement and Board policies.[5][7][12][13][14][15]

## **On and Off-Campus Activities**

This policy and the Code of Student Conduct apply to the behavior of students at all times during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities and while traveling to or from school and school-

sponsored activities or at other times while riding in school-provided means of transportation ("on-campus"). This policy and the Code of Student Conduct also apply to student behavior that occurs at other times and places ("off-campus") when:[3]

1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;
2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;
4. The conduct involves the theft or vandalism of school property; or
5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

### **Delegation of Responsibility**

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

The Superintendent or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct, the sanctions that may be imposed for violations of those rules and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct shall be available in each school library and school office and may be included in student handbooks and on the district website.[1][8]

The building principal **or designee** shall have the authority to assign discipline to students, subject to Board policies, administrative regulations, the Code of Student Conduct and school rules, and to the student's due process right to notice, hearing and appeal.[7][11][16][17]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative regulations, the Code of Student Conduct and school rules.[16]

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, **and/or** for the protection of persons or property.[10]

### **Referral to Law Enforcement and Reporting Requirements**

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco **products**; or conduct that constitutes an offense listed **in the school safety and security provisions of School Code**. [18][19][20]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with **law enforcement** and Board policies.[15][18][20][21][22][23]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[15][18][24]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the **PA Department of Education** on the required form.[15][20][23][25][26][27][28]

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[29][30]

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

#### NOTES:

Act 116 of 2002 defines graffiti as it relates to criminal mischief offenses and defines defiant trespassers – Title 18, Sec. 3304 (3503)

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Book	Policy Manual
Section	200 Pupils
Title	Weapons
Code	218.1 Vol III 2024
Status	First Reading
Legal	<u>1. 24 P.S. 1301-A</u> <u>2. 24 P.S. 1317.2</u> 3. Pol. 218 4. Pol. 113.1 5. Pol. 233 <u>6. 20 U.S.C. 1400 et seq</u> <u>7. 22 PA Code 10.23</u> 8. Pol. 103.1 9. Pol. 113.2 10. Pol. 113.3 11. Pol. 805.1 <u>12. 24 P.S. 1319-B</u> 13. Pol. 805 <u>14. 24 P.S. 1302-E</u> 15. Pol. 236.1 <u>16. 24 P.S. 1306.2-B</u> <u>17. 22 PA Code 10.2</u> <u>18. 22 PA Code 10.21</u> <u>19. 22 PA Code 10.25</u> <u>20. 18 U.S.C. 921</u> <u>21. 18 U.S.C. 922</u> 22. Pol. 200 <u>18 Pa. C.S.A. 912</u> <u>20 U.S.C. 7114</u> <u>20 U.S.C. 7961</u> <u>22 PA Code 403.1</u> <u>34 CFR Part 300</u>



## **Purpose**

The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

## **Definitions**

**Weapon** - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon and any other tool, instrument or implement capable of inflicting serious bodily injury.[1][2]

**Possession** - a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker or assigned storage area; or under the student's control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school or while the student is coming to or from school.

## **Authority**

The Board prohibits students from possessing and bringing weapons and replicas of weapons into any district buildings, onto school property, to any school-sponsored activity and onto any public vehicle providing transportation to or from school or a school-sponsored activity, or while the student is coming to or from school.[2][3]

The Board shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and Board policy.[2][4][5]

The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.[2]

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding **with** law enforcement and Board policies.[2][4][6][7][8][9][10][11]

## **Delegation of Responsibility**

The Superintendent or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with **the** law enforcement **agency that has jurisdiction over the school's property**, and the district's emergency preparedness plan.[11][12][13]

When the behavior of a student in possession of a weapon indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[14][15]

## **Guidelines**

The Superintendent or designee shall immediately report incidents involving weapons on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding **with** law enforcement and Board policies.[2][11][12][16][17][18]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[11][17][19]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the **PA Department of Education** on the required form. [11][12][16]

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

An exception to this policy may be made by the Superintendent, **in accordance with law**, who shall prescribe special conditions or administrative regulations to be followed.[2]

{X } In accordance with federal law, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency.[20][21]

#### Transfer Students

When the district receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the district may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[2][22]

#### NOTES:

Gun-Free School Zone Act was found unconstitutional – change language to read “In accordance with federal law...” and keep cites to 18 U.S.C. Sec. 921, 922.

The “replica of a weapon” language in the policy definition of “weapon” is not included in School Code 1301-A or 1317.2; it was included because PSBA and solicitors agree that districts may define “weapon” through policy based on their needs—that language was included as a recommendation from a school safety standpoint, since it is often difficult to tell whether a weapon, particularly a gun, is real or a model.

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Book	Policy Manual
Section	200 Pupils
Title	Terroristic Threats
Code	218.2 Vol III 2024
Status	First Reading
Legal	<u>1. 18 Pa. C.S.A. 2706</u> 2. Pol. 805.1 <u>3. 22 PA Code 10.23</u> <u>4. 20 U.S.C. 1400 et seq</u> 5. Pol. 103.1 6. Pol. 113.1 7. Pol. 113.2 <u>8. 24 P.S. 1302-E</u> <u>9. 24 P.S. 1319-B</u> 10. Pol. 236.1 11. Pol. 805 <u>12. 22 PA Code 12.2</u> <u>13. 24 P.S. 1306.2-B</u> <u>14. 22 PA Code 10.2</u> <u>15. 22 PA Code 10.22</u> <u>16. 22 PA Code 10.25</u> 17. Pol. 233 <u>34 CFR Part 300</u>

### **Purpose**

The Board recognizes the danger that terroristic threats by students present to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving a terroristic threat.

### **Definitions**

**Communicate** - shall mean to convey in person or by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex and similar transmissions.[1]

**Terroristic threat** - shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.[1]

### **Authority**

The Board prohibits any district student from communicating terroristic threats directed at any student, employee, **school director**, community member or property owned, leased or being used by the district.

**In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.[2][3][4][5][6][7]**

### **Delegation of Responsibility**

The Superintendent or designee, in coordination with the threat assessment team, shall react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulations, Board policy and administrative regulations, the procedures set forth in the memorandum of understanding with **law enforcement agencies having jurisdiction over school property** and the district's emergency preparedness plan.[2][8][9][10][11]

### **Guidelines**

In all cases of terroristic threats, where a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[8][10]

Staff members and students shall be made aware of their responsibility for informing the threat assessment team regarding any information or knowledge relevant to a possible or actual terroristic threat.[10][12]

The threat assessment team shall immediately inform the Superintendent or designee, School Safety and Security Coordinator and building principal of a terroristic threat, in accordance with Board policy and administrative regulations.[10]

The Superintendent or designee may report incidents involving terroristic threats on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding **with law enforcement and Board policies.**[2][9][13][14][15]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[2][14][16]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of terroristic threats to the **PA Department of Education** on the required form.[2][9][13]

{X } If a student is expelled for making terroristic threats, the Board may require, prior to readmission, that the student provide competent and credible evidence from a behavioral service provider that the student does not pose a risk of harm to others.[6][10][17]

NOTES:

Act 76 of 1998 – Restitution Payments – 18 Pa. C.S.A. Sec. 2706

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Book	Policy Manual
Section	800 Operations
Title	Public Records
Code	801 Vol III 2024
Status	First Reading
Legal	<p> <a href="#">1. 65 P.S. 67.102</a>  <a href="#">2. 65 P.S. 67.302</a>  <a href="#">3. 65 P.S. 67.305</a>  <a href="#">4. 65 P.S. 67.504</a>  <a href="#">5. 65 P.S. 67.701</a>  6. Anonymous v. Downingtown Area School District, OOR Dkt. No.: AP 2023-2329  <a href="#">7. 65 P.S. 67.502</a>  <a href="#">8. 65 P.S. 67.901</a>  <a href="#">9. 65 P.S. 67.1101</a>  <a href="#">10. 65 P.S. 67.705</a>  <a href="#">11. 42 U.S.C. 12132</a>  <a href="#">12. 28 CFR 35.160</a>  <a href="#">13. 28 CFR 35.164</a>  <a href="#">14. 65 P.S. 67.505</a>  15. K Pace v. City of Philadelphia Department of Licenses and Inspections, OOR Dkt. No.: AP 2024-0292  <a href="#">16. 65 P.S. 67.703</a>  <a href="#">17. 65 P.S. 67.1307</a>  <a href="#">18. 65 P.S. 67.702</a>  <a href="#">19. 65 P.S. 67.902</a>  <a href="#">20. 65 P.S. 67.704</a>  <a href="#">21. 65 P.S. 67.506</a>  <a href="#">22. 65 P.S. 67.706</a>  <a href="#">23. 65 P.S. 67.905</a>  <a href="#">24. 65 P.S. 67.707</a>  <a href="#">25. 65 P.S. 67.903</a>  <a href="#">26. Office of Open Records Procedural Guidelines</a>  <a href="#">24 P.S. 408</a>  <a href="#">24 P.S. 518</a> </p>

42 U.S.C. 12101 et seq

65 P.S. 67.101 et seq

Pol. 800

## **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]**

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Book	Policy Manual
Section	800 Operations
Title	School Calendar
Code	803 Vol III 2024
Status	First Reading
Legal	<u>1. 24 P.S. 133</u> <u>2. 24 P.S. 1501</u> <u>3. 24 P.S. 1502</u> <u>4. 24 P.S. 1503</u> <u>5. 24 P.S. 1504</u> <u>6. 24 P.S. 1505</u> <u>7. 24 P.S. 1506</u> <u>8. 22 PA Code 11.1</u> <u>9. 22 PA Code 11.2</u> <u>10. 22 PA Code 4.4</u> <u>11. 24 P.S. 520</u> <u>12. 24 P.S. 520.1</u> <u>13. 24 P.S. 1501.3</u> 14. Pol. 006 15. Pol. 805 Pol. 204 Pol. 804

**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]**

**{ } 180 student days.**

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

**{ } 450 hours of instruction for half-day kindergarten programs.**

**{ } and prekindergarten programs.**

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

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

1. Keeping schools in session such days and **hours** as the Board deems necessary, which shall include maintaining the requirement for a minimum of 180 student days **or 900 hours of instruction at the elementary level and 990 hours of instruction at the secondary level.**

**{ } 450 hours of instruction for half-day kindergarten programs.**

**{ } and prekindergarten programs.**

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]**

**PSBA Revision 6/24 © 2024 PSBA**



Book	Policy Manual
Section	800 Operations
Title	Emergency Preparedness and Response
Code	805 Vol III 2024
Status	First Reading
Legal	<ol style="list-style-type: none"><li>1. Pol. 705</li><li><u>2. 22 PA Code 10.24</u></li><li><u>3. 35 Pa. C.S.A. 7701</u></li><li>4. Pol. 805.1</li><li><u>5. 24 P.S. 1517</u></li><li><u>6. 24 P.S. 1518</u></li><li><u>7. 24 P.S. 1301-B</u></li><li><u>8. 22 PA Code 10.11</u></li><li><u>9. 24 P.S. 1306.2-B</u></li><li><u>10. 24 P.S. 1319-B</u></li><li><u>11. 24 P.S. 1303-B</u></li><li>12. Pol. 804</li><li><u>13. 35 Pa. C.S.A. 7301 et seq</u></li><li><u>14. 24 P.S. 133</u></li><li><u>15. 24 P.S. 520.1</u></li><li><u>16. 24 P.S. 1501</u></li><li><u>17. 24 P.S. 1505</u></li><li><u>18. 24 P.S. 1506</u></li><li><u>19. 22 PA Code 11.2</u></li><li>20. Pol. 803</li><li><u>21. 24 P.S. 1310-B</u></li><li>22. Pol. 203</li><li>23. Pol. 203.1</li><li><u>24. 24 P.S. 102</u></li><li>25. Pol. 333</li><li>26. Pol. 805.2</li><li>27. Pol. 146.1</li><li>28. Pol. 249</li></ol>

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

### **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.[Z]

### **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

{X } School Safety and Security Coordinator

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.
3. { } Instruction via local television or radio stations.
4. { } Other: \_\_\_\_\_.

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

{ } shall

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]

#### NOTES:

School entities who receive specific federal funding grants for readiness and emergency management may also have additional requirements for compliance with the National Incident Management System (NIMS).

False alarms – 18 Pa. C.S.A. Sec. 4905, 4906

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805-Attach-Safe2SayProcedures.doc (228 KB)



Book	Policy Manual
Section	800 Operations
Title	Relations With Law Enforcement Agencies
Code	805.1 Vol III 2024
Status	First Reading
Legal	<u>1. 24 P.S. 1306.2-B</u> <u>2. 24 P.S. 1319-B</u> <u>3. 22 PA Code 10.1</u> 4. Pol. 805 5. Pol. 805.2 <u>6. 22 PA Code 10.11</u> <u>7. 22 PA Code 10.2</u> <u>8. 35 P.S. 780-102</u> 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 <u>17. 22 PA Code 10.23</u> <u>18. 22 PA Code 14.104</u> 19. Pol. 113 20. Pol. 113.2 <u>21. 22 PA Code 14.133</u> 22. Pol. 113.4 23. Pol. 216 24. Pol. 333 25. Pol. 806 26. Pol. 819 27. Pol. 824 <u>28. 22 PA Code 10.21</u>

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

## **Purpose**

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

## **Authority**

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

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

## **Definition**

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

## **Guidelines**

### Memorandum of Understanding

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

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

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

1. **A procedure for law enforcement agency review of the district's annual incident report required by law, prior to the Superintendent filing the report with the PA Department of Education.**
2. **A procedure for the resolution of incident data discrepancies in the report prior to filing the report.**
3. **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.  
[17][18][19][20]

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.[17][18][19][20][21]

#### {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.[4]  
[22][23][24][25][26][27]

#### Referral to Law Enforcement

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

#### School Safety and Security Incidents Report

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

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

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

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

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

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Book	Policy Manual
Section	800 Operations
Title	Use of Generative Artificial Intelligence in Education
Code	815.1 Vol II 2024
Status	First Reading
Legal	<u>1. 24 P.S. 4601 et seq</u> <u>2. 47 U.S.C. 254</u> <u>3. 15 U.S.C. 6501 et seq</u> <u>4. 17 U.S.C. 101 et seq</u> <u>5. 20 U.S.C. 1232g</u> <u>6. 20 U.S.C. 1400 et seq</u> <u>7. 42 U.S.C. 12101 et seq</u> 8. Pol. 103 9. Pol. 103.1 10. Pol. 104 11. Pol. 113 12. Pol. 113.1 13. Pol. 113.4 14. Pol. 114 15. Pol. 216 16. Pol. 218 17. Pol. 220 18. Pol. 237 19. Pol. 247 20. Pol. 249 21. Pol. 317 22. Pol. 320 23. Pol. 324 24. Pol. 814 25. Pol. 815 26. Pol. 830 27. Pol. 830.1 28. Pol. 105

29. 18 Pa. C.S.A. 590330. 18 Pa. C.S.A. 631231. 18 U.S.C. 225632. 20 U.S.C. 713133. 47 CFR 54.520

34. Pol. 308

35. Pol. 818

36. Pol. 138

37. Pol. 113.3

38. Pol. 127

39. Pol. 111

40. Pol. 233

41. 24 P.S. 460418 Pa. C.S.A. 270929 U.S.C. 79428 CFR Part 3528 CFR Part 3634 CFR Part 9934 CFR Part 10434 CFR Part 300

Pol. 304

Pol. 824

**Purpose**

The district recognizes the potential that Generative Artificial Intelligence (Generative AI) offers in enhancing educational opportunities, streamlining operations and preparing students for a future that demands adaptability, critical thinking and digital literacy. When incorporated and used in a responsible and ethical manner, Generative AI can support a dynamic working and learning experience.

This policy addresses guidelines for the proper management and responsible use of Generative AI in the district's educational environment.

**Authority**

The Board directs that the use of Generative AI in the educational environment shall be limited to approved educational purposes and shall comply with applicable state and federal laws, regulations, Board policies, administrative regulations and school rules including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), the Children's Internet Protection Act (CIPA), the Children's Online Privacy Protection Act (COPPA), as well as Board policies related to acceptable use of computers and network resources, student and staff conduct, copyright protections, student records, personnel records, bullying and cyberbullying, nondiscrimination and harassment, data security and staff and student expression.[1][2][3][4].[5][6][7][8][9][10][11][12][13][14][15][16][17][18][19][20][21][22][23][24][25][26][27]

The availability of access to Generative AI tools and resources by students and staff does not imply endorsement by the district of the Generative AI tool or resource, nor does the district guarantee the accuracy of the information received from Generative AI tools or resources. The district shall not be responsible for any information that may be lost, damaged or unavailable when using a Generative AI tool or resource.

The district shall not be responsible for the dissemination, replication or alteration of information or data input by any student or staff into any Generative AI tool or resource. Nothing in this policy is intended to limit the district's obligations under applicable law or regulations.

The district shall not be responsible for any unauthorized charges or fees resulting from access or use of Generative AI tools or resources.

### **Definitions**

**AI literacy** – the ability to understand, use and interact with AI systems effectively, efficiently and responsibly.

**Artificial Intelligence (AI)** – technology designed to mimic human intelligence, such as analyzing data, recognizing patterns and making decisions.

**Generative Artificial Intelligence (Generative AI)** – an advanced subset of AI that is capable of generating new content from learned data and pattern recognition across various mediums such as text, code, images, audio and video data. Generative AI is the focus of this policy.

**Open-source AI** – AI tools and resources that are built on publicly accessible platforms and use and share data among all users who access the platform, both within and outside of the district.

### **Delegation of Responsibility**

The district shall make every effort to ensure that Generative AI tools and resources are used responsibly by students and staff. The effective integration of Generative AI into education requires a collaborative effort between administration, teachers, staff, students and families.

The district shall inform staff, students, parents/guardians and other users about this policy by posting on the district website and by other efficient methods.

{ } The district shall obtain prior informed consent from parents/guardians before allowing a student to use Generative AI tools and resources in school.[3]

Generative AI tools and resources used in district schools and programs shall be evaluated and authorized on an ongoing basis for age-appropriateness, bias, privacy protections, accessibility standards and data security by the following individuals:[8][9][10][27][28]

1. { X } Superintendent.
2. {X } Building principals.
3. { } Solicitor.
4. {X } Director of Information Technology.
5. { } Director of Curriculum and Instruction.
6. { } School librarian.

7. { } \_\_\_\_\_ Other.

The Board directs that only district-authorized Generative AI tools and resources may be used on district computers and in district schools and programs. Staff shall consult the district's list of authorized Generative AI tools and resources prior to implementation in the educational environment. Unauthorized Generative AI tools and resources may not adhere to required data privacy, monitoring and security standards.[3][25][27]

The Superintendent or designee shall be responsible for developing procedures to address student safety measures and to determine whether Generative AI tools and resources are being used for purposes prohibited by law, Board policy or for accessing sexually explicit materials.[2][25][29][30][31][32][33].

The district solicitor, in coordination with the Director of Information Technology, shall evaluate new and existing vendor contracts, collective bargaining agreements and related agreements for impacts related to district use of Generative AI.[34][35]

## **Guidelines**

### **AI Literacy**

#### *Staff –*

The district shall provide staff with professional development opportunities addressing the effective and safe integration of Generative AI to enhance teaching and learning. Professional development opportunities may include, but not be limited to:

1. Ethical use of Generative AI.
2. The capabilities and limitations of Generative AI.
3. Critical analysis of content produced by Generative AI.
4. How to monitor and evaluate student inputs into Generative AI systems.
5. The parameters established by the district for integrating Generative AI tools into classroom instructional design.
6. \_\_\_\_\_ Other.

{X } Beyond formal professional development opportunities, the district encourages staff to explore Generative AI to discover lesson plan ideas, create templates or assessments and to generate ideas for the personalization of student learning. Generative AI tools and resources shall be used in accordance with applicable laws, regulations and this Board policy.

#### *Students –*

The district shall provide training for students, which may include, but not be limited to:

1. Establishment of expectations regarding the ethical use of Generative AI.
2. The capabilities and limitations of Generative AI.
3. Critical analysis of content produced by Generative AI.
4. How to disclose use and cite Generative AI resources.

5. The importance of not disclosing personally identifiable information when using an open-source Generative AI tool or resource.

6. \_\_\_\_\_ Other.

### Ethical Considerations

The district shall prioritize the educational value in the use of Generative AI tools and resources and will take measures to mitigate associated risks. The district shall only authorize Generative AI systems and platforms appropriately equipped for preventing breach of personally identifiable information and addressing the district's prohibitions against discrimination, harassment, bullying, bias and access to sexually explicit materials, or those which are harmful to minors or prohibited by Board policy.[8][9][10][20][25]

The district's technology protection measures shall be enforced during use of Generative AI on district computers and network resources.[25]

The district shall provide additional training, when needed, and address accessibility needs to provide equitable access to Generative AI tools and resources for students and staff including, but not limited to, individuals with disabilities and English Learner students.[8][9][10][11][36]

The district prohibits the use of Generative AI in making decisions regarding employee recruitment, hiring, retention, promotion, transfer, evaluation, demotion or dismissal.[10]

The district prohibits the use of Generative AI in making final determinations on student assessments and evaluations.[8][9][11][14][37][38]

### *Academic Integrity –*

The use of Generative AI by students to complete assignments or assessments shall only be allowed to the extent stated and outlined by the teacher for the individual assignment or course. Students shall be notified in advance of the parameters for use of Generative AI in assignments and assessments.

{ } Teachers shall outline use of Generative AI tools and resources in their required lesson plans. [39]

Students and staff shall receive training and be expected to appropriately cite original sources for quotations, facts, information, statistics, dates or the paraphrased statements of others. A Generative AI resource shall be cited when the system's generated content is quoted, paraphrased or otherwise used in the student's work. Lack of citation to AI generated work improperly implies that the work is entirely that of the student.[16]

The Board permits the use of AI detection tools as an aid to identify potential academic integrity issues, but prohibits reliance on results from AI detection tools as the sole determination of academic integrity.

### *Copyright –*

Individuals using Generative AI tools and resources must comply with federal law and Board policy regarding the duplication or use of copyrighted materials.[4][24]

### *AI-Generated Content Verification -*

Individuals using Generative AI tools and resources have a responsibility to apply proper oversight and evaluation of generated information. Generative AI tools shall not be the sole determining factor used to make decisions related to student learning, assessment, academic

integrity or conduct. Staff and students should critically evaluate content produced by Generative AI for potential biases or inaccuracies and understand the importance of cross-referencing with trusted resources.

### Evaluation and Monitoring of Generative AI

Administrators, network supervisors and teaching staff shall establish processes for ongoing evaluation and monitoring of Generative AI tools and resources used within the district and on district computers and network resources, including periodic assessments of the impact on student learning.

Issues identified during the evaluation and monitoring process shall be reported to the

{X } Superintendent.

{ X} Building principal.

{X } Director of Information Technology.

{ } Director of Curriculum and Instruction.

{ } \_\_\_\_\_ Other.

### Consequences for Inappropriate Use

Failure to comply with this policy or district rules regarding appropriate use of Generative AI including, but not limited to, acceptable use of computer and network resources, shall result in usage restrictions, loss of access privileges, disciplinary action and/or referral to legal authorities. [12][16][21][25][40]

Students and staff must immediately report any violations or suspicious activity to the building principal or designee.

Users of Generative AI shall be responsible for damages to the equipment, systems, platforms and software resulting from deliberate, malicious or willful acts.[25][41]

Illegal use of Generative AI; intentional modification without permission 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.

This policy shall also apply to student conduct that occurs off school property or during nonschool hours to the same extent as provided in Board policy on student discipline.[12][16][25][40]

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## BOARD MEETING DATES FOR 2025

### **REGULAR MEETINGS**

January 21, 2025 (Tuesday)	Sharpville Elementary Cafeteria	7:00 PM
February 18, 2025 (Tuesday)	Sharpville Elementary Cafeteria	7:00 PM
March 17, 2025	Sharpville Elementary Cafeteria	7:00 PM
April 22, 2025 (Tuesday)	Sharpville Elementary Cafeteria	7:00 PM
May 19, 2025	Sharpville Elementary Cafeteria	7:00 PM
June 23, 2025	Sharpville Elementary Cafeteria	7:00 PM
July 2025	No Meeting	
August 18, 2025	Sharpville Elementary Cafeteria	7:00 PM
September 15, 2025	Sharpville Elementary Cafeteria	7:00 PM
October 21, 2025	Sharpville Elementary Cafeteria	7:00 PM
November 17, 2025	Sharpville Elementary Cafeteria	7:00 PM
December 2, 2025 (Tuesday)	Sharpville Elementary Cafeteria	7:00 PM
(Reorganization and Regular Meeting – No Work Session)		

### **Committee Meetings** (No Official Board Action)

Committee meetings are open to the public. No official action is taken. The schedule for committee meetings is posted on the District's website. Meetings will be held in the Administrative Offices.

### **Work Sessions** (No Official Board Action)

A Work Session will be held at 7:00 p.m. on the second Monday of each month with the Discussion Session first followed by the Executive Session, with the exception of the June Work Session which will be held on Monday, June 16, 2024. Meetings will be held in the Sharpville Area Elementary Cafeteria.

*Approved*