

Book	Policy Manual
Section	200 Pupils
Title	Admission of Students
Code	201
Status	From PSBA

Purpose

The goal of the school is to enroll students in programs that meet their interests and abilities and prepare them for future education or employment opportunities.

Authority

The Joint Operating Committee shall establish requirements for **admission** of students that are consistent with statutes, regulations and sound educational practice and ensure the equitable treatment of all eligible students.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

Such requirements shall be in accordance with the provisions of the Articles of Agreement.[\[7\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall be responsible to develop administrative regulations to implement this policy, including the following:

1. All students and parents/guardians residing in participating school districts shall be informed of the students' right to participate in vocational technical programs and courses **and that students with disabilities enrolled in the school's programs are entitled to special education services and programs.**[\[5\]](#)
2. Written criteria for evaluating the **admission** of eligible students shall be developed and distributed.[\[3\]](#)[\[5\]](#)
3. Course announcements, guidance materials, and other communications shall convey the philosophy of equal access to vocational technical programs and shall include **admissions** criteria and procedures.[\[5\]](#)
4. The school shall not discriminate in any way on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, **handicap/disability** or age with regards to the **admission** of students.[\[8\]](#)[\[9\]](#)[\[10\]](#)

The **Executive** Director **or designee** shall make periodic reports to the Joint Operating Committee and to members of the Administrative Advisory Committee concerning the enrollment of students.

The enrollment data shall include:

1. The number of students enrolled by grade with residence in the participating school districts and any tuition students.
2. The number of students enrolled according to grade in each course area.

In cases where students discontinue enrollment in the vocational technical school, the guidance counselor in that participating school district shall be promptly notified.

Other enrollment information, whether by program or projected openings for future enrollment, shall be made periodically and upon request to participating school districts and the Joint Operating Committee.

Legal	1. 24 P.S. 1840.1
	2. 24 P.S. 1841
	3. 24 P.S. 1850.1
	4. 22 PA Code 339.21
	5. 22 PA Code 4.31
	6. 22 PA Code 4.35

7. Articles of Agreement

[8. 22 PA Code 4.4](#)

9. Pol. 103

10. Pol. 103.1

Book	Policy Manual
Section	200 Pupils
Title	Eligibility of Nonresident Students
Code	202
Status	From PSBA

Purpose

The Joint Operating Committee operates the Admiral Peary Area Vocational Technical School for the benefit of students who are residents in one of the participating school districts.[\[1\]](#)[\[2\]](#)

Authority

The Joint Operating Committee may admit nonresident students from outside the attendance areas of participating school districts if space warrants such admission and an appropriate program can be provided.[\[3\]](#)[\[4\]](#)[\[5\]](#)

Nonresident students may be admitted upon payment of annually established tuition rates.[\[3\]](#)[\[4\]](#)[\[5\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations for the enrollment of nonresident students.

Legal	1. 24 P.S. 1807
	2. 24 P.S. 1841
	3. 24 P.S. 1809
	4. 24 P.S. 1847
	5. 24 P.S. 1850.1
	Pol. 103
	Pol. 103.1

Book	Policy Manual
Section	200 Pupils
Title	Communicable Diseases
Code	203 - New
Status	From PSBA

Authority

In order to safeguard the school community from the spread of certain communicable diseases, the Joint Operating Committee requires that guidance and orders from state and local health officials, established Joint Operating Committee policy and administrative regulations, and Joint Operating Committee-approved health and safety plans be followed by students, parents/guardians and school staff.[\[1\]](#)

Guidelines

The Joint Operating Committee directs that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the PA Department of Health or guidance from state or local health officials for specified diseases and infectious conditions.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Parents/Guardians shall be notified of this policy at the beginning of the school year, and that during the school year it may be necessary for a student to be excluded from school due to communicable disease. Parents/Guardians of a student needing to be excluded shall be notified and required to come to the school or have a designated emergency contact come to the school to transport the student home or to an appropriate place of care. Students may return to the school when the criteria for readmission following a communicable disease, as set forth in law, regulations or guidance from state or local health officials, have been met.[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Joint Operating Committee directs school staff to request emergency contact information from parents/guardians of students at the beginning of each school year and request that it be updated as necessary during the school year.

The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the PA Department of Health.[\[6\]](#)[\[7\]](#)[\[8\]](#)

The Executive Director or designee shall direct that health guidelines, Joint Operating Committee-approved health and safety plans, and universal precautions designed to minimize the transmission of communicable diseases be implemented in the school.

Note: List of required immunizations can be found at 28 PA Code Sec. 23.83

Legal	1. 24 P.S. 1850.1
	2. 28 PA Code 27.71
	3. 28 PA Code 27.72
	4. Pol. 204
	5. Pol. 209
	6. 28 PA Code 27.1
	7. 28 PA Code 27.2
	8. 28 PA Code 27.23
	9. 22 PA Code 4.29
	10. 22 PA Code 4.4
	11. Pol. 105.1
	12. 24 P.S. 1402
	13. 24 P.S. 1409
	14. 20 U.S.C. 1232g
	15. 34 CFR Part 99

16. Pol. 113.3

17. Pol. 216

18. Pol. 805

[24 P.S. 1303a](#)

[22 PA Code 11.20](#)

[28 PA Code 23.81 et seq](#)

Pol. 105.2

Pol. 201

Pol. 251

Book	Policy Manual
Section	200 Pupils
Title	HIV Infection
Code	203.1
Status	From PSBA

Purpose

The Joint Operating Committee is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and staff while protecting the rights of the individual.

This policy is based on current evidence that the HIV virus is not normally transmissible by infected individuals within the school, except as noted in this policy.

Definitions

AIDS - Acquired Immune Deficiency Syndrome.

HIV Infection - refers to the disease caused by the HIV or human immunodeficiency virus.

Infected students - refers to students diagnosed as having **HIV Infection**, including those who are asymptomatic.

Authority

This policy shall apply to all students in all programs conducted by the school.

The Joint Operating Committee directs that the established **Joint Operating Committee policies and administrative regulations** relative to illnesses among students shall also apply to infected students.[1]

The Joint Operating Committee shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for attendance.

Delegation of Responsibility

The **Executive** Director or designee shall be responsible for handling and releasing all information concerning **HIV Infection and** infected students.

All employees shall strive to maintain a respectful school climate and to prohibit physical or verbal harassment of any individual or group, including infected students.[2]

Building administrators shall notify students, parents/guardians and employees about current Joint Operating Committee policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.

Guidelines

Attendance

Infected students have the same right to attend school and receive services as other students and shall be subject to the same policies and rules. HIV Infection shall not factor into decisions concerning class assignments, privileges or participation in any school-sponsored activity.[2][3][4]

School authorities shall determine the educational placement of infected students on a case-by-case basis by following policies and administrative regulations established for students with chronic health problems and students with disabilities.

When an infected student's parent/guardian voluntarily discloses information regarding the student's condition, the employee who receives the information shall obtain the written consent of the parent/guardian to disclose the information to members of the Screening Team.[5]

A Screening Team comprised of the **Executive** Director or designee, school nurse, **school physician**, student's parents/guardians, and attending physician shall evaluate the infected student's educational placement. Placement decisions shall be based on the student's need for accommodations or services.

First consideration must be given to maintaining the infected student in a regular assignment. Any decision for an alternative placement must be supported by specific facts and data.

An infected student who is unable to attend school, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.[\[6\]](#)[\[7\]](#)[\[8\]](#)

An infected student may be excused from attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student.[\[1\]](#)[\[6\]](#)[\[9\]](#)

An infected student's placement shall be reassessed if there is a change in the student's need for accommodations or services.

Confidentiality

Employees who have knowledge of an infected student's condition shall not disclose any information without prior written consent of the student's parent/guardian, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.[\[5\]](#)

All health records, notes and other documents referring to an infected student's condition shall be secured and kept confidential.[\[5\]](#)[\[10\]](#)

Infection Control

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times. Employees shall notify the **Executive** Director or designee **and school nurse** of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.

The school shall maintain reasonably accessible equipment and supplies necessary for infection control.

Staff Development

The school shall provide opportunities for employees to participate in inservice education on HIV Infection.

Designated employees shall receive additional, specialized training appropriate to their positions and responsibilities.

Legal

1. Pol. 204
2. Pol. 103
- [3. 24 P.S. 1327](#)
4. Pol. 103.1
- [5. 35 P.S. 7607](#)
- [6. 24 P.S. 1329](#)
- [7. 22 PA Code 11.25](#)
8. Pol. 117
- [9. 24 P.S. 1330](#)
- [10. 24 P.S. 1409](#)
- [11. 22 PA Code 4.29](#)
- [12. 22 PA Code 4.4](#)
13. Pol. 105.1
14. Pol. 105.2
- [24 P.S. 1301](#)
- [35 P.S. 7601 et seq](#)

Book	Policy Manual
Section	200 Pupils
Title	Attendance
Code	204
Status	
Last Revised	June 7, 2023

Purpose

The Joint Operating Committee recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues.[\[1\]](#)

Authority

The Joint Operating Committee requires **the** attendance of all students during the days and hours that the school is in session, except that temporary **student** absences may **be** excused **by authorized school staff in accordance with applicable laws and regulations, Joint Operating Committee policy and administrative regulations.**[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Definitions

Compulsory school age shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than eight (8) years of age, until the student reaches seventeen (17) years of age. Beginning with the academic year 2020-2021, compulsory school age shall mean no later than age six (6) until age eighteen (18). The term does not include a student who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.[\[8\]](#)[\[9\]](#)

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[\[9\]](#)

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[\[9\]](#)

Person in parental relation shall mean a:[\[9\]](#)

1. **Custodial biological or adoptive parent.**
2. **Noncustodial biological or adoptive parent.**
3. **Guardian of the person of a student.**
4. **Person with whom a student lives and who is acting in a parental role of a student.**

This term shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[\[10\]](#)

School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.[\[9\]](#)

Delegation of Responsibility

The **Executive Director or designee shall annually notify** students, **persons in parental relation**, staff, **participating school districts, local children and youth agency and local magisterial district judges about the school's attendance policy by publishing such policy in student handbooks and newsletters, on the school website and through other efficient communication methods.**[\[1\]](#)

The Executive Director or designee shall require the signature of the person in parental relation confirming that the policy has been reviewed and that the person in parental relation understands the compulsory school attendance requirements.

The Executive Director or designee shall be responsible for the implementation and enforcement of this policy.

The **Executive** Director or designee shall develop administrative regulations for the attendance of students which:

1. Govern the **maintenance** of attendance records in accordance with **law**.[\[11\]](#)[\[12\]](#)
2. **Detail the process for submission of requests and excuses for student absences.**
3. **Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the magisterial district judge.**
4. Ensure that students legally absent have an opportunity to make up work.

Guidelines

Compulsory School Attendance Requirements

School staff shall coordinate with a student's school district of residence to ensure students comply with the requirements for compulsory school attendance.[\[5\]](#)

A student **shall** be considered in attendance if present at any place where school is in session by authority of the Joint Operating Committee; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction; **or the student's placement is in the home.**[\[2\]](#)[\[5\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

Excused/Lawful Absence

For purposes of this policy, the following conditions or situations constitute reasonable cause for absence from the school:

1. Illness, **including if a student is dismissed by designated school staff during school hours for health-related reasons.**[\[3\]](#)[\[6\]](#)
2. **Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory.**[\[6\]](#)
3. Quarantine.
4. Family emergency.
5. Recovery from accident.
6. Required court attendance.
7. Death in family.
8. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.[\[1\]](#)[\[6\]](#)
9. **Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral.**[\[6\]](#)
 - a. **The national veterans' organization or incorporated unit must provide the student with a signed excuse, which shall include the date, location, and time of the event or funeral.**
 - b. **The student shall furnish the signed excuse prior to being excused from school.**
10. Observance of a religious holiday observed **by a bona fide religious group, upon prior written request from the person in parental relation.**[\[18\]](#)
11. **Nonschool-sponsored** educational tours or trips, if the following conditions are met:[\[6\]](#)[\[19\]](#)
 - a. The **person in parental relation** submits **the required documentation** for excusal prior to the absence, **within the appropriate timeframe.**
 - b. The student's participation has been approved by the **Executive** Director **and/or** Superintendent **of the student's** district **of residence**, or **their** designee.

c. The adult directing and supervising the tour or trip is acceptable to the **person in parental relation**, the **Executive Director and/or Superintendent of the student's district of residence, or their designee.**

12. **College or postsecondary institution visit, with prior approval.**

13. Other urgent reasons **that may reasonably cause a student's absence, as well as circumstances related to homelessness and foster care.**[\[3\]](#)[\[6\]](#)[\[20\]](#)

Temporary Excusals -

The following students may be temporarily excused from the requirements of attendance at the school:

1. **Students receiving tutorial instruction in a field not offered in the school's curricula from a properly qualified tutor approved by the Executive Director, when the excusal does not interfere with the student's regular program of studies.**[\[5\]](#)[\[13\]](#)
2. **Students participating in a religious instruction program, if the following conditions are met:**[\[18\]](#)[\[21\]](#)
 - a. **The person in parental relation submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.**
 - b. **The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.**
 - c. **Following each absence, the person in parental relation shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.**
3. **School age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.**[\[17\]](#)

Parental Notice of Absence -

Absences shall be treated as **unexcused** until the school receives a written excuse explaining the absence, to be submitted within three (3) days of absence.

-IMPORTANT NOTE: There is language preceded by brackets in the new Parental Notice of Absence section. Please determine which option is in accordance with AVTS practice or wishes. **Please place an X in the appropriate brackets to indicate the desired option.**

A maximum of

☐ **eight (8)**

☒ **ten (10)**

☐ **(other) _____**

days of cumulative lawful absences verified by parental notification shall be permitted during a school year. All absences beyond

☐ **eight (8)**

☒ **ten (10)**

☐ **(other) _____**

cumulative days shall require an excuse from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

For purposes of this policy, absences which do not meet the criteria indicated above shall be permanently considered an unexcused/unlawful absence.

An out-of-school suspension may not be considered an unexcused absence.[\[9\]](#)

Parental Notification -

School staff shall provide prompt notice to the person in parental relation upon each incident of unexcused absence.

Enforcement of Compulsory Attendance Requirements

Student is Truant -

When a student has been absent for three (3) days during the current school year without a lawful excuse, school staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.[\[22\]](#)

The notice shall:[\[22\]](#)

- 1. Be in the mode and language of communication preferred by the person in parental relation;**
- 2. Include a description of the consequences if the student becomes habitually truant; and**
- 3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the student's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.**

The notice may include the offer of a School Attendance Improvement Conference.[\[22\]](#)

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, school staff shall offer a School Attendance Improvement Conference.[\[22\]](#)

School Attendance Improvement Conference (SAIC) -

School staff shall notify the person in parental relation in writing and by telephone of the date and time of the SAIC.[\[22\]](#)

The purpose of the SAIC is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.[\[9\]](#)

The following individuals shall be invited to the SAIC:[\[9\]](#)

- 1. The student.**
- 2. The student's person in parental relation.**
- 3. Other individuals identified by the person in parental relation who may be a resource.**
- 4. Appropriate school personnel.**
- 5. Recommended service providers.**

Neither the student nor the person in parental relation shall be required to participate, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.[\[22\]](#)

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate school staff.[\[22\]](#)

The school may not take further legal action to address unexcused absences until the scheduled SAIC has been held and the student has incurred six (6) or more days of unexcused absences.[\[23\]](#)

Student is Habitually Truant –

When a student under fifteen (15) years of age is habitually truant, school staff:[\[23\]](#)

- 1. Shall refer the student to:**
 - a. A school-based or community-based attendance improvement program; or**
 - b. The local children and youth agency.**
- 2. May file a citation in the office of the magisterial district judge against the person in parental relation who resides in the same household as the student.**[\[23\]](#)

When a student fifteen (15) years of age or older is habitually truant, school staff shall:[\[23\]](#)

- 1. Refer the student to a school-based or community-based attendance improvement program; or**
- 2. File a citation in the office of the appropriate magisterial district judge against the student or the person in parental relation who resides in the same household as the student.**

School staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[\[23\]](#)

Regardless of age, when school staff refer a habitually truant student to the local children and youth agency or file a citation with the magisterial district judge, school staff shall provide verification that the school held a SAIC.[\[23\]](#)

Filing a Citation -

A citation shall be filed in the office of the magisterial district judge whose jurisdiction includes the school in which the student is or should be enrolled, against the student or person in parental relation to the student.[\[24\]](#)

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.[\[24\]](#)

Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Executive Director shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Joint Operating Committee policy.[\[15\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Joint Operating Committee policy.[\[15\]](#)[\[25\]](#)[\[27\]](#)

Discipline

The school shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[\[22\]](#)

Legal

- [1. 22 PA Code 11.41](#)
- [2. 22 PA Code 11.23](#)
- [3. 22 PA Code 11.25](#)
- [4. 22 PA Code 12.1](#)
- [5. 24 P.S. 1327](#)
- [6. 24 P.S. 1329](#)
- [7. 24 P.S. 1330](#)
- [8. 22 PA Code 11.13](#)
- [9. 24 P.S. 1326](#)
- [10. 42 Pa. C.S.A. 6302](#)
- [11. 24 P.S. 1332](#)
- [12. 24 P.S. 1339](#)
- [13. 22 PA Code 11.22](#)
- [14. 22 PA Code 11.28](#)
15. Pol. 113
16. Pol. 117
- [17. 22 PA Code 11.34](#)
- [18. 22 PA Code 11.21](#)
- [19. 22 PA Code 11.26](#)
20. Pol. 251
- [21. 24 P.S. 1546](#)
- [22. 24 P.S. 1333](#)
- [23. 24 P.S. 1333.1](#)
- [24. 24 P.S. 1333.2](#)

25. Pol. 103.1

26. Pol. 113.3

27. Pol. 114

[24 P.S. 1333.3](#)

[22 PA Code 11.8](#)

[22 PA Code 11.24](#)

Book	Policy Manual
Section	200 Pupils
Title	Assignment to Programs
Code	206
Status	From PSBA

Authority

The Joint Operating Committee directs that the assignment of students to programs provided by the school be consistent with the educational needs of the students and the efficient use of the resources of the school. In assigning students to programs within the school, no discrimination shall occur.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Assignment of students to vocational technical programs shall be in accordance with the Articles of Agreement.[\[5\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall assign students to vocational technical programs.

- Legal
- [1. 24 P.S. 1310](#)

[2. 24 P.S. 1850.1](#)

3. Pol. 103

4. Pol. 103.1

5. Articles of Agreement

[22 PA Code 4.31](#)

Book	Policy Manual
Section	200 Pupils
Title	Confidential Communications of Students
Code	207
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that certain written and oral communications between students and school personnel must be confidential.

Authority

The Joint Operating Committee directs personnel to comply with all federal and state laws and regulations and Joint Operating Committee policy and administrative regulations concerning confidential communications of students.[\[1\]](#)

Guidelines

Information received in confidence from a student may be revealed to the student’s parent/guardian, building administrator or other appropriate authority by the staff member who received the information when the health, welfare or safety of the student or other persons clearly is in jeopardy.[\[2\]](#)

Use of a student's confidential communications to school personnel in legal proceedings is governed by laws and regulations appropriate to the proceedings.[\[2\]](#)[\[3\]](#)[\[4\]](#)

Delegation of Responsibility

In qualifying circumstances, a staff member may reveal confidential information to the building administrator and other appropriate authorities.

In qualifying circumstances, the **Executive** Director may reveal confidential information to a student's parent/guardian and other appropriate authorities, including law enforcement personnel.

Legal	1. 24 P.S. 1850.1
	2. 22 PA Code 12.12
	3. 42 Pa. C.S.A. 5945
	4. 42 Pa. C.S.A. 8337

Book	Policy Manual
Section	200 Pupils
Title	Withdrawal From School
Code	208
Status	From PSBA

Purpose

The Joint Operating Committee affirms that even though law requires attendance of only students **of compulsory school age**, it is in the best interests of both students and the community that students complete the educational program that will equip them with required skills and increase their chances for a successful life beyond school.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Authority

The Joint Operating Committee directs that whenever a student wishes to withdraw, efforts should be made to determine the underlying reason for such action. School resources **and staff** shall be utilized to assist the student in pursuing career goals.

No student of compulsory school age will be permitted to withdraw without the written consent of a parent/guardian and supporting justification.

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations to **facilitate** a student's withdrawal from the school.

Guidelines

Counseling services shall be made available to any student who states an intention to withdraw permanently.

Information shall be given to help a withdrawing student to define educational and life goals and develop a plan for achieving those goals.

Students shall be informed about the tests for General Educational Development.

The **Executive** Director shall ensure the timely return of all supplies and equipment provided by the school in the possession of the student.

Legal	1. 24 P.S. 1326
	2. 24 P.S. 1327
	3. 22 PA Code 11.13
	4. 22 PA Code 12.1
	5. Pol. 204

Book	Policy Manual
Section	200 Pupils
Title	Health Examinations
Code	209;
Status	From PSBA

Authority

The Joint Operating Committee may require that students participating in certain programs submit to health examinations due to health and safety concerns.[\[1\]](#)

Guidelines

The health examination shall be conducted at the parent's/guardian's expense.[\[2\]](#)

The school **shall** accept reports of physical examinations completed within one (1) year prior to a student's entry into the program where an exam is required.

All health records shall be confidential **and shall be disclosed only when necessary for the health of the student or when requested by the parent/guardian, in accordance with law** and Joint Operating Committee policy.[\[3\]](#)[\[4\]](#)

A student who presents a statement signed by the parent/guardian that a health examination is contrary to **the student's or parent's/guardian's** religious beliefs shall be examined only when the Secretary of Health determines that **facts exist indicating that certain conditions would** present a substantial menace to the health of others **in contact with the student if the student is not examined for those conditions.**[\[5\]](#)[\[6\]](#)

Legal	1. 24 P.S. 1850.1
	2. 24 P.S. 1407
	3. 24 P.S. 1409
	4. Pol. 216
	5. 24 P.S. 1419
	6. 28 PA Code 23.45

Book	Policy Manual
Section	200 Pupils
Title	Food Allergy Management
Code	209.1 - New
Status	From PSBA

Purpose

The Joint Operating Committee is committed to providing a safe and healthy environment for students with severe or life-threatening food allergies and shall establish policy to address food allergy management in the school in order to:

- 1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.**
- 2. Ensure a rapid and effective response in the case of a severe or potentially life-threatening allergic reaction.**
- 3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities, including classroom parties and field trips.**

The focus of food allergy management shall be on prevention, education, awareness, communication and emergency response.

Authority

The Joint Operating Committee adopts this policy in accordance with applicable state and federal laws and regulations, and the guidelines established jointly by the PA Department of Education and PA Department of Health on managing severe or life-threatening food allergies in schools.[\[1\]](#)

Definitions

Food allergy - an abnormal, adverse reaction to a food that is triggered by the body's immune system.

Medical Plans of Care - written documents individualized for a particular student with a severe or life-threatening food allergy to address the student's needs throughout the school day, including:

- 1. Emergency Care Plan (ECP) - a medical plan of care based on the information provided in the student's Individualized Healthcare Plan (IHP) and distributed to all school personnel who have responsibilities for the student which specifically describes how to recognize a food allergy emergency and what to do when signs or symptoms of these conditions are observed.**
- 2. Individualized Healthcare Plan (IHP) - a medical plan of care that provides written directions for school health personnel to follow in meeting the individual student's healthcare needs. The plan describes functional problem areas, sets goals for overcoming problems, and lists tasks/interventions to meet the goals. The IHP shall include a Food Allergy Medical Management Plan developed by a student's personal healthcare team and family, which shall outline the student's prescribed healthcare regimen and be signed by the student's board-certified allergist, family physician, physician assistant or certified registered nurse practitioner.**
- 3. Related Services Component in Individualized Education Program (IEP) - that part of an IEP for a student receiving special education and related services which includes reference to development and implementation of an IHP and ECP for students with a documented severe or life-threatening food allergy as well as identifying the medical accommodations, educational aids and services to address the student's needs.**[\[2\]](#)
- 4. Section 504 Service Agreement - a medical plan of care which references development and implementation of an IHP and ECP as well as other accommodations, educational aids and services a student with a documented severe or life-threatening food allergy requires in order to have equal**

access to educational programs, nonacademic services and extracurricular activities as students without food allergies.[3]

Guidelines

Prior to admission of a student into the school or immediately after diagnosis of a food allergy, appropriate medical plans of care such as an ECP, IHP, Section 504 Service Agreement and/or IEP shall be developed for each student identified with a food allergy. Plans shall be developed at the student's school district of residence or by the school nurse at the school, in collaboration with the school district of residence, the student's healthcare provider, the student's parents/guardians, district or school nutrition staff, the student, if appropriate, and any other appropriate persons.

Where a medical plan of care is developed, it should carefully describe the plan for coverage and care of a student during the school day as well as during school-sponsored activities which take place while the student is under the school's jurisdiction during or outside of school hours. Medical plans of care shall include a component which provides information to the school nutrition service regarding each student with documented severe or life-threatening food allergies.

Medical plans of care should include both preventative measures to help avoid accidental exposure to allergens and emergency measures in case of exposure, including administration of emergency medication.[4][5]

A complete set of a student's current medical plans of care related to food allergies shall be maintained at the school district of residence and/or at the school by the school nurse. Information or copies of the different components of a student's medical plans of care shall be provided to appropriate personnel who may be involved in implementation of the medical plans of care.

Accommodating Students With Disabling Special Dietary Needs

Students with food allergies may be identified, evaluated and determined to be disabled, in which case the school shall make appropriate accommodations, substitutions or modifications in accordance with the student's medical plans of care.[2][3]

The school must provide reasonable accommodations, substitutions or modifications for students with disabling dietary needs. The student's physician shall determine and document if the student has a disabling dietary need. Examples of a disability under this policy would include metabolic conditions (e.g., diabetes), severe food allergies or cerebral palsy.

Students who fall under this provision must have a written medical statement signed by a licensed physician, which shall be included with the student's IHP. The medical statement must identify:[6]

1. The student's special dietary disability.
2. An explanation of why the disability restricts the student's diet.
3. The major life activity(ies) affected by the disability.
4. The food(s) to be omitted from the student's diet.
5. The food or choice of foods that must be provided as the substitute.

Accommodating Students With Nondisabling Special Dietary Needs

The school may, at its discretion, make appropriate accommodations, substitutions or modifications for students who have a special dietary need but who do not meet the definition of disability, such as a food intolerance or allergy that does not cause a reaction that meets the definition of a disability. The decision to accommodate such a student shall be made on a case-by-case basis.

Students who fall under this provision must have a written medical statement signed by a physician, physician assistant or certified registered nurse practitioner identifying the following:

1. The medical or other special dietary condition which restricts the student's diet.
2. The food(s) to be omitted from the student's diet.
3. The food or choice of foods to be substituted.

Confidentiality

The school shall maintain the confidentiality of students with food allergies, to the extent appropriate and as requested by the student's parents/guardians. School staff shall maintain the confidentiality of student records as required by law, regulations and Joint Operating Committee policy.^{[7][8][9]}

Delegation of Responsibility

The Executive Director or designee, in coordination with the school nurse, school nutrition services staff, and other pertinent staff, shall develop administrative regulations to implement this policy or adopt as administrative regulations the suggested guidelines developed by the Pennsylvania Departments of Education and Health and National School Boards Association (NSBA) guidance on managing severe or life-threatening food allergies in schools, including all classrooms and instructional areas, cafeterias, outdoor activity areas, on school buses, during field trips, and during school activities held before the school day and after the school day.^{[10][11][12][13]}

Administrative regulations should address the following components:

- 1. Identification of students with food allergies and provision of school health services.**^[14]
- 2. Development and implementation of individual written management plans.**
- 3. Medication protocols, including methods of storage, access and administration.**^{[4][5]}
- 4. Development of a comprehensive and coordinated approach to creating a healthy school environment.**^[11]
- 5. Communication and confidentiality.**^{[7][8][9]}
- 6. Emergency response.**^[15]
- 7. Professional development and training for school personnel.**
- 8. Awareness education for students.**
- 9. Awareness education and resources for parents/guardians.**
- 10. Monitoring and evaluation.**

The Executive Director or designee shall annually notify students, parents/guardians, staff and the public about the school's food allergy management policy by publishing such in handbooks and newsletters, on the school's website, and through posted notices and other efficient methods.

Legal

[1. 24 P.S. 1422.3](#)

2. Pol. 113

3. Pol. 103.1

4. Pol. 210

5. Pol. 210.1

[6. 7 CFR 15b.40](#)

7. Pol. 113.3

8. Pol. 209

9. Pol. 216

10. Pol. 121

11. Pol. 246

12. Pol. 808

13. Pol. 810

14. Pol. 146

15. Pol. 805

[22 PA Code 12.41](#)

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

[20 U.S.C. 1400 et seq](#)

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

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

[7 CFR Part 15](#)

[28 CFR Part 35](#)

[34 CFR Part 99](#)

[34 CFR Part 104](#)

[34 CFR Part 300](#)

[45 CFR Part 80 App B](#)

Pol. 103

Pol. 113.3

Safe at Schools and Ready to Learn: A Comprehensive Policy Guide for Protecting Students with Life-Threatening Food Allergies – National School Boards Association

Pennsylvania Guidelines for Management of Food Allergies in Schools: Recommendations and Resource Guide for School Personnel – Pennsylvania Departments of Education and Health

Book	Policy Manual
Section	200 Pupils
Title	Diabetes Management
Code	209.2 - New
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that an effective program of diabetes management in the school is crucial to:

- 1. The immediate safety of students with diabetes.**
- 2. The long-term health of students with diabetes.**
- 3. Ensure that students with diabetes are ready to learn and participate fully in school activities.**
- 4. Minimize the possibility that diabetes-related emergencies will disrupt classroom activities.**

Authority

The Joint Operating Committee adopts this policy in accordance with applicable state and federal laws and regulations, and Joint Operating Committee policies and administrative regulations, regarding the provision of student health services.^{[1][2][3][4][5][6][7][8][9]}

Definitions

Diabetes Medical Management Plan (DMMP) means a document describing the medical orders or diabetes regimen developed and signed by the student's health care practitioner and parent/guardian.^[2]

Individualized Education Program (IEP) means the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations. A student with a disability is a school-aged child within the jurisdiction of the school who has been evaluated and found to have one or more disabilities as defined by law, and who requires, because of such disabilities, special education and related services.^[7]

Section 504 Service Agreement (Service Agreement) means an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in the school, in transit to and from the school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities. A qualified student with a disability means a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the school's educational programs, nonacademic services or extracurricular activities.^[1]

Trained Diabetes Personnel means nonlicensed school employees who have successfully completed the required training.

Guidelines

Before a student can receive diabetes-related care and treatment in a school setting, the student's parent/guardian shall provide written authorization for such care and instructions from the student's health care practitioner. The written authorization may be submitted as part of a student's DMMP.^[5]

Diabetes-related care shall be provided in a manner consistent with Joint Operating Committee policy, school procedures and individualized student plans such as an IEP, Service Agreement or DMMP.^{[1][3][4][5][7][9]}

In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting.^{[1][5][7][10][11]}

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.[\[12\]](#)[\[13\]](#)[\[14\]](#)

Trained Diabetes Personnel

The school nurse, in consultation with the Executive Director or designee, may identify at least one (1) school employee, who is not the school nurse and who does not need to be a licensed health care practitioner, in each school building attended by a student with diabetes to perform diabetes care and treatment for students. The identified school employee has the right to decline this role.[\[4\]](#)

An identified school employee who has accepted this role shall complete the training developed by the state or training offered by a licensed health care practitioner with expertise in the care and treatment of diabetes, that includes at a minimum:[\[4\]](#)

1. An overview of all types of diabetes.
2. Means of monitoring blood glucose.
3. The symptoms and treatment for blood glucose levels outside of target ranges, as well as symptoms and treatment for hypoglycemia, hyperglycemia and other potential emergencies.
4. Techniques on administering glucagon and insulin.

The identified school employee shall complete such training on an annual basis.[\[4\]](#)

Upon successful completion of the required training, individual trained diabetes personnel may be designated in a student's Service Agreement or IEP to administer diabetes medications, use monitoring equipment and provide other diabetes care.[\[4\]](#)

If the diabetes-related care provided to a particular student by trained diabetes personnel will include administration of diabetes medication via injection or infusion, the Joint Operating Committee shall require the following:[\[4\]](#)

1. The parent/guardian and the student's health care practitioner must provide written authorization for such administration; and
2. The trained diabetes personnel must receive annual training for such administration from a licensed health care practitioner with expertise in the care and treatment of diabetes.

Training of Other Personnel

School employees, including classroom teachers, lunchroom staff, coaches and bus drivers, shall receive annual diabetes care training appropriate to their responsibilities for students with diabetes.

Student Possession and Use of Diabetes Medication and Monitoring Equipment

Prior to student possession or use of diabetes medication and monitoring equipment, the Joint Operating Committee shall require the following:[\[3\]](#)[\[15\]](#)

1. The written request from the parent/guardian that the school comply with the instructions of the student's health care practitioner. The request from the parent/guardian shall include a statement relieving the school and its employees of responsibility for the prescribed medication or monitoring equipment and acknowledging that the school is not responsible for ensuring that the medication is taken or the monitoring equipment is used.
2. A written statement from the student's health care practitioner that provides:
 - a. Name of the drug.
 - b. Prescribed dosage.
 - c. Times when medication is to be taken.
 - d. Times when monitoring equipment is to be used.

- e. Length of time medication and monitoring equipment is prescribed.
 - f. Diagnosis or reason medication and monitoring equipment is needed.
 - g. Potential serious reactions to medication that may occur.
 - h. Emergency response.
 - i. Whether the child is competent and able to self-administer the medication or monitoring equipment and to practice proper safety precautions.
3. A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the medication and use of the monitoring equipment.
 4. A written acknowledgement from the student that s/he has received instruction from the student's health care practitioner on proper safety precautions for the handling and disposal of the medications and monitoring equipment, including acknowledgement that the student will not allow other students to have access to the medication and monitoring equipment and that s/he understands appropriate safeguards.

The written request for student possession and use of diabetes medication and monitoring equipment shall be reviewed annually, along with the required written statements from the parent/guardian and the student's health care practitioner. If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the student's health care practitioner shall update the written statements.

Students shall be prohibited from sharing, giving, selling and using diabetes medication and monitoring equipment in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity and during the time spent traveling to and from the school and school-sponsored activities. Violations of this policy, provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard the medication and monitoring equipment may result in loss of privilege to self-carry the diabetes medication and monitoring equipment, and may result in disciplinary action in accordance with Joint Operating Committee policy and applicable procedural safeguards.^{[1][3][10][16][17]}

If the school prohibits a student from possessing and self-administering diabetes medication and operating monitoring equipment, or if a student is not capable of self-administering diabetes medication or operating monitoring equipment, the school shall ensure that the diabetes medication and monitoring equipment is appropriately stored in a readily accessible location in the student's building. The school nurse and other designated employees shall be informed where the medication and monitoring equipment is stored and the means to access them.^[3]

Delegation of Responsibility

The Executive Director or designee, in conjunction with the school nurse(s), shall develop administrative regulations for care and treatment of students with diabetes in the school setting.

The Executive Director or designee shall coordinate training for school employees. Such training may be included in the school's Professional Education Plan.^{[4][18][19]}

The Executive Director or designee shall annually distribute to all staff, students and parents/guardians this policy along with the Code of Behavior and Discipline.^{[16][20]}

Legal

1. Pol. 103.1

[2. 24 P.S. 1401](#)

[3. 24 P.S. 1414.5](#)

[4. 24 P.S. 1414.3](#)

[5. 24 P.S. 1414.4](#)

[6. 24 P.S. 1414.7](#)

7. Pol. 113

8. Pol. 209

9. Pol. 209.1

10. Pol. 113.1

11. Pol. 810

[12. 24 P.S. 1409](#)

13. Pol. 216

14. Pol. 113.3

[15. 22 PA Code 12.41](#)

16. Pol. 218

17. Pol. 227

18. Pol. 100

19. Pol. 333

[20. 22 PA Code 12.3](#)

[24 P.S. 1850.1](#)

Pol. 210

Book	Policy Manual
Section	200 Pupils
Title	Medications
Code	210
Status	First Reading
Last Revised	June 13, 2023

Purpose

The Joint Operating Committee shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication to a student during school hours in accordance with the direction of a parent/guardian and **licensed prescriber** will be permitted only when failure to take such medicine would jeopardize the health of the student or the student would not be able to attend school if the medicine were not available during school hours.

Definitions

For purposes of this policy, **medication** shall include all medicines prescribed by a **licensed prescriber** and **any** over-the-counter medicines.

For purposes of this policy, licensed prescribers shall include licensed physicians (M.D. and D.O.), podiatrists, dentists, optometrists, certified registered nurse practitioners and physicians assistants.

Authority

The Joint Operating Committee directs all school employees to comply with the Pennsylvania Department of Health's Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.

Before any medication may be administered to or by any student during school hours, the Joint Operating Committee shall require the written request of the parent/guardian, giving permission for such administration.[\[1\]](#)[\[2\]](#)

Delegation of Responsibility

The **Executive** Director or designee, in conjunction with the **Health Room Nurse (HRN)**, shall develop administrative regulations for the administration and self-administration of students' medications.

All medications shall be administered by the **Health Room Nurse**, **or in the absence of the Health Room Nurse by other licensed school health staff (RN, LPN), except as otherwise noted in this policy.**

In the event of an emergency, a school employee may administer medication when s/he believes, in good faith, that a student needs emergency care.[\[3\]](#)

The Health Room Nurse shall collaborate with parents/guardians, school administration, faculty and staff to develop an individualized healthcare plan to best meet the needs of individual students.[\[4\]](#)[\[5\]](#)

The policy and administrative regulations for administration of medications shall **be reviewed, at least every two (2) years, by a committee consisting of the Certified School Nurse, school physician, school dentist and designated administrators, and revised as necessary.**

Guidelines

The school shall inform all parents/guardians, students and staff about the policy and administrative regulations governing the administration of medications.

All standing medication orders and parental consents shall be renewed at the beginning of each school year.

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations and the Department of Health Guidelines.[\[6\]](#)[\[7\]](#)

Students may possess and use asthma inhalers and epinephrine auto-injectors when permitted in accordance with state law and Joint Operating Committee policy.^[8]^[9]

Delivery and Storage of Medications

All medication shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled container and kept in a locked cabinet designated for storage of medication. Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The school shall not store more than a thirty-day supply of an individual student's medication.

Medication should be recorded and logged in with the date, name of student, name of medication, amount of medication, and signatures of the parent/guardian or designated adult delivering the medication and the school health personnel receiving the medication.

Nonprescription medication must be delivered in its original packaging and labeled with the student's name.

Prescription medication shall be delivered in its original packaging and labeled with:

- 1. Name, address, telephone and federal DEA (Drug Enforcement Agency) number of the pharmacy.**
- 2. Student's name.**
- 3. Directions for use (dosage, frequency and time of administration, route, special instructions).**
- 4. Name and registration number of the licensed prescriber.**
- 5. Prescription serial number.**
- 6. Date originally filled.**
- 7. Name of medication and amount dispensed.**
- 8. Controlled substance statement, if applicable.**

All medication shall be accompanied by a completed Medication Administration Consent and Licensed Prescriber's Medication Order Form, or other written communication from the licensed prescriber.

Disposal of Medications

Procedures shall be developed for the disposal of medications consistent with the Department of Health Guidelines, which shall include:

- 1. Guidelines for disposal of contaminated needles or other contaminated sharp materials immediately in an appropriately labeled, puncture resistant container.**
- 2. Processes for immediately returning to parents/guardians all discontinued and outdated medications, as well as all unused medications at the end of the school year.**
- 3. Methods for safe and environmentally friendly disposal of medications.**
- 4. Proper documentation of all medications returned to parents/guardians and for all medications disposed of by the Health Room Nurse or other licensed school health staff. Documentation shall include, but not be limited to, date, time, amount of medication and appropriate signatures.**

Student Self-Administration of Emergency Medications

Prior to allowing a student to self-administer emergency medication, the school shall require the following:^[9]

- 1. An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration.**

2. Written **parent/guardian consent**.
3. **An Individual Health Plan including an Emergency Care Plan.**
4. **The nurse shall conduct a baseline assessment of the student's health status.**
5. **The student shall demonstrate administration skills to the nurse and responsible behavior.**

The nurse shall provide periodic and ongoing assessments of the student's self-management skills.

The student shall notify the Health Room nurse immediately following each occurrence of self-administration of medication.

Students shall demonstrate a cooperative attitude in all aspects of self-administration of medication. Privileges for self-administration of medication will be revoked if school policies regarding self-administration are violated.

Administration of Medication During Field Trips and Other School-Sponsored Activities

The Joint Operating Committee directs planning for field trips and other school-sponsored activities to start early in the school year and to include collaboration between administrators, teachers, nurses, appropriate parents/guardians and other designated health officials.[10]

Considerations when planning for administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs and may include the following:

1. **Assigning school health staff to be available.**
2. **Utilizing a licensed person from the school's substitute list.**
3. **Contracting with a credible agency which provides temporary nursing services.**
4. **Utilizing licensed volunteers via formal agreement that delineates responsibilities of both the school and the individual.**
5. **Addressing with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of the dose.**
6. **Asking parent/guardian to accompany the child on the field trip, with proper clearances.**
7. **Arranging for medications to be provided in an original labeled container with only the amount of medication needed.**

Security procedures shall be established for the handling of medication during field trips and other school-sponsored activities.

Legal

[1. 24 P.S. 1850.1](#)

[2. 22 PA Code 12.41](#)

[3. 42 Pa. C.S.A. 8337.1](#)

4. Pol. 103.1

5. Pol. 113

[6. 24 P.S. 1409](#)

7. Pol. 216

[8. 24 P.S. 1414.1](#)

9. Pol. 210.1

10. Pol. 121

[24 P.S. 1401](#)

[24 P.S. 1402](#)



210-Attach.doc (42 KB)

Book	Policy Manual
Section	200 Pupils
Title	Possession/Administration of Asthma Inhalers/Epinephrine Auto-Injectors
Code	210.1
Status	From PSBA

-IMPORTANT NOTE: There is new, optional language regarding epinephrine auto-injectors preceded by brackets throughout the draft policy. 24 P.S. Sec. 14-1414.2 authorizes school entities to obtain a standing order for the stock and administration of epinephrine auto-injectors to students, provided the school entity meet certain criteria. The state DOH has a Free EpiPens for Schools program which offers qualifying schools free epinephrine auto-injectors. It should be determined *if* these options are in accordance with AVTS practice or wishes. **Should this language reflect AVTS practice, please be sure to place an X in the brackets to indicate such language should be included. If it does not, please strike or delete such language.**

Authority

The Joint Operating Committee shall permit students in the school to possess asthma inhalers **and epinephrine auto-injectors** and to self-administer the prescribed medication in **compliance** with state law and Joint Operating Committee policy.[\[1\]](#)[\[2\]](#)

{ } The Joint Operating Committee shall authorize the school to stock epinephrine auto-injectors in the name of the school for emergency administration by trained employees to a student believed to be experiencing an anaphylactic reaction.[\[3\]](#)

Definitions

Anaphylaxis - a sudden, severe allergic reaction that involves various areas of the body simultaneously. In extreme cases, anaphylaxis can cause death.

Asthma inhaler shall mean a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack.[\[4\]](#)

Epinephrine auto-injector shall mean a prescribed disposable drug delivery system designed for the administration of epinephrine to provide rapid first aid for students suffering the effects of anaphylaxis.

Self-administration shall mean a student's use of medication in accordance with a prescription or written instructions from a **licensed** physician, **certified registered** nurse **practitioner** or physician assistant.

Delegation of Responsibility

The Executive Director or designee, in conjunction with the school nurse(s), shall develop procedures for student possession and self-administration of asthma inhalers or epinephrine auto-injectors and emergency response.

{ }, and for the acquisition, stocking and administration of stock epinephrine auto-injectors, and training of school employees responsible for the storage and use of epinephrine auto-injectors.

The Executive Director or designee shall annually distribute to students, parents/guardians, and staff this policy along with the Code of Behavior and Discipline by publishing such in handbooks and newsletters, on the school's website, and through posted notices and other efficient methods.[\[1\]](#)[\[5\]](#)[\[6\]](#)

{ } The school physician shall be the prescribing and supervising medical professional for the school's stocking and use of epinephrine auto-injectors. The Executive Director or designee shall obtain a standing order from the school physician for administration of stock epinephrine auto-injectors.

{ } The school nurse shall be responsible for building-level storage of and administration of stock epinephrine auto-injectors.[\[3\]](#)

{ } The Executive Director shall annually notify parents/guardians of their right to opt-out of the provisions of this policy related to the administration of a stock epinephrine auto-injector. To opt-out, a parent/guardian shall sign and return the school's exemption form to the school nurse. The signed opt-out forms shall be maintained by the school nurse, and the school nurse shall provide trained school employees with the names of students whose parents/guardians have returned a signed opt-out form.[\[3\]](#)

Guidelines

Administration of asthma inhalers and epinephrine auto-injectors shall comply with Joint Operating Committee policy, school procedures and individualized student plans such as an Individualized Education Program (IEP), Section 504 Service Agreement (Service Agreement), Individualized Healthcare Plan (IHP), or Emergency Care Plan (ECP).^{[2][3][7][8][9][10]}

In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting.^{[2][8][11][12][13][14]}

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.^{[12][14]}

Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors

Before a student may possess or use an asthma inhaler **or epinephrine auto-injector in the school setting**, the Joint Operating Committee shall require the following:^{[1][7]}

1. A written request from the parent/guardian that the school complies with the order of the **licensed physician, certified registered nurse practitioner** or physician assistant.
2. A **written** statement from the parent/guardian acknowledging that the school is not responsible for ensuring the medication is taken and relieving the school and its employees of responsibility for the benefits or consequences of the prescribed medication.
3. A written statement from the **licensed physician, certified registered nurse practitioner** or physician assistant that states:
 - a. Name of the drug.
 - b. Prescribed dosage.
 - c. Times medication is to be taken.
 - d. Length of time medication is prescribed.
 - e. Diagnosis or reason medication is needed, unless confidential.
 - f. Potential serious reaction or side-effects of medication.
 - g. Emergency response.
 - h. If **child** is qualified and able to self-administer the medication.
4. **A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the asthma inhaler and/or epinephrine auto-injector in the school setting. Determination of competency for self-administration shall be based on the student's age, cognitive function, maturity and demonstration of responsible behavior.**^[1]
5. **A written acknowledgement from the student that s/he has received instruction from the student's licensed physician, certified registered nurse practitioner or physician assistant on proper safety precautions for the handling and disposal of the asthma inhaler and/or epinephrine auto-injector, including acknowledgement that the student will not allow other students to have access to the prescribed medication and that s/he understands appropriate safeguards.**

The school reserves the right to require a statement from the **licensed physician, certified registered nurse practitioner** or physician assistant for the continued use of a medication beyond the specified time period.^[1]

A written request for student use of an asthma inhaler and/or epinephrine auto-injector shall be submitted annually, along with required written statements from the parent/guardian and an updated prescription. If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the licensed physician, certified registered nurse practitioner or physician assistant shall update the written statements.^[1]

The student shall notify the school nurse immediately following each use of an asthma inhaler **or epinephrine auto-injector.**^[1]

Students shall be **prohibited from sharing, giving, selling, and using an asthma inhaler or epinephrine auto-injector in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from the school and**

school-sponsored activities. Violations of this policy, **provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard** the asthma inhaler or epinephrine auto-injector may result in loss of privilege **to self-carry the asthma inhaler or epinephrine auto-injector and disciplinary action in accordance with Joint Operating Committee policy and applicable procedural safeguards.**[\[1\]](#)[\[2\]](#)[\[6\]](#)[\[15\]](#)[\[16\]](#)

If the school denies a student's request to self-carry an asthma inhaler or epinephrine auto-injector or the student has lost the privilege of self-carrying an asthma inhaler or epinephrine auto-injector, the student's prescribed medication shall be appropriately stored at a location in close proximity to the student. The school nurse, other designated school employees and the student's classroom teachers shall be informed where the medication is stored and the means to access the medication.[\[1\]](#)

{ } Standing Order From the School Physician

The school physician shall provide and annually renew a standing order for administration of stock epinephrine auto-injectors to students believed to be experiencing an anaphylactic reaction.

The standing order shall include at least the following information:

- 1. Type of epinephrine auto-injector.**
- 2. Date of issue.**
- 3. Dosage.**
- 4. Signature of the school physician.**

The standing order shall be maintained in the Executive Director's office, and copies of the standing order shall be kept in each location where a stock epinephrine auto-injector is stored.

{ } Acquisition, Storage and Disposal of Stock Epinephrine Auto-Injectors

One or more school employees shall be designated within each school building where students are in attendance to be responsible for the storage and use of the stock epinephrine auto-injectors.[\[3\]](#)

Stock epinephrine auto-injectors shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Stock epinephrine auto-injectors shall be made readily accessible to those employees who have completed the required training to administer it in the event of a student experiencing an anaphylactic reaction. All properly trained employees shall be informed of the exact location where stock epinephrine auto-injectors are being stored within the school nurse's office or other location.

The school nurse shall obtain sufficient supplies of stock epinephrine auto-injectors pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh epinephrine auto-injector stocks, and maintain records thereof, in accordance with the established internal procedures, manufacturer recommendations and Pennsylvania Department of Health guidelines.

{ } Administration of Stock Epinephrine Auto-Injectors

When responding to a student believed to be experiencing an anaphylactic reaction, a trained school employee shall:[\[3\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

- 1. Administer an epinephrine auto-injector that meets the prescription on file for either the student or the school. If the student is authorized to self-administer an epinephrine auto-injector, the trained school employee may provide the student with an epinephrine auto-injector that meets the prescription on file for either the student or the school for self-administration.**
- 2. Call for medical help immediately (dial 9-1-1).**
- 3. Take additional precautions or steps outlined in emergency response procedures and training, including the administration of a second dose of epinephrine, if necessary.**
- 4. Stay with the student until emergency medical help arrives.**
- 5. Cooperate with Emergency Medical Services (EMS) personnel responding to the incident.**
- 6. Notify the school nurse or designee of the incident.**

{ } Training

Before any school employee may be responsible for the storage or administration of epinephrine auto-injectors under this policy, the employee must successfully complete a training course approved by the Pennsylvania Department of Health.[\[3\]](#)

Refresher training shall be completed every two (2) years, and a hands-on demonstration and review of this policy and any accompanying procedures shall be completed annually.

Evidence that such training has been completed shall be placed in the employee's personnel file.

A list of school employees who successfully complete such training shall be maintained, updated and kept in the school nurse's office and the school administration office.

{ } Indemnification

The school shall indemnify and hold harmless any employee who administers an epinephrine auto-injector in good faith to a student experiencing anaphylaxis, if all of these conditions apply:[\[3\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)

- 1. The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering the epinephrine auto-injector to the student.**
- 2. The employee successfully completed the training required by this policy.**
- 3. The employee promptly sought additional medical assistance before or immediately after administering the epinephrine auto-injector.**
- 4. The employee administered the epinephrine auto-injector pursuant to this policy, and the student's individualized plan, if applicable.**

Legal

[1. 24 P.S. 1414.1](#)

2. Pol. 103.1

[3. 24 P.S. 1414.2](#)

[4. 24 P.S. 1401](#)

[5. 22 PA Code 12.3](#)

6. Pol. 218

[7. 22 PA Code 12.41](#)

8. Pol. 113

9. Pol. 209.1

10. Pol. 210

[11. 24 P.S. 1409](#)

12. Pol. 216

13. Pol. 810

14. Pol. 113.3

15. Pol. 113.1

16. Pol. 227

[17. 42 Pa. C.S.A. 8332](#)

[18. 42 Pa. C.S.A. 8337.1](#)

[19. 42 Pa. C.S.A. 8541](#)

[20. 42 Pa. C.S.A. 8545](#)

[21. 24 P.S. 1414.9](#)

[22. 42 Pa. C.S.A. 8547](#)

[23. 42 Pa. C.S.A. 8548](#)

[Pennsylvania Department of Health Guidance - Epinephrine Auto-Injector Administration, May 2018](#)

This sample form was included in the Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care. Do not use this form prior to consultation with your school solicitor.

Medication Administration Consent And Licensed Prescriber Order

(School Entity Name)

Student Name: _____ Date/Time: _____

School (Center): _____ Teacher/Grade: _____

In accordance with school (center) policy, medication(s) should be given at home before and/or after school. However, when this is not possible, prior to receiving the medication at school (the center), each student must provide the nurse with a *Medication Administration Consent* form signed by the student's parent/guardian and a *Medication Order* from a licensed prescriber. All medications must be in an original prescription bottle/container from a pharmacy.

Parent/Guardian Consent:

I give my permission for my child, _____, to receive the following medication by a licensed prescriber during the school day. I understand that the medications will be given by school health personnel according to my child's licensed prescriber's directions.

Parent/Guardian signature: _____ Date: _____

Parent/Guardian name printed: _____ Phone: _____

Licensed Prescriber Medication Order:

Patient's name: _____ Date: _____

Name of medication: _____

Route and dosage: _____

Time of administration: _____

Directions: _____

Discontinuation date: _____

Allergies: _____

Licensed prescriber signature: _____

Licensed prescriber name printed: _____ Phone: _____

Book	Policy Manual
Section	200 Pupils
Title	Student Accident Insurance
Code	211 - Recommended to Retire
Status	From PSBA

-The original AVTS policy, 211, Student Accident Insurance, has not been included in the draft policy manual. The AVTS practice in providing student accident insurance may change on an annual basis, necessitating the revision of JOC policy. The provision of such insurance is also considered “practice” rather than “board policy”. It is recommended the JOC vote to retire policy 211.

Book	Policy Manual
Section	200 Pupils
Title	Reporting Student Progress
Code	212
Status	From PSBA

Purpose

The Joint Operating Committee **recognizes** that **communication** between the school and home is a vital **component** in the growth and education of each student. The Joint Operating Committee acknowledges the school's responsibility to keep parents/guardians informed of student welfare and academic progress.[1]

Authority

The Joint Operating Committee directs that the school's instructional program shall include a system of measuring all students' academic progress.[2][3]

The Joint Operating Committee directs the **Executive Director to** establish a system of reporting student progress that includes academic progress reports, **grade** reports, and parent/guardian conferences with teachers.[4]

Delegation of Responsibility

The Executive Director **or designee** shall develop administrative regulations for reporting student progress to parents/guardians.

All appropriate staff members, as part of their **professional** responsibility, **shall** comply with **the** systems **established for measuring and reporting student progress.**[5][6]

Guidelines

Various methods of reporting shall be utilized.

Both student and parent/guardian shall receive ample warning of a pending grade of failure, or one that would adversely affect the student's program status.

Scheduling of parent-teacher conferences should occur at times that ensure the greatest degree of participation by parents/guardians.

Grade reports shall be issued at intervals of not less than **nine (9) weeks**.

Review and evaluation of methods of reporting student progress to parents/guardians shall be conducted on a periodic basis.

Legal	1. Pol. 216
	2. 22 PA Code 4.11
	3. Pol. 127
	4. 24 P.S. 1850.1
	5. 24 P.S. 1531
	6. 24 P.S. 1532
	Pol. 102
	Pol. 138

Book	Policy Manual
Section	200 Pupils
Title	Assessment of Student Progress
Code	213 - Recommended to Retire
Status	From PSBA

-The original AVTS policy, 213, Assessment of Student Progress, has not been included in the draft policy manual. Due to changes in policy, this topic is now considered more appropriately covered in the draft policies 127, Assessment System, and 212, Reporting Student Progress. Much of the policy language is also procedural, not recommended for policy, and might be better retained as an administrative regulation. It is recommended the JOC vote to retire policy 213.

Book	Policy Manual
Section	200 Pupils
Title	Class Rank
Code	214
Status	From PSBA

Authority

The Joint Operating Committee authorizes a system of computing grade point averages and class rank for students to inform students, parents/guardians and institutions of a student's relative placement among their peers.[\[1\]](#)

Guidelines

Class rank shall be computed by the final grade in all subjects for which credit is awarded.

Any two (2) or more students whose computed grade point averages are identical shall be given the same rank. The rank of the student who immediately follows a tied position will be determined by the number of students preceding and not by the rank of the person preceding him/her.

A student's grade point average and rank in class shall be entered on the student's record and transcripts and shall be subject to the Joint Operating Committee's policy on release of student records.[\[2\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations for computing grade point averages and assigning class rank to implement this policy, which shall include a statement of the methods for computation and rank assignment for those to whom a student's grade point average and class rank are released.

Legal [1. 24 P.S. 1850.1](#)
 2. Pol. 216

Book	Policy Manual
Section	200 Pupils
Title	Promotion and Retention
Code	215
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that the emotional, social, physical and educational development of students will vary and that students should be placed in the educational setting most appropriate to their needs. The Joint Operating Committee will establish and maintain high standards for each program and monitor student achievement in a continuous and systematic manner.

Authority

The Joint Operating Committee establishes that each student shall be moved forward in a continuous pattern of achievement and development that corresponds with the student's development, the system of program levels, and the academic **and career and technical** standards and student competencies established for each level.[\[1\]](#)[\[2\]](#)

A student shall be promoted when s/he has successfully achieved the academic **and career and technical standards** and student competencies established for the present level, based on the professional judgment of the teachers and the results of assessments. A student shall advance to the next level by demonstrating mastery of the required skills and knowledge.

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations for promotion and retention of students which assure that every effort will be made to remediate the student's difficulties before the student is retained.

The recommendation of the program instructor shall be required for promotion or retention of a student.

The **Executive** Director shall be assigned the final responsibility for determining the promotion or retention of each student.

Guidelines

In all cases of retention, the parents/guardians shall be fully involved and informed throughout the process. Parents/Guardians and students shall be informed of the possibility of retention of a student well in advance.

The school shall utilize multiple measures of performance as determinants in promotion and retention decisions.[\[3\]](#)

Legal	1. 24 P.S. 1531
	2. 22 PA Code 4.42
	3. Pol. 212
	22 PA Code 4.12
	Pol. 217

Book	Policy Manual
Section	200 Pupils
Title	Student Records
Code	216
Status	From PSBA

Authority

The Joint Operating Committee recognizes its responsibility for the **collection**, retention, **disclosure and protection of student records**. The Joint Operating Committee also recognizes the legal requirement to maintain the confidentiality of student records **and prohibits the unauthorized access, reproduction, and/or disclosure of student education records and personally identifiable information from such records.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Joint Operating Committee shall adopt a comprehensive plan for the collection, maintenance and dissemination of student education records that complies with federal and state laws and regulations and state guidelines. Copies of the adopted student records plan shall be maintained by the school and revised as required by changes in federal or state law **and regulations**.

Copies of the student records plan shall be submitted to the Department of Education, upon request.

Definitions

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.[\[14\]](#)

Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.[\[11\]](#)[\[14\]](#)

Directory information does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.[\[14\]](#)

Education records - records that are directly related to a student, maintained by the school or by a party acting for the school.[\[11\]](#)[\[14\]](#)

The term does not include:

- 1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record.**
- 2. Records created or received by the school after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.**

3. Grades on peer-graded papers before they are collected and recorded by a teacher.

4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

Eligible student - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to and consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in the Internal Revenue Code, the school shall make the education records accessible to the parent of said student.[\[14\]](#)[\[15\]](#)

Parent - includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The school shall give full rights to either parent unless the school has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.[\[14\]](#)[\[16\]](#)

Personally identifiable information - includes, but is not limited to:[\[14\]](#)

1. The name of a student, the student's parents or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's Social Security Number, student number, or biometric record.
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who the school reasonably believes knows the identity of the student to whom the education record relates.

Student - includes any individual who is or has been in attendance at the school and regarding whom the school maintains education records.[\[14\]](#)

Delegation of Responsibility

The Executive Director or designee shall be responsible for developing, implementing, and monitoring the student records plan.

All school personnel having access to student education records shall receive training in the requirements of Joint Operating Committee policy, student records plan, and applicable federal and state laws and regulations as directed by the Executive Director.

Each teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and a recommendation for promotion or retention.[\[17\]](#)[\[18\]](#)

Guidelines

The school's plan for the collection, retention, disclosure and protection of student records shall provide for the following:

1. Safeguards to protect the student records when collecting, retaining and disclosing personally identifiable information.
2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.[\[19\]](#)
3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students. The school may charge a fee for copies of records that are made for parents so long as the fee does not effectively prevent parents from exercising their right to inspect and review those records. The school shall not charge a fee to search for or to retrieve information in response to a

parental request. [\[20\]](#)[\[21\]](#)[\[22\]](#)

4. **Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.** [\[23\]](#)
5. **Procedures for requesting and conducting hearings to challenge the content of the student's education records.** [\[24\]](#)[\[25\]](#)
6. Enumerating and defining the types, locations and persons responsible for education records maintained by the school.
7. **Determining the types of personally identifiable information designated as directory information.** [\[14\]](#)[\[26\]](#)
8. Establishing guidelines for **the disclosure and redisclosure of student education records and personally identifiable information from student records.** [\[27\]](#)
9. **Reasonable methods to ensure that school officials obtain access to only those education records in which they have a legitimate educational interest. Such methods shall include criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.** [\[19\]](#)[\[28\]](#)
10. Maintaining **required** records of **requests for access and each disclosure of personally identifiable information from each student's education records.** [\[29\]](#)
11. Ensuring appropriate **review, retention, disposal and protection** of student records.
12. Transferring education records and appropriate disciplinary records to **other school entities.** [\[1\]](#)

Student Recruitment

Procedures for disclosure of student records **and personally identifiable information** shall apply **equally** to military recruiters and postsecondary institutions **and shall comply with law and Joint Operating Committee policy.** [\[30\]](#)

Missing Child Registration

A missing child notation shall be placed on records of a student under the age of eighteen (18) reported as missing to school officials by a law enforcement agency. Such notation shall be removed when the school is notified by the appropriate law enforcement agency that a missing child has been recovered. [\[31\]](#)

In the event the school receives a request for information from the school records of a missing child, the school shall: [\[32\]](#)

1. **Attempt to obtain information on the identity of the requester.**
2. **Contact the appropriate law enforcement agency to coordinate a response.**

No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.

**NOTE: Family Policy Compliance Office
U.S. Dept. of Education
400 Maryland Avenue SW
Washington D.C. 20202-5920**

Legal

[1. 24 P.S. 1305-A](#)

[2. 24 P.S. 1306-A](#)

[3. 24 P.S. 1402](#)

[4. 24 P.S. 1409](#)

[5. 24 P.S. 1532](#)

[6. 24 P.S. 1533](#)

[7. 22 PA Code 4.52](#)
[8. 22 PA Code 12.31](#)
[9. 22 PA Code 12.32](#)
[10. 22 PA Code 15.9](#)
[11. 20 U.S.C. 1232g](#)
[12. 34 CFR Part 99](#)
[13. 34 CFR Part 300](#)
[14. 34 CFR 99.3](#)
[15. 34 CFR 99.5](#)
[16. 34 CFR 99.4](#)
17. Pol. 215
18. Pol. 212
[19. 34 CFR 99.7](#)
[20. 34 CFR 99.10](#)
[21. 34 CFR 99.11](#)
[22. 34 CFR 99.12](#)
[23. 34 CFR 99.20](#)
[24. 34 CFR 99.21](#)
[25. 34 CFR 99.22](#)
[26. 34 CFR 99.37](#)
[27. 34 CFR 99.30-99.39](#)
[28. 34 CFR 99.31](#)
[29. 34 CFR 99.32](#)
30. Pol. 250
[31. 35 P.S. 450.403-A](#)
[32. 35 P.S. 450.404-A](#)
[35 P.S. 450.401 et seq](#)
[22 PA Code 16.65](#)
Pol. 113
Pol. 113.1
Pol. 113.3
Pol. 216.1

Book	Policy Manual
Section	200 Pupils
Title	Supplemental Discipline Records
Code	216.1 - On Hold
Status	From PSBA

-The original AVTS policy, 216.1, Supplemental Discipline Records, has not been included in the draft policy manual. This topic is currently under legal review. Updates are anticipated and will be distributed at a later date via the PNN Newsletter.

Book	Policy Manual
Section	200 Pupils
Title	Skills Certification
Code	217
Status	From PSBA

Purpose

The Joint Operating Committee **shall** acknowledge each student's successful completion of the vocational technical program by awarding a certificate at appropriate ceremonies.

Authority

The Joint Operating Committee **shall** not issue a diploma at the conclusion of a student's vocational technical program at the school. **The Joint Operating Committee** shall recognize the student's achievement by awarding an appropriate certificate.[\[1\]](#)[\[2\]](#)

The Joint Operating Committee shall permit a student with a disability, **whose** Individualized Education Program (IEP) prescribes continued educational services, to participate in ceremonies with his/her graduating class and receive a certificate of attendance, **provided that the student** has attended four (4) years of high school.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

The Joint Operating Committee shall provide documents by which a student may indicate to an employer or postsecondary institution the completion of a vocational technical program and attainment of skills.

Delegation of Responsibility

The **Executive** Director or designee shall be responsible for:

1. **Communicating to students and parents/guardians the requirements to qualify for a certificate.**[\[8\]](#)
2. **Accurate recording and reporting of each student's progress toward fulfilling certification requirements.**[\[8\]](#)[\[9\]](#)
3. Planning and executing ceremonies that appropriately recognize this important achievement.

Guidelines

In all cases where students **are** in danger of not fulfilling certification requirements, periodic warnings shall be issued to the **student and parents/guardians well in advance.**[\[8\]](#)[\[11\]](#)

Students who complete approved vocational technical education programs shall have their occupational competency assessed by completion of the appropriate assessment under the Pennsylvania Skills Certificate Program or another approved occupational competency assessment.[\[10\]](#)

Legal	1. 24 P.S. 1613
	2. 24 P.S. 1850.1
	3. 24 P.S. 1614
	4. 22 PA Code 11.27
	5. 34 CFR 300.102
	6. 34 CFR 300.305
	7. Pol. 113
	8. Pol. 212
	9. Pol. 216
	10. 22 PA Code 4.31
	34 CFR Part 300

Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Code	218
Status	From PSBA

Purpose

The Joint Operating Committee **recognizes** that student conduct is closely related to learning. An effective **career and technical** education program requires a safe and orderly school environment.

Authority

The Joint Operating Committee shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The Joint Operating Committee shall adopt a Code **of Behavior and Discipline** 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 Joint Operating Committee policies and the Code **of Behavior and Discipline** governing student discipline.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

The Joint Operating Committee prohibits the use of corporal punishment to discipline students for violations of Joint Operating Committee policies, **the Code of Behavior and Discipline** and school rules and regulations.[\[11\]](#)

Any student disciplined shall have the right to **be informed of the nature of** the infraction **and the applicable rule or rules violated**.[\[12\]](#)

When suspensions and expulsions **are imposed, they** shall be carried out in accordance with Joint Operating Committee policy.[\[7\]](#)[\[12\]](#)

In the case of a student with a disability, including a student for whom an evaluation is pending, the school shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[5\]](#)[\[7\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)

On and Off-Campus Activities

This policy **and the Code of Behavior and Discipline** 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 **or at other times while riding in school-provided means of transportation ("on-campus")**. **This policy and the Code of Behavior and Discipline also apply to student behavior that occurs at other times and places ("off-campus") when:**[\[1\]](#)

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 staff or the safe and orderly operation of the school and its 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 Behavior and Discipline** if it occurred in the school that is committed in furtherance of a plan

made or agreed to in the school, or acts of vandalism directed at the property of staff because of their status as staff of the school.

Delegation of Responsibility

The **Executive** Director or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Joint Operating Committee policy governing student conduct.

The **Executive** Director 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 Behavior and Discipline**, 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 Behavior and Discipline** shall be available in each school library and school office **and may be included in student handbooks and on the school's website.**[\[2\]](#)[\[8\]](#)

The **Executive Director** shall have the authority to assign discipline to students, subject to **Joint Operating Committee** policies, **administrative** regulations, **the Code of Behavior and Discipline and school rules, and** to the student's due process right to notice, hearing, and appeal.[\[7\]](#)[\[12\]](#)[\[17\]](#)[\[18\]](#)

Teaching staff and other school 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 the Joint Operating Committee, and when such conduct interferes with the educational program of the school or threatens the health and safety of others, **in accordance with Joint Operating Committee policy, administrative regulations, the Code of Behavior and Discipline and school rules.**[\[17\]](#)

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 for the protection of persons or property.[\[11\]](#)

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; or conduct that constitutes an offense listed under the Safe Schools Act.[\[19\]](#)[\[20\]](#)[\[21\]](#)

The Executive Director 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 the school or a school-sponsored activity to the local police department that has jurisdiction over the school property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[16\]](#)[\[19\]](#)[\[20\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)

The Executive Director 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 Executive Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[\[16\]](#)[\[19\]](#)[\[25\]](#)

In accordance with state law, the Executive Director shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[16\]](#)[\[20\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)

When a student's behavior indicates a threat to the safety of the student, other students, employees, the school facilities, the community or others, school staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[30\]](#)[\[31\]](#)

The Executive Director shall report to the Joint Operating Committee the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Joint Operating Committee.

Legal

[1. 24 P.S. 1850.1](#)

[2. 22 PA Code 12.3](#)

[3. 22 PA Code 12.4](#)

4. Pol. 103

5. Pol. 103.1

[6. 22 PA Code 12.2](#)

7. Pol. 113.1

8. Pol. 235

9. Pol. 832

10. Pol. 146.1

[11. 22 PA Code 12.5](#)

12. Pol. 233

[13. 22 PA Code 10.23](#)

[14. 20 U.S.C. 1400 et seq](#)

15. Pol. 113.2

16. Pol. 805.1

[17. 24 P.S. 1317](#)

[18. 24 P.S. 1318](#)

[19. 22 PA Code 10.2](#)

[20. 24 P.S. 1303-A](#)

[21. 35 P.S. 780-102](#)

[22. 22 PA Code 10.21](#)

[23. 22 PA Code 10.22](#)

[24. 24 P.S. 1302.1-A](#)

[25. 22 PA Code 10.25](#)

26. Pol. 218.1

27. Pol. 218.2

28. Pol. 222

29. Pol. 227

[30. 24 P.S. 1302-E](#)

31. 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. 805

Book	Policy Manual
Section	200 Pupils
Title	Weapons
Code	218.1
Status	From PSBA

Purpose

The Joint Operating Committee 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 the school.

Authority

The Joint Operating Committee prohibits students from possessing and bringing weapons and replicas of weapons into any school buildings, onto school property, to any school-sponsored activity, and onto any vehicle providing transportation to **or from the school or a school-sponsored activity, or while the student is coming to or from the school.**[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Joint Operating Committee shall, **in coordination with** the school **district of residence**, 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 Joint Operating Committee policy.**[\[2\]](#)[\[5\]](#)[\[6\]](#)

The **Executive** Director 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 school** shall take all steps **required** to comply **with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.**[\[2\]](#)[\[5\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Delegation of Responsibility

The Executive Director 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 local law enforcement officials and the school'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, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[14\]](#)[\[15\]](#)

Guidelines

The Executive Director 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 the school or a school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the** procedures set forth **in the** memorandum of understanding with local law enforcement **and Joint Operating Committee policies.**[\[2\]](#)[\[11\]](#)[\[12\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

The Executive Director 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 Executive Director or designee shall inform the parent/guardian whether or not the local police department that has

jurisdiction over the school property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[11][16][19]

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents involving possession of a weapon to the Office for Safe Schools on the required form.[11][18]

The Executive Director or designee shall annually inform staff, students and parents/guardians about the Joint Operating Committee 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 **Executive** Director, who shall prescribe special conditions or procedures to be followed.[\[2\]](#)

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

Transfer Students

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

Legal

[1. 24 P.S. 1301-A](#)

[2. 24 P.S. 1317.2](#)

[3. 24 P.S. 1850.1](#)

4. Pol. 218

5. Pol. 113.1

6. Pol. 233

[7. 20 U.S.C. 1400 et seq](#)

[8. 22 PA Code 10.23](#)

9. Pol. 103.1

10. Pol. 113.2

11. Pol. 805.1

[12. 24 P.S. 1302.1-A](#)

13. Pol. 805

[14. 24 P.S. 1302-E](#)

15. Pol. 236.1

[16. 22 PA Code 10.2](#)

[17. 22 PA Code 10.21](#)

[18. 24 P.S. 1303-A](#)

[19. 22 PA Code 10.25](#)

[20. 18 U.S.C. 921](#)

[21. 18 U.S.C. 922](#)

[22 PA Code 403.1](#)

[20 U.S.C. 7114](#)

[20 U.S.C. 7961](#)

[34 CFR Part 300](#)

[18 Pa. C.S.A. 912](#)

Book	Policy Manual
Section	200 Pupils
Title	Terroristic Threats
Code	218.2
Status	From PSBA

Purpose

The Joint Operating Committee recognizes the danger that terroristic threats by students present to the safety and welfare of students, staff and community. The Joint Operating Committee 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 Joint Operating Committee prohibits any student from communicating terroristic threats directed at any student, employee, Joint Operating Committee member, community member or **property owned, leased or being used by the school.**[\[2\]](#)

Delegation of Responsibility

The **Executive Director 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, Joint Operating Committee policy and administrative regulations, the procedures set forth in the memorandum of understanding with local law enforcement officials and the school's emergency preparedness plan.**[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

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, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[3\]](#)[\[5\]](#)

Staff members and students shall **be made aware of their** responsibility **to inform the threat assessment team** regarding any information or knowledge relevant to a possible or actual terroristic threat.[\[5\]](#)[\[8\]](#)

The threat assessment team shall immediately inform the **Executive Director or designee and School Safety and Security Coordinator of a terroristic threat, in accordance with Joint Operating Committee policy and administrative regulations.**[\[5\]](#)

The Executive Director 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 the school or a school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[4\]](#)[\[7\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

The Executive Director 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 Executive Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[\[7\]](#)[\[9\]](#)[\[12\]](#)

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents of terroristic threats to the Office for Safe Schools on the required form.[\[7\]](#)[\[11\]](#)

In the case of **a** student with **a** disability, **including a student for whom an evaluation is pending**, the school **shall** take all steps **required** to comply with **state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and** Joint Operating Committee policies.[7][13][14][15][16][17]

If a student is expelled for making terroristic threats, the Joint Operating Committee 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.[5][16][18]

Legal

[1. 18 Pa. C.S.A. 2706](#)

[2. 24 P.S. 1850.1](#)

[3. 24 P.S. 1302-E](#)

[4. 24 P.S. 1302.1-A](#)

5. Pol. 236.1

6. Pol. 805

7. Pol. 805.1

[8. 22 PA Code 12.2](#)

[9. 22 PA Code 10.2](#)

[10. 22 PA Code 10.22](#)

[11. 24 P.S. 1303-A](#)

[12. 22 PA Code 10.25](#)

[13. 20 U.S.C. 1400 et seq](#)

[14. 22 PA Code 10.23](#)

15. Pol. 103.1

16. Pol. 113.1

17. Pol. 113.2

18. Pol. 233

[34 CFR Part 300](#)

Book	Policy Manual
Section	200 Pupils
Title	Discipline of Student Convicted/Adjudicated of Sexual Assault
Code	218.3 - New
Status	From PSBA

Purpose

The Joint Operating Committee recognizes the importance of a safe school environment for students who are victims of sexual assault. This policy addresses disciplinary requirements for a student convicted or adjudicated delinquent of sexual assault upon another student attending this school or participating in a school program.[\[1\]](#)

Definitions

Conviction – means the finding of guilty by a judge or a jury or the entry of a plea of guilty or nolo contendere for sexual assault whether or not judgment of sentence has been imposed.[\[1\]](#)

School setting – means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.[\[1\]](#)

School-sponsored activity – means any assemblies, field trips, class trips, graduation ceremonies, athletics, extracurricular activities, clubs, groups, teams or any activities sponsored, held or approved by the school.[\[1\]](#)

Sexual assault – means any of the following offenses:[\[1\]](#)

1. **Rape.**[\[2\]](#)
2. **Statutory sexual assault.**[\[3\]](#)
3. **Involuntary deviate sexual intercourse.**[\[4\]](#)
4. **Sexual assault.**[\[5\]](#)
5. **Aggravated indecent assault.**[\[6\]](#)
6. **Indecent assault.**[\[7\]](#)

Authority

The Joint Operating Committee shall comply with the disciplinary requirements established by state law regarding students who have been convicted or adjudicated delinquent of sexual assault upon another student attending this school or participating in a school program, regardless of whether the sexual assault took place inside or outside of the school setting.[\[1\]](#)[\[8\]](#)[\[9\]](#)

Delegation of Responsibility

A student who is convicted of sexual assault upon another student attending this school or participating in a school program shall be required to notify the Executive Director or designee of the conviction no later than seventy-two (72) hours after the conviction.[\[1\]](#)

Upon report of a conviction or adjudication of sexual assault upon a student attending this school or participating in a school program, the Executive Director or designee, in coordination with the appropriate participating school entity, shall take one (1) of the following actions against the convicted or adjudicated student:[\[1\]](#)

1. **Recommend that the Joint Operating Committee expel the student from the school, in accordance with law and Joint Operating Committee policy.**[\[9\]](#)
2. **Transfer the student to an alternative education program.**
3. **Reassign the student to another school or educational program.**

If the convicted or adjudicated student has already been expelled, transferred or reassigned, or if the victim does not attend the same school or program, no additional action regarding expulsion, transfer or reassignment is required by the school. Although action is not required, the school, in coordination with the appropriate participating school entity, maintains the authority to make an alternative assignment or provide alternative educational services during or after an expulsion at the discretion of the Executive Director or designee.^[1]

Upon report of a conviction or adjudication of sexual assault upon a student that occurred in the school setting, the Executive Director or designee shall notify the Title IX Coordinator to determine whether the incident has been addressed in accordance with applicable Joint Operating Committee policy.^{[10][11]}

Guidelines

In the case of a student with a disability, including a student for whom an evaluation is pending, prior to implementing any disciplinary removal or considering a change of placement for the student, the school shall coordinate with the student's Individualized Education Program (IEP) team and take all steps required to comply with state and federal laws and regulations, and Joint Operating Committee policies.^{[1][12][13][14][15][16]}

The school shall ensure that the convicted or adjudicated student is prohibited from taking part in the following activities at the same time as the victim:^[1]

1. Being educated in the same school building.
2. Being transported on the same school vehicle.
3. Participating in the same school-sponsored activity.

Return of Student to School

The school, in coordination with the appropriate participating school entity, may return the student who is expelled, transferred or reassigned, to the student's originally assigned school if one (1) of the following circumstances occur:^[1]

1. The victim is no longer attending the school or participating in a school program.
2. The conviction or adjudication has been reversed and is not pending appeal.

Transfer Students

When the school receives a student who transfers from a public or private school during an expulsion period for an act or offense involving a sexual assault conviction or adjudication, the school may assign that student to an alternative assignment or may provide alternative education services, consistent with federal and state laws and regulations.^{[1][17]}

Legal

1. [24 P.S. 1318.1](#)
2. [18 Pa. C.S.A. 3121](#)
3. [18 Pa. C.S.A. 3122.1](#)
4. [18 Pa. C.S.A. 3123](#)
5. [18 Pa. C.S.A. 3124.1](#)
6. [18 Pa. C.S.A. 3125](#)
7. [18 Pa. C.S.A. 3126](#)
8. Pol. 218
9. Pol. 233
10. Pol. 103
11. Pol. 252
12. [20 U.S.C. 1400 et seq](#)
13. [34 CFR Part 300](#)
14. Pol. 103.1
15. Pol. 113.1
16. Pol. 113.2
17. Pol. 201

Book	Policy Manual
Section	200 Pupils
Title	Student Complaint Process
Code	219
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that students have the right to request redress of complaints. In addition, the Joint Operating Committee believes that the inculcation of respect for established procedures is an important part of the educational process. Accordingly, individual and group complaints shall be recognized, and appropriate appeal procedures shall be provided.

Definition

For purposes of this policy, a **student complaint** shall be one that arises from actions that directly affect the student's participation in an approved educational program.

Authority

The Joint Operating Committee and its employees will recognize the complaints of students, provided that such complaints are submitted according to the guidelines established by Joint Operating Committee policy.

Guidelines

The student should first make the complaint known to the staff member most closely involved or, if none is identifiable, a guidance counselor; and both shall attempt to resolve the issue informally and directly.

For complaints that must move beyond the first step, the student shall prepare a written statement of his/her complaint which shall set forth:

1. Specific nature of the complaint and a brief statement of relevant facts.
2. Manner and extent to which the student believes s/he has been adversely affected.
3. Relief sought by the student.
4. Reasons why the student feels entitled to the relief sought.

The complaint may then be submitted, in turn, to the **Executive** Director and the Joint Operating Committee, with a suitable period of time allowed at each level for hearing of the complaint and preparation of a response.

At each level the student shall be afforded the opportunity to be heard personally by the school official.

At each step the school official hearing the complaint may call in the student's parent/guardian.

The student may seek the help of a parent/guardian at any step.

Book	Policy Manual
Section	200 Pupils
Title	Student Expression/Dissemination of Materials
Code	220
Status	From PSBA

-**Note**: PSBA's recommended 220 ATTACH policy attachment has been added to draft policy 220. The procedures contained in the document are recommended to be included via the attachment in order to be easily accessible to students/parents/guardians **along with** the policy, rather than as a separate document. 220 ATTACH should also be included in student handbooks **once it is completed** by the AVTS.

-**IMPORTANT NOTE**: PSBA's 220 ATTACH is a **template** intended for the AVTS to revise/complete in order to specify the AVTS procedures regulating the dissemination of nonschool materials by students within the school setting. 220 ATTACH contains options preceded by brackets. Please determine which options are in accordance with AVTS practice or wishes. **Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with AVTS practice.** Option(s) selected should align with AVTS practice and should align with language in the 220 draft policy. All recommended responsibilities outlined in the attachment have been assigned to the Executive Director. **Please review and revise in accordance with AVTS practice.**

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Joint Operating Committee respects the right of students to express themselves in word or symbol and to **disseminate nonschool materials to others** as a part of that expression. The Joint Operating Committee also recognizes that exercise of that right **is not unlimited and must be balanced with** the school's responsibility to maintain a safe and orderly school environment and to protect the rights of all members of the school community.^[1]

This policy addresses student expression in general **as well as dissemination of expressive** materials that are not part of school-sponsored activities **(nonschool materials)**.

This policy does not apply to materials sought to be **disseminated** as part of the curricular or extracurricular programs of the school, **which** shall be regulated **separately** as part of the educational program.

Definitions

For the purposes of this policy, dissemination shall mean students distributing or publicly displaying nonschool materials to others:

1. **On school property or during school-sponsored activities by placing such materials upon desks, tables, on or in lockers, walls, doors, bulletin boards, or easels; by handing out such materials to other persons; or by any other manner of delivery to others; or**
2. **At any time or location when creating or sending information using email, websites, online platforms, social media channels or other technological means that are owned, provided or sponsored by the school.**

Expression means verbal, written, **technological** or symbolic representation or communication.

Nonschool materials means any printed, **technological** or written materials, **regardless of form, source or authorship**, that are not prepared as part of the curricular or approved extracurricular program of the school. **This** includes, but is not limited to fliers, invitations, announcements, pamphlets, posters, **online discussion areas and digital** bulletin boards, personal websites and the like.

Authority

Limitations on Student Expression

Students have the right to express themselves unless such expression is likely to or does materially and substantially **disrupt or** interfere with the educational process, including school activities, school work, discipline, **safety** and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful

activity; or interferes with another's rights. Student expression **is prohibited to the extent that it:**[\[1\]](#)

1. Violates federal, state or **local** laws, Joint Operating Committee policy or school rules or **procedures**;
2. **Is defamatory**, obscene, lewd, vulgar or profane;[\[2\]](#)
3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, **such as tobacco/vaping products, alcohol or illegal drugs**;
4. Incites violence, advocates use of force or threatens serious harm to the school or community;
5. Materially and substantially **disrupts or** interferes with the educational process, **such as** school activities, school work, discipline, **safety** and order on school property or at school functions;
6. **Interferes with, or advocates** interference with, **the rights of any individual or the safe and orderly operation of the school and school programs; or**
7. Violates written procedures on time, place and manner for posting and **dissemination** of otherwise protected expression.

Student expression that occurs on school property or at school-sponsored events **or occurs at any time or place when created or communicated using school-provided equipment, email, websites or other technological resources**, is **subject to** this policy. **The limitations, prohibitions and requirements of this policy shall apply to expression that occurs outside the foregoing circumstances only when and to the extent that the out-of-school expression:**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

1. **Incites violence, advocates use of force or otherwise** threatens serious harm **directed at students, staff or the school environment**;
2. Materially and substantially **disrupts or** interferes with the educational process, **such as** school activities, school work, discipline, **safety and** order on school property or at school functions; **or**
3. Interferes with, **or advocates interference with, the rights of any individual or the safe and orderly operation of the school and programs.**

Dissemination of Nonschool Materials

The Joint Operating Committee requires that **dissemination** of nonschool materials **shall** occur only at the places and during the times set forth in written **procedures**. Such procedures shall be written to permit the safe and orderly operation of the school, while recognizing the rights of students to engage in protected expression.[\[1\]](#)[\[4\]](#)

The Joint Operating Committee requires that students who wish to disseminate nonschool materials on school property shall **obtain approval by** submitting them at least one (1) school day in advance to the **Executive** Director.[\[1\]](#)

If the nonschool materials **include matters prohibited by** this policy, the **Executive Director** shall promptly notify the students **of the nature of the violation and** that they may not **disseminate** the materials **until the violation is corrected and the materials are resubmitted for approval.**

If notice **of disapproval** is not given during the period between submission and the time for the planned **dissemination**, students may **consider the request approved and** proceed with the **dissemination as requested, subject to all other established procedures and requirements relating to** time, place and manner of **dissemination**. Students **may nonetheless be directed** to cease **or suspend dissemination if it is** later **determined that** the materials **or the dissemination of them are in violation** of this policy **or implementing rules or procedures.**

Students who **disseminate** printed nonschool materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Printed nonschool materials displayed in a fixed location of a building shall bear the date when placed in each location. The school may remove the materials within ten (10) days of the posting or other reasonable time as stated in applicable procedures.

Review of Student Expression

Review **of nonschool materials proposed for dissemination** shall be **conducted promptly so as to avoid unreasonable delay in dissemination.**

School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student-initiated religious expression is permissible, **and apart from regarding** time, place and manner, shall not be **restricted unless the** expression violates some other **aspect** of this policy, e.g., because it is independently determined to be **in violation of this policy for reasons other than the religious nature of the content**.

Appeal of the reviewer's decision may be made to the **Executive** Director and then to the Joint Operating Committee, in accordance with Joint Operating Committee policy and procedures.[5]

Delegation of Responsibility

The **Executive** Director shall determine the designation of the places and times nonschool materials may be disseminated in the school. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit **dissemination** of nonschool materials to noninstructional times.

When student **dissemination of nonschool materials or other student expression** violates this policy, **the Executive Director may determine what, if any, disciplinary or other consequences should be imposed**. Disciplinary actions shall be **in accordance with applicable Joint Operating Committee policy and the Code of Behavior and Discipline**. [6][7]

The Executive Director shall ensure that all designated staff involved in reviewing nonschool materials proposed for dissemination and evaluating whether violations of this policy have occurred receive training regarding applicable standards and procedures. Special emphasis shall be given to understanding the limitations on school officials' authority to regulate off-campus student expression, as well as the need to articulate in detail the nature and extent of disruption to or interference with the school environment thought to be caused by on or off-campus student expression and the specific manner by which the student expression involved is thought to have caused it.

This Joint Operating Committee policy and **any** procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

Legal

[1. 22 PA Code 12.9](#)

[2. 22 PA Code 12.2](#)

[3. 24 P.S. 511](#)

[4. 24 P.S. 1850.1](#)

5. Pol. 219

6. Pol. 218

7. Pol. 113.1

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

Pol. 816



220 ATTACH - Rough Draft, tracked changes.doc (44 KB)

STUDENT EXPRESSION/DISSEMINATION OF MATERIALS

These procedures address the **dissemination by students** of nonschool materials that are not part of the curricular or extracurricular program of the school. Materials sought to be **disseminated** as part of the curricular or extracurricular program of the school will be regulated as part of the school's educational program and are not subject to the time, place and manner provisions set forth herein.

Students may **disseminate** nonschool materials, provided that the form of expression and/or the use of public school facilities and equipment is/are in accordance with Policy 220 (**Student Expression/Dissemination of Materials**), the **Code of Behavior and Discipline**, these procedures and the school dress code, if applicable. **It is the responsibility of students intending to disseminate nonschool materials to become familiar with the provisions of Joint Operating Committee Policy 220 and pertinent provisions of the Code of Behavior and Discipline.**

The school has no responsibility to assist students in or to provide facilities for the **dissemination** of nonschool materials.

Dissemination of Nonschool Materials

The **dissemination** by students of all nonschool materials will be governed by the following procedures:

1. All nonschool materials, together with a copy of the plan of **dissemination**, must be submitted to the Executive Director no later than

{ X } 9 a.m. for the AM session and 1:00 PM for the PM session

on the school day prior to the **requested dissemination** day for approval. The plan will set forth in detail the desired time, place and manner of **dissemination**, as well as **the individuals involved**.

2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to **disseminate** such material on school property must provide in writing **their** name, address, telephone number and organization, if any. This information will be filed in the Executive Director's office.
3. The Executive Director will review the material, determine if it constitutes expression **that is prohibited by Joint Operating Committee policy**, and notify the student(s) planning to **disseminate** nonschool materials of the decision to grant or deny permission. If the decision is to not permit the **dissemination**, the Executive Director will specify the reasons for the decision **as well as** the changes in the content of the material or in the plan of **dissemination** which must be made, if any, in order to secure such permission. If the student(s) desiring to **disseminate** such material make(s) such changes in a manner satisfactory to the Executive Director prior to the planned **dissemination**, the Executive Director may then grant permission to **disseminate**.

Time -

When permission **has been** granted, students may **disseminate** approved nonschool materials at the following times: **[Option(s) selected should align with language in the 220 draft policy. Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with AVTS practice.]**

☒ ☐ 15 minutes before the official start of school;

☐ ☐ _____ minutes after the official end of school;

☐ ☐ at school-sponsored activities;

☐ ☐ _____ (Other).

Place - **[Option(s) selected should align with language in the 220 draft policy. Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with AVTS practice.]**

☒ ☐ **Dissemination** of approved nonschool materials on school property will be permitted only in locations that allow for the normal flow of traffic within the school and its exterior doors, including on sidewalks located on school property paralleling school driveways. Building entrance walkways and building lobbies will not be utilized for such **dissemination**.

☐ ☐ **Dissemination** of approved nonschool materials will be permitted in the following locations:

_____.

☒ ☐ Nonschool materials may not be **disseminated** during any regularly scheduled class unless specifically authorized by the Executive Director.

☐ ☐ **Dissemination of approved nonschool materials will be permitted on the following school-owned technology sites or platforms:**

_____.

Manner - **[Option(s) selected should align with with language in the 220 draft policy. Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with AVTS practice.]**

☒ ☐ Materials approved to be **disseminated** may be required to display the appropriate school disclaimer, as directed by the Executive Director.

☐ ☐ All nonschool materials must bear the school disclaimer:

DISCLAIMER: THE ADMIRAL PEARY AREA VOCATIONAL TECHNICAL SCHOOL IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT,

SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE SCHOOL'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

{ X } All approved **nonschool** materials **displayed in a fixed location shall be officially dated and the school shall remove the materials within**

{ X } **ten (10) school days.**

{ } _____ **(Other).**

Any student who **disseminates** materials will be responsible for cleaning any **resulting** litter, including any discarded pamphlets, fliers or other documents.

No student will harass or otherwise interfere with the **dissemination** of approved nonschool material by student(s), nor may a student in any way compel or coerce a student to accept any materials.

Disciplinary Consequences

Any student who violates any provision of Policy 220 or these procedures will be subject to disciplinary action, **in accordance with Joint Operating Committee policy and the Code of Behavior and Discipline**, which may **in appropriate cases** include suspension and/or expulsion from the school.

Student Handbook

A copy of this procedure will be published in student handbooks.

Book	Policy Manual
Section	200 Pupils
Title	Dress and Grooming
Code	221
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.

Authority

The Joint Operating Committee has the authority to impose limitations on students' dress in school. The Joint Operating Committee will not interfere with the right of students and their parents/guardians to make decisions regarding their appearance, except when their choices disrupt the educational program of the school or constitute a health or safety hazard.^{[1][2]}

The Joint Operating Committee may require students to wear standard dress or uniforms, which may be required school-wide or by individual programs.^{[1][2]}

Students may be required to wear certain types of clothing while participating in physical education classes, technical education programs, extracurricular activities, or other situations where special attire may be required to ensure the health or safety of the student.^[2]

Delegation of Responsibility

The Executive Director or designee shall be responsible to monitor student dress and grooming, and to enforce Joint Operating Committee policy and school rules governing student dress and grooming.

The Executive Director or designee shall ensure that all rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.^[2]

Staff members shall be instructed to demonstrate, by example, positive attitudes toward safety, neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.^[3]

Legal	1. 24 P.S. 1317.3
	2. 22 PA Code 12.11
	3. Pol. 325

Book	Policy Manual
Section	200 Pupils
Title	Tobacco and Vaping Products
Code	222
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that tobacco and vaping products, including the product marketed as Juul and other 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, including Juuls and other electronic cigarettes.

Definition

State law defines the term **tobacco product** to broadly encompass not only tobacco but also vaping products including Juuls and other 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 Joint Operating Committee 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 Joint Operating Committee policy relating to Controlled Substances/Paraphernalia.*[4]

Authority

The Joint Operating Committee prohibits possession, use, purchase or sale of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, 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; on property owned, leased or controlled by the school; or at school-sponsored activities that are held off school property.[1][2][5]

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

The Joint Operating Committee 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; on property owned, leased or controlled by the school; or at school-sponsored activities that are held off school property.[4]

The Joint Operating Committee authorizes the confiscation and disposal of products prohibited by this policy.

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations to implement this policy.

The Executive Director or designee shall notify students, parents/guardians and staff about the Joint Operating Committee's tobacco and vaping products policy by publishing information in the Code of **Behavior and Discipline**, student handbooks, parental newsletters, posters, and by other efficient methods, such as posted notices, signs and on the school website.[2]

Reporting

Parental Report –

The **Executive** Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use, purchase or sale of a tobacco or vaping product, including a Juul or other e-cigarette, immediately, as soon as practicable. The **Executive** Director or designee shall inform the parent/guardian whether the local police department that has jurisdiction over the school property has been or may be notified of the incident. The **Executive** Director or designee shall document attempts made to reach the parent/guardian.[6][7][8]

Office for Safe Schools Report -

The **Executive** Director shall annually, by July 31, report all incidents of possession, use or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students to the Office for Safe Schools on the required form.[8][9]

Law Enforcement Incident Report –

The **Executive** Director or designee may report incidents of possession, use or sale of tobacco and vaping products, including Juuls or other e-cigarettes, by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or school-sponsored activity to the school police, School Resource Officer (SRO) or to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[1][2][6][8][9][10][11]

Guidelines

Violations **of** this policy **may result in** referrals **to** Student Assistance Programs **and appropriate disciplinary action**.[12][18]

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

Tampering with devices installed to detect use of tobacco or vaping products shall be deemed a violation of this policy and subject to disciplinary action.[12]

Students with Disabilities

In the case of a student with a disability, including a student for whom an evaluation is pending, the school shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[8][13][14][15][16][17]

Legal

[1. 18 Pa. C.S.A. 6305](#)

[2. 18 Pa. C.S.A. 6306.1](#)

3. Pol. 210

4. Pol. 227

[5. 20 U.S.C. 7973](#)

[6. 22 PA Code 10.2](#)

[7. 22 PA Code 10.25](#)

8. Pol. 805.1

[9. 24 P.S. 1303-A](#)

[10. 22 PA Code 10.22](#)

[11. 24 P.S. 1302.1-A](#)

12. Pol. 218

[13. 20 U.S.C. 1400 et seq](#)

[14. 22 PA Code 10.23](#)

15. Pol. 103.1

16. Pol. 113.1

17. Pol. 113.2

[24 P.S. 1850.1](#)

[20 U.S.C. 7114](#)

[20 U.S.C. 7118](#)

[20 U.S.C. 7971 et seq](#)

[34 CFR Part 300](#)

[Pennsylvania Department of Health Medical Marijuana Guidance for Schools and School Districts](#)

18. Pol. 236

Book	Policy Manual
Section	200 Pupils
Title	Use of Motor Vehicles
Code	223
Status	First Reading
Last Revised	June 7, 2023

Purpose

The Joint Operating Committee regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility by parents/guardians and students.

Authority

The Joint Operating Committee shall permit the use of motor vehicles by students in accordance with the school's administrative regulations and/or guidelines, provided that such students have followed established procedures and obtained the required permit, have parental permission when they are minors, and have been granted permission by the appropriate administrators to drive a motor vehicle on school grounds.^[1]

The Joint Operating Committee prohibits the use of mini-bikes, skateboards, ATV's and unauthorized vehicles on school property.

The Joint Operating Committee shall not be responsible for motor vehicles that are lost, stolen, or damaged, **or for injuries arising from their use.**

Delegation of Responsibility

The **Executive Director or designee** shall develop and disseminate **administrative regulations** for the operating and parking of **authorized** motor vehicles to affected students.

The **Executive Director or designee** shall establish standards for granting permits, which contain the warning that infraction of rules may result in revocation of the permit.

Legal

[1. 24 P.S. 779](#)

[2. 24 P.S. 1519](#)

[24 P.S. 1850.1](#)

Book	Policy Manual
Section	200 Pupils
Title	Care of School Property
Code	224
Status	From PSBA

Purpose

The Joint Operating Committee believes that the school should help students learn to respect property and develop feelings of pride in community institutions.

Authority

The Joint Operating Committee charges each student in the school with responsibility for the proper care of the school property, supplies and equipment entrusted to his/her use.

It is the policy of the Joint Operating Committee that students who willfully cause damage to school property shall be subject to disciplinary measures. Students and others who damage or deface school property may be prosecuted and punished under law. Parents/Guardians shall be held accountable for the actions of the student. [\[1\]](#)[\[2\]](#)[\[3\]](#)

The Joint Operating Committee may report to appropriate juvenile authorities any student whose damage of school property is serious or chronic in nature. In no case shall referral to juvenile authorities be made without prior notification to the student's parent/guardian. [\[4\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations to implement this policy. [\[5\]](#)[\[6\]](#)

The **Executive** Director shall submit a report on incidences of **vandalism** to the Joint Operating Committee on each occurrence.

Vandalism reports shall include the number and kind of incident, cost to the school, and related information the **Executive** Director deems necessary.

Legal	1. 24 P.S. 777
	2. Pol. 218
	3. Pol. 233
	4. 24 P.S. 1338
	5. 24 P.S. 109
	6. 24 P.S. 801

Book	Policy Manual
Section	200 Pupils
Title	Relations With Law Enforcement
Code	225 - Recommended to Retire
Status	From PSBA

-The original AVTS policy, 225, Relations With Law Enforcement, has not been included in the draft policy manual as a strong recommendation. This policy is no longer recommended mainly because the memorandum of understanding is the guidance document that will be referred to when dealing with a situation that would involve law enforcement officials. The memorandum of understanding will detail the procedures for notification and protocols for response by law enforcement officials; therefore, AVTS policy 225 is no longer necessary and could conflict with the memorandum of understanding. The topic will be more appropriately addressed in upcoming draft policy 805.1, Relations With Law Enforcement Agencies. It is strongly recommended the Board vote to retire policy 225. **Please review any concerns with a solicitor should the AVTS wish to retain this draft policy.**

Book	Policy Manual
Section	200 Pupils
Title	Searches
Code	226
Status	From PSBA

Purpose

The Joint Operating Committee acknowledges the need **to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the school’s interest in protecting and preserving the health, safety and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning.**

Authority

School officials have the authority to lawfully search students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, without a warrant, when in the school, on school grounds or when otherwise under supervision of the school, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Joint Operating Committee policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Joint Operating Committee has a compelling interest in protecting and preserving the health, safety and welfare of the school population, **which under certain circumstances may warrant general or** random searches of **students and their lockers, vehicles or other belongings without individualized suspicion, for the purpose of finding or preventing entry onto school property of controlled substances, weapons or other dangerous materials.**[\[5\]](#)[\[6\]](#)[\[7\]](#)

Delegation of Responsibility

The Joint Operating Committee authorizes **the administration to conduct searches of students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions in accordance with the standards set forth in this policy.**

The **Executive** Director or designee, **in consultation with the school’s solicitor,** shall develop **guidelines and procedures** to implement this policy, **and shall ensure that staff who are involved in carrying out searches or determining when searches will be conducted receive appropriate periodic training about such procedures and currently applicable legal standards.**[\[3\]](#)

Students, parents/guardians and staff shall be notified at least annually, or more often if deemed appropriate by administration, **about the standards and procedures in effect pursuant to this policy.**

Guidelines

Individualized Suspicion Searches

Students **or their belongings, including** lockers, automobiles, **electronic devices, purses, backpacks, clothing, and other** possessions, **may be searched without a warrant when in the school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited** contraband, material that would pose a threat to the health, safety and welfare of the school population, **or evidence that there has been a violation of the** law, Joint Operating Committee policy, or school rules. **The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.**[\[3\]](#)

In determining whether reasonable suspicion exists, the Executive Director or designee always should be able to articulate what is being looked for, and why it is thought to be located in the particular place to be searched. The scope of a search should be limited to the place or places the item sought is believed to be.

Examination by school staff of text messages, call logs, files, images or other data contained in a student's mobile telephone or other electronic device, without the student's consent, normally constitutes a search that must be justified by reasonable suspicion that material in violation of law, Joint Operating Committee policy or school rules, or evidence of such a violation, is contained in the particular files, directories or other data locations being examined in the device.

Random or General Searches Without Individualized Suspicion

Under certain circumstances, random or general searches of students and their belongings, including student lockers or vehicles parked on school property, may be conducted during the school day or upon entry into school buildings or school activities, in the absence of suspicion focused on a particular student or students, for the purpose of finding or preventing entry onto school property or activities of controlled substances, weapons or other dangerous materials. Such searches normally will be conducted in a minimally intrusive manner using screening methods such as dogs or other animals trained to detect controlled substances, explosives or other harmful materials by smell, as well as metal detectors and other technology. When such screening methods provide a reasonable suspicion that particular students, items or places possess or contain controlled substances, weapons or other dangerous material, screening may be followed by physical searches of those particular students, items or places on an individualized basis.

Random or general searches for weapons may be conducted when there are circumstances, information or events tending to indicate increased likelihood that students may be armed or headed for physical confrontation because of community strife or tensions, or as a continuation or escalation of a prior incident, in or out of the school, which threatens to spill over into the school, into a school-sponsored activity, or into other times and places that students are under supervision of the school.

Random or general searches for controlled substances may be conducted when there are circumstances, events or information tending to indicate significant drug use, possession or trafficking among students in the school.

Random or general searches not based on individualized suspicion must be approved in advance by the Executive Director or designee, in consultation with the school's solicitor. Coordination with law enforcement officials will be accomplished as provided in the memorandum of understanding with the applicable law enforcement agency.^[8]

Searches Upon Consent

Searches may be conducted at any time, with or without reasonable suspicion, if the student has given knowing and voluntary consent specific to the place to be searched.

The administration may establish rules and procedures governing certain privileges enjoyed by students, such as the privilege of parking a vehicle on school grounds, that make the student's consent to random searches or inspections a condition of access to the privilege.^[6]

Searches by or at the Request of Law Enforcement Officials

The legal standards governing searches initiated by school officials are less strict than the standards applicable to law enforcement authorities in many situations. When searches of students, student belongings, vehicles or lockers are conducted by or at the request of law enforcement officials, with or without the involvement of school staff, the law enforcement officials are solely responsible for ensuring that a warrant has been issued or that the circumstances otherwise permit the search to be lawfully conducted in accordance with the standards applicable to law enforcement actions. School staff will not interfere with or obstruct searches initiated by law enforcement, but may assist when law enforcement officials have requested such assistance and have represented that a warrant has been issued or that they otherwise have proper authority for a lawful search.^[8]

Locker Inspections and Searches

Lockers are assigned to or otherwise made available to students as a convenience for the safe storage of books, clothing, school materials and limited personal property, and to facilitate movement between classes and activities and to and from the school. Such lockers are and shall remain the property of the school, and to the extent students have any expectation of privacy of lockers at all, it is very limited.

No student may **place or keep in a locker any** substance or object that is prohibited by law, Joint Operating Committee policy or school rules, or **that** constitutes a threat to the health, safety or welfare of the occupants of the building or the building itself. **Students are required to ensure that their lockers do not contain spoiled food items or beverages, or soiled clothing which may attract pests, create odors or cause unhealthy conditions. A student locker may be opened and inspected for cleanliness, with or without the consent of the student, whenever there are odors, pests or other indications that a locker contains spoiled food, soiled clothing in need of laundering or similarly unhealthy matter.**

Students **are exclusively** responsible **for locking their assigned lockers to ensure the security of their personal belongings and school property entrusted to them. Students are permitted to secure their assigned lockers only with locks provided by the school, or if the school does not provide locks, personal combination locks for which the combination has been provided to designated staff.**

Prior to an individual locker search **or inspection**, the student **to whom the locker is assigned** shall be notified and be given a **reasonable** opportunity to be present. However, when **there is a** reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, student lockers may be searched without prior **notice to the student.**

The **Executive Director** or a **designated staff person** shall be present whenever a student locker is inspected for **cleanliness or is searched.** The **Executive Director or designee** shall **maintain** written records **of all occasions when a locker is searched or inspected.** Such records shall include the reason(s) for the search, persons present, objects found and their disposition.

Searches Involving Removal of Clothing or Examination Beneath Clothing

Searches of students involving the removal of undergarments or examination beneath undergarments are subject to stricter standards than are required to justify other searches of a student's person or belongings. Such searches are permitted only when the basis for suspicion establishes either:

- 1. That the reasons for believing that the items being searched for are concealed specifically inside undergarments are stronger reasons than grounds that would support only a more general reasonable suspicion that the student is in possession of the items or has them somewhere on the student's person; or,**
- 2. That the quantity or nature of the items being sought present a higher level of danger to the school population than other kinds of contraband.**

Searches involving the removal of or examination beneath any clothing of a student, other than jackets, coats or other outerwear, shall be conducted only by a staff person of the same gender as the student, with at least one (1) other staff person of the same gender present as a witness, and in a location assuring privacy from observation by persons not involved in the search or of the opposite sex.

Searches involving the removal of undergarments or examination beneath undergarments will be conducted only after consultation with the school's solicitor.

Handling and Disposal of Items Found in the Course of Searches

Any items or material found during a search or inspection, the student's possession of which is in violation of law, Joint Operating Committee policies or school rules, or otherwise is evidence of such a violation, may be confiscated, and may be used as evidence in student discipline proceedings or a criminal investigation, even if such items or material were not the original objective of the search or inspection.

The **Executive Director** shall be responsible **to ensure that confiscated items or material are properly inventoried and secured until the conclusion of disciplinary action, if any, and are then properly disposed of if not appropriate to be returned to the student. Items or materials that are evidence of a criminal offense, or that are not lawful for ordinary citizens to possess will be promptly turned over to proper law enforcement authorities for custody or disposal.**

Legal

[1. PA Const. Art. I Sec. 8](#)

[2. 24 P.S. 1850.1](#)

[3. 22 PA Code 12.14](#)

[4. U.S. Const. Amend. IV](#)

5. Pol. 218.1

6. Pol. 223

7. Pol. 227

8. Pol. 805.1

Inre F.B., 555 Pa. 661, 726 A.2d 361, 368 (1999)

Commonwealth v. Cass, 551 Pa. 25, 709 A.2d 350, 355-56 (1998)

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (U.S. 2009)

Book	Policy Manual
Section	200 Pupils
Title	Controlled Substances/Paraphernalia
Code	227
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the school shall strive to prevent abuse of controlled substances.

Definitions

For purposes of this policy, **controlled substances** shall mean all:[\[1\]](#)[\[2\]](#)

1. Controlled substances prohibited by federal and state law.
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 law.
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Joint Operating Committee policy.[\[3\]](#)[\[4\]](#)

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 drugs** 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 Joint Operating Committee 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 school-sponsored activities.[\[5\]](#)[\[6\]](#)

The Joint Operating Committee may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational or extracurricular 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 school shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)

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 Joint Operating Committee policy on student discipline.**[\[13\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations to identify and control substance abuse in the school which:

1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence, or distributing controlled substances.[\[14\]](#)[\[15\]](#)[\[16\]](#)
2. Disseminate to students, parents/guardians and staff the Joint Operating Committee policy and administrative regulations governing student use of controlled substances.
3. Provide education concerning the dangers of abusing controlled substances.
4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

Guidelines

Violations of this policy may result in referrals **to** Student Assistance Programs **and appropriate** disciplinary action, up to and including expulsion and referral for prosecution.[\[13\]](#)[\[17\]](#)[\[18\]](#)

The **Executive** Director or designee shall immediately report required incidents and may report discretionary incidents involving possession, use or sale of controlled substances on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or a school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[12\]](#)[\[14\]](#)[\[15\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)

The **Executive** Director or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The **Executive** Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The **Executive** Director or designee shall document attempts made to reach the parent/guardian.[\[12\]](#)[\[19\]](#)[\[22\]](#)

In accordance with state law, the Executive Director shall annually, by July 31, report all incidents of possession, use or sale of controlled substances to the Office for Safe Schools.[\[12\]](#)[\[15\]](#)

In all cases involving students and controlled substances, the need to protect the educational 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.

Reasonable Suspicion/Testing

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

Legal

[1. 35 P.S. 780-102](#)

[2. 21 U.S.C. 812](#)

3. Pol. 210

4. Pol. 210.1

[5. 24 P.S. 1850.1](#)

[6. 22 PA Code 12.3](#)

[7. 22 PA Code 10.23](#)

[8. 20 U.S.C. 1400 et seq](#)

9. Pol. 103.1

10. Pol. 113.1

11. Pol. 113.2

12. Pol. 805.1

13. Pol. 218

[14. 24 P.S. 1302.1-A](#)

[15. 24 P.S. 1303-A](#)

[16. 42 Pa. C.S.A. 8337](#)

17. Pol. 233

18. Pol. 236

[19. 22 PA Code 10.2](#)

[20. 22 PA Code 10.21](#)

[21. 22 PA Code 10.22](#)

[22. 22 PA Code 10.25](#)

[23. 35 P.S. 807.1](#)

[22 PA Code 403.1](#)

[35 P.S. 780-101 et seq](#)

[35 P.S. 807.1 et seq](#)

[21 U.S.C. 801 et seq](#)

[34 CFR Part 300](#)

Pol. 122

Pol. 805

Book	Policy Manual
Section	200 Pupils
Title	Student Government
Code	228
Status	From PSBA

Purpose

The Joint Operating Committee acknowledges the importance of offering students the opportunity to participate in self government within the school.

The purpose of student government shall be to develop student leadership, provide a learning experience in democratic decision-making and offer another avenue toward the realization of goals.

Authority

The Joint Operating Committee establishes that students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Joint Operating Committee.[\[1\]](#)[\[2\]](#)

The Joint Operating Committee will recognize the Student Council as the official voice of the student body.

The charter, constitution or bylaws of the organization for student government shall be **duly** adopted by the members of the student body it represents and approved by the Joint Operating Committee.

Guidelines

The Joint Operating Committee shall appoint a qualified member of the faculty to serve as an advisor for student government activities.[\[1\]](#)

Legal	1. 24 P.S. 511
	2. 24 P.S. 1850.1
	3. Pol. 618

Book	Policy Manual
Section	200 Pupils
Title	Student Fundraising
Code	229
Status	From PSBA

Purpose

The Joint Operating Committee acknowledges that solicitation of funds from students must be limited because compulsory attendance laws make the student a captive donor and such solicitation may disrupt the educational program of the school.

Definition

For purposes of this policy, student fundraising shall include solicitation and collection of money by students in exchange for goods or services.

Authority

The Joint Operating Committee prohibits the collection of money by a student for personal benefit in school buildings, on school property or at any school-sponsored activity.

Delegation of Responsibility

Collection of money by approved school organizations may be permitted by the **Executive Director**.

Collections by students on behalf of school organizations outside the school may be permitted only by the **Executive Director**.

The **Executive Director** or designee shall establish rules and administrative regulations to implement this policy which:

1. Limit the number of fundraisers in a year for any group.
2. Specify times and places in which funds may be collected.
3. Describe permitted methods of solicitation that do not place undue pressure on students or patrons.
4. Limit the kind and amount of advertising for solicitation.

The **Executive Director or designee** shall distribute this policy and relevant procedures to each student organization granted permission to solicit funds.

Funds solicited shall be controlled by Policy 618.[2]

Legal	1. 24 P.S. 511
	2. Pol. 618

Book	Policy Manual
Section	200 Pupils
Title	Public Performances by Students
Code	230
Status	From PSBA

Purpose

The Joint Operating Committee recognizes the value of students sharing their talents and skills with the community through student participation and performances in public events.

Authority

The Joint Operating Committee endorses public performances by students when they constitute a learning experience that contributes to the educational program; they do not interfere with other scheduled activities; and the circumstances of the event do not pose a threat to the health, safety or well-being of the students who are involved.[\[1\]](#)

Delegation of Responsibility

All requests for public performances by student groups require the approval of the **Executive** Director, who shall report such requests to the Joint Operating Committee.

The **Executive** Director or designee shall develop administrative regulations to implement this policy.

Legal [1. 24 P.S. 1850.1](#)

Book	Policy Manual
Section	200 Pupils
Title	Social Events and Class Trips
Code	231
Status	From PSBA

Purpose

The Joint Operating Committee recognizes the value of student social events and class trips in enhancing and enriching the school experience for students.

Authority

The Joint Operating Committee shall make school facilities available and provide appropriate staff for social events within the school facilities that have been approved by the **Executive** Director.[\[1\]](#)

Class trips and social events that take place outside of school facilities require approval by the Joint Operating Committee.

Guidelines

As voluntary participants in school social events and class trips, students shall be held responsible for compliance with Joint Operating Committee policies and school rules. Infractions of those policies and rules will be subject to the same disciplinary measures applied during the regular school program.[\[2\]](#)

Participation in school events is not a right and may be denied to any student who has demonstrated disregard for the policies and rules of the school.

Delegation of Responsibility

The **Executive** Director shall develop administrative regulations for the conduct of student social events and class trips.

Legal

[1. 24 P.S. 511](#)

[2. 24 P.S. 1850.1](#)

[24 P.S. 517](#)

Book	Policy Manual
Section	200 Pupils
Title	Student Involvement in Decision-Making
Code	232
Status	From PSBA

Purpose

The Joint Operating Committee believes that students should participate in the governance of school activities at levels appropriate to their ages and competencies because:

1. **As an institution fundamental to the operation of a democratic society, the school should strive to exemplify the democratic ideal of citizen participation in decision-making.**
2. As part of their educational development, students should be provided experiences and decision-making roles to prepare them for the future.
3. Students are a valuable resource whose contributions can aid and benefit the programs of the school.

Authority

The Joint Operating Committee directs that students be invited to participate in activities appropriate to their maturity and competency, leading to administrative decision-making.

Suggestions for improvement of the school may be offered by any student, provided they are of a constructive nature and contribute toward the realization of the school's educational goals.

Delegation of Responsibility

The **Executive** Director or designee shall develop rules to implement this policy which:

1. Provide for submission, consideration, and response to constructive student suggestions.
2. Designate the manner by which students shall be selected for participation in school matters.
3. Ensure that student participation is fairly representational of the whole student body.
4. **Ensure that the student voice and vote in decision-making is fairly balanced with those of faculty, administration and community members.**

Legal [24 P.S. 1850.1](#)

Book	Policy Manual
Section	200 Pupils
Title	Suspension and Expulsion
Code	233
Status	From PSBA

Purpose

The Joint Operating Committee recognizes that exclusion from the instructional program of the school, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Joint Operating Committee shall define and publish the types of offenses that would lead to exclusion from the school. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Authority

The Joint Operating Committee may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student.[\[1\]](#)[\[6\]](#)[\[7\]](#)

Every administrator or teacher in charge of the school may temporarily suspend any student for disobedience or misconduct.

Guidelines

Exclusion From School - Suspension

The **Executive Director** may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian in writing when the student is suspended.[\[1\]](#)[\[6\]](#)

No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.[\[1\]](#)

When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the **Executive Director**. Such hearing shall take place as soon as possible after the suspension, and the school shall offer to hold it within the first five (5) days of the suspension.[\[7\]](#)

Informal hearings under this provision shall be conducted by the **Executive Director**.

Purpose of Informal Hearing

The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses.[\[7\]](#)

Due Process Requirements for Informal Hearing[\[7\]](#)

1. The student and parent/guardian shall be given written notice of the reasons for the suspension.
2. The student and parent/guardian shall receive sufficient notice of the time and place of the informal hearing.
3. The student may question any witnesses present at the informal hearing.
4. The student may speak and produce witnesses who may speak at the informal hearing.
5. The school shall offer to hold the informal hearing within five (5) days of the suspension.

Exclusion From Class - In-School Suspension

No student may receive an in-school suspension without notice of the reasons for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian shall be informed of the suspension action taken by the school.[\[2\]](#)

Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the **Executive Director**. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions.[\[2\]](#)[\[7\]](#)

The school shall provide for the student's education during the period of in-school suspension.

Expulsion

Expulsion is exclusion from school by the Joint Operating Committee for a period exceeding ten (10) consecutive school days. The Joint Operating Committee may permanently expel from the school's rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Joint Operating Committee, a duly authorized committee of the Joint Operating Committee or a qualified hearing examiner appointed by the Joint Operating Committee, and upon action taken by the Joint Operating Committee after the hearing.[\[1\]](#)[\[6\]](#)[\[7\]](#)

Expulsion Hearings

A formal hearing shall be required in all expulsion actions.[\[1\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

The formal hearing shall observe the due process requirements of:[\[7\]](#)

1. Notification of the charges in writing by certified mail to the student's parent/guardian.
2. At least three (3) days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when s/he demonstrates good cause for an extension.
3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify and present witnesses on the student's behalf.
8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
 - a. The need for laboratory reports from law enforcement agencies.
 - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
 - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

Adjudication

A written adjudication shall be issued after the Joint Operating Committee has acted to expel a student. The adjudication may include additional conditions or sanctions.[\[9\]](#)

Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines.^[1]^[10]

Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the school may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others.

Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

Attendance/School Work After Expulsion

Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education. **Beginning with the academic year 2020-2021, compulsory school age shall mean no later than age six (6) until age eighteen (18); at that time, students under eighteen (18) years of age shall be subject to compulsory school attendance, and even though expelled, shall be provided an education.**^[1]^[10]^[11]

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Joint Operating Committee policies.^[12]^[13]

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations to implement this policy which include:

1. Publication of a Code **of Behavior and** Discipline, in accordance with Joint Operating Committee policy on student discipline.^[14]
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Joint Operating Committee policy on student records.^[15]
4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Joint Operating Committee. Such students may be designated by code.
5. Any student who has been expelled may apply for readmission to the school upon such conditions as may be imposed by the Joint Operating Committee.

Legal

[1. 22 PA Code 12.6](#)

[2. 22 PA Code 12.7](#)

[3. 22 PA Code 14.143](#)

[4. 20 U.S.C. 1400 et seq](#)

[5. 34 CFR Part 300](#)

[6. 24 P.S. 1318](#)

[7. 22 PA Code 12.8](#)

[8. 2 Pa. C.S.A. 101 et seq](#)

[9. 2 Pa. C.S.A. 101](#)

10. Pol. 204

[11. 24 P.S. 1326](#)

12. Pol. 113

13. Pol. 113.1

14. Pol. 218

15. Pol. 216

[22 PA Code 12.3](#)

Book	Policy Manual
Section	200 Pupils
Title	Pregnant/Married Students
Code	234
Status	From PSBA

Purpose

A student who is eligible to attend programs in the school shall not be denied an educational or vocational program solely because of marital status, pregnancy, pregnancy-related disabilities, parenthood or potential parenthood.[\[1\]](#)[\[2\]](#)

Authority

The Joint Operating Committee reserves the right to require as a prerequisite for attendance in the regular classes and participation in the extracurricular program of the school that each pregnant student present to the Executive Director or designee a licensed physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.[\[3\]](#)

Guidelines

A pregnant student whose mental or physical condition prevents her from attending regular classes, when such condition is certified by a licensed physician, may be assigned to an alternate educational program.

A student who has received an alternate educational program for reasons associated with her pregnancy shall be readmitted to the regular school program upon her request and the written statement of a licensed physician that she is physically fit to do so.

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations for implementing this policy which include:

1. Offering counseling services to help students plan their future.
2. Cooperation with community resources to assist students.
3. Development of a curriculum for the alternate educational program to which the pregnant student may be assigned on her request.

Legal

[1. 24 P.S. 1326](#)

[2. 22 PA Code 12.1](#)

[3. 24 P.S. 1850.1](#)

Book	Policy Manual
Section	200 Pupils
Title	Student Rights and Responsibilities
Code	235
Status	From PSBA

Purpose

This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.

Authority

The Joint Operating Committee has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of school students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Joint Operating Committee policy and school rules.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

Guidelines

Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Joint Operating Committee policies and school rules and regulations; respect for the rights of teachers, students, administrators and **all others who are involved in the educational process**; and expression of ideas and opinions in a respectful manner.[\[4\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

It shall be the responsibility of the student to:[\[7\]](#)

- 1. Be aware of all policies, rules and regulations for student behavior and conduct him/herself accordingly. Each student shall assume that, until a rule is waived, altered or repealed in writing, it is in effect.**[\[10\]](#)
- 2. Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.**
- 3. Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.**[\[12\]](#)
- 4. Assist the school staff in operating a safe school.**
- 5. Comply with federal, state and local laws.**
- 6. Exercise proper care when using school facilities, instructional materials and equipment.**[\[13\]](#)
- 7. Attend school daily and be on time to all classes and other school functions.**[\[9\]](#)
- 8. Make up work when absent from school.**
- 9. Pursue and attempt to satisfactorily complete the courses of study prescribed by local school authorities.**
- 10. Report accurately in student media.**[\[11\]](#)
- 11. Not use obscene language in student media or on school property.**[\[11\]](#)

Violations of this policy may result in disciplinary action, consistent with the Code of Behavior and Discipline and Joint Operating Committee policy.[\[10\]](#)[\[14\]](#)

A listing of students' rights and responsibilities shall be included in the Code **of Behavior and Discipline**, which shall be distributed annually to students and parents/guardians.[\[4\]](#)[\[10\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop administrative regulations consistent with law and Joint Operating Committee policy to ensure that student rights under specific conditions are properly recognized and maintained.

Legal

[1. 24 P.S. 1850.1](#)

[2. 22 PA Code 4.4](#)

[3. 22 PA Code 12.1](#)

[4. 22 PA Code 12.3](#)

[5. 22 PA Code 12.4](#)

[6. 22 PA Code 12.9](#)

[7. 22 PA Code 12.2](#)

8. Pol. 130

9. Pol. 204

10. Pol. 218

11. Pol. 220

12. Pol. 221

13. Pol. 224

14. Pol. 233

Pol. 103

Pol. 218.1

Pol. 218.2

Pol. 249

Pol. 705

Book	Policy Manual
Section	200 Pupils
Title	Surveys
Code	235.1
Status	From PSBA

Purpose

This policy sets forth guidelines regarding the conduct of surveys and collection and use of information for marketing purposes, consistent with law and regulations.

Definitions

Personal information means individually identifiable information, including a student's or parent's/guardian's **first and last name; home or physical address, including street name and the name of the city or town;** telephone number; or social security number.[\[1\]](#)

For purposes of this policy, protected information, as addressed by the Protection of Pupil Rights Amendment (PPRA), includes:[\[1\]](#)

1. Political affiliations or beliefs of the student or **student's** parent/guardian.
2. Mental or psychological problems of the student or student's family.
3. Sex behavior or attitudes.
4. Illegal, anti-social, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent/guardian.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Authority

Surveys conducted by outside agencies, organizations and individuals shall be approved by the Joint Operating Committee, based on the **Executive** Director's recommendation, prior to administration to students.

Guidelines

All surveys and instruments used to collect information from students shall relate to the school's educational objectives.[\[2\]](#)

U.S. Department of Education Funded Surveys

No student shall be required, **as part of any program funded in whole or in part by the U.S. Department of Education**, to submit to a survey, analysis or evaluation that reveals **protected** information without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years of age.[\[1\]](#)

All instructional materials, including teachers' manuals, audiovisuals, **or** other supplementary material, **that will be used in connection with any survey, analysis or evaluation as part of any program funded in whole or in part by the U.S. Department of Education** shall be made available for inspection by the parent(s)/guardian(s) of the student.[\[1\]](#)[\[3\]](#)

Surveys Funded by Other Sources

Parents/Guardians shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the **Executive** Director.[\[2\]\[1\]](#)

Parents/Guardians shall be informed of their right to have their child excluded from any research studies or surveys conducted by entities other than a school entity without prior written consent.[\[4\]\[2\]\[1\]](#)

Collection of Information for Marketing, Sales or Other Distribution Purposes

The school shall notify parents/guardians of any activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling, or otherwise providing the information to others for that purpose.[\[1\]](#)

The parent/guardian has the right to inspect the **instrument used in collection of personal information for the purpose of marketing or selling that information** and opt the student out of participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information.[\[1\]](#)

This **provision** does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students **or educational institutions, such as the following: recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs.**[\[1\]](#)

Privacy

The school shall implement procedures to protect student identity and privacy when a survey containing **one or more of the items listed under protected information is administered or distributed to a student and in the event of the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.**[\[1\]](#)

Student and Parent/Guardian Rights

Under federal law, the rights provided to parents/guardians under this policy transfer to the student when the student turns eighteen (18) years old or is an emancipated minor. These rights do not transfer under state law; therefore, parents/guardians retain their rights to receive notice and to inspect.[\[4\]\[2\]\[1\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall notify parents/guardians **and students** of:[\[1\]](#)

1. This policy and its availability.
2. **The specific or approximate dates during the school year when activities described above are scheduled, or expected to be scheduled.**
3. **How to opt their child out of participation in activities as provided in this policy.**
4. **How to request access to any survey or other material described in this policy.**

This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.

The Executive Director or designee shall establish administrative regulations for protecting student identity and privacy in the administration of protected information surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

Legal

[1. 20 U.S.C. 1232h](#)

[2. 22 PA Code 12.41](#)

3. Pol. 105.1

[4. 22 PA Code 4.4](#)

Book	Policy Manual
Section	200 Pupils
Title	Student Assistance Program
Code	236
Status	From PSBA

Purpose

The Joint Operating Committee is committed to assisting all students to achieve to their fullest potential.

Definition

Student Assistance Program (SAP) - a systematic process using effective and accountable professional techniques to mobilize school resources to remove the barriers to learning and, when the problem is beyond the scope of the school, to assist the parent/guardian and student with information so they may access services within the community. [\[1\]](#)

Authority

The Joint Operating Committee shall provide a Student Assistance Program (SAP) that assists school employees in identifying issues and providing assistance to students experiencing difficulties in learning and academic achievement. [\[2\]](#)[\[3\]](#)

Delegation of Responsibility

The **Executive** Director or designee shall develop, implement, **maintain** and monitor a Student Assistance Program (SAP) that complies with state regulations.

Guidelines

The Student Assistance Program (SAP) shall provide assistance in:

1. Identifying issues that pose a barrier to a student's learning and/or academic achievement.
2. Determining whether or not the identified problem lies within the responsibility of the school.
3. Informing the parent/guardian of a problem affecting the student's learning and/or academic achievement.
4. Making recommendations to assist the student and the parent/guardian.
5. Providing information on community resources and options to deal with the problem.
6. Establishing links with resources to help resolve the problem.
7. Collaborating with the parent/guardian, **school district of residence** and agency when students are involved in treatment through a community agency.
8. Providing a plan for in-school support services for the student during and after treatment.

Legal	1. 22 PA Code 12.16
	2. 24 P.S. 1547
	3. 22 PA Code 12.42
	22 PA Code 12.41
	42 Pa. C.S.A. 8337
	20 U.S.C. 1232g
	34 CFR Part 99

Book	Policy Manual
Section	200 Pupils
Title	Threat Assessment
Code	236.1 - New
Status	First Reading
Last Revised	June 14, 2023

-IMPORTANT NOTE: Please work the school solicitor and determine if any language contained in the policy guide would be better suited for AVTS administrative regulations in order to implement the Joint Operating Committee-level policy language. Any such language may be removed from the draft policy and placed in administrative regulations.

Purpose

The Joint Operating Committee is committed to protecting the health, safety and welfare of its students and the community and providing the resources and support to address identified student needs. The Joint Operating Committee adopts this policy to address student behavior that may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.^[1]

Authority

The Joint Operating Committee directs the Executive Director or designee, in consultation with the School Safety and Security Coordinator, to establish a threat assessment team and develop procedures for assessing and intervening with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.^[1]

Definitions

Behavioral service providers – includes, but is not limited to, a state, county or local behavioral health service provider, crisis intervention center or psychiatric hospital. The term includes a private service provider which contracts with a state, county or local government to act as a behavioral health agency.^[2]

Bias – the attitudes or beliefs we have about a person or group that affects our understanding, actions and decisions in a conscious or subconscious manner.^[3]

Individualized Management Plan – a plan developed for a student who is referred to the threat assessment team that documents the concerns that brought a student to the team’s attention, as well as the resources and supports a student might need based on the information gathered during the assessment.

Threat assessment – a fact-based process for the assessment of and intervention with students whose behaviors may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.

Delegation of Responsibility

-IMPORTANT NOTE: There is optional language preceded by brackets in the Delegation of Responsibility section regarding the appointment of a threat assessment team. **Note: school entities should only select one of the appropriate options if the designated team is made up of required personnel under 24 P.S. 1302-E.** If so, the JOC should determine which option(s) are in accordance with AVTS practice or wishes, in coordination with AVTS administration and the school solicitor in conjunction with other stakeholders. **Please place an X in the appropriate brackets to indicate the desired option. If the plan and team are developed differently, please review and revise the Delegation of Responsibility section as necessary.**

The Executive Director or designee, in consultation with the School Safety and Security Coordinator, shall appoint individuals to a school threat assessment team.^[1]

☒ individuals to a threat assessment team at each school building or campus in the school.

☐ the school’s Student Assistance Program team to serve as the threat assessment team.

☐ the school’s Safe2Say Something crisis team to serve as the threat assessment team.

{ } the school's suicide prevention crisis response/crisis intervention team to serve as the threat assessment team.

{ } the school's **_____** to serve as the threat assessment team.

The Executive Director or designee shall designate a member of the team as team leader for the threat assessment team.^[1]

The threat assessment team shall include the School Safety and Security Coordinator and individuals with expertise in school health; counseling, school psychology or social work; special education and school administration.^[1]

The Executive Director or designee may assign additional staff members or designated community resources to the threat assessment team for assessment and response support.

The Executive Director or designee shall develop and implement administrative regulations to support the threat assessment process.

Guidelines

Training

The School Safety and Security Coordinator shall ensure that threat assessment team members are provided individual and/or group training on:^[1]

1. Responsibilities of threat assessment team members.
2. Process of identifying, reporting, assessing, responding to and intervening with threats.
3. Identifying and avoiding racial, cultural or disability bias.^{[3][8]}
4. Confidentiality requirements under state and federal laws and regulations, and Joint Operating Committee policies.^{[4][6][9][10][11]}

Threat assessment team training shall be credited toward professional education requirements and school safety and security training requirements for staff, in accordance with applicable law and Joint Operating Committee policy.^{[1][6][13][14][15][16]}

Information for Students, Parents/Guardians and Staff

The school shall notify students, staff and parents/guardians about the existence and purpose of the threat assessment team through posting information on the school website, publishing in handbooks and through other appropriate methods.^[1]

The threat assessment team shall make available age-appropriate informational materials to students regarding recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other school reporting hotlines or methods. Informational materials shall be available for review by parents/guardians.^{[1][7][8][17][18][19]}

The threat assessment team shall make available informational materials for employees regarding recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other school reporting hotlines or methods. Information for school employees shall include a list of the staff members who have been appointed to the threat assessment team.^{[1][7][8][17][19]}

Reporting and Identification

The threat assessment team shall document, assess and respond to reports received regarding students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.^[1]

The threat assessment team shall assist in assessing and responding to reports that are received through the Safe2Say Something Program identifying students who may be a threat to themselves or others.^{[1][6]}

The threat assessment team shall assist in assessing and responding to reports of students exhibiting self-harm or suicide risk factors or warning signs, as identified in accordance with applicable law and Joint Operating Committee policy.^{[1][7]}

When the threat assessment team has made a preliminary determination that a student's reported behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others, the team shall immediately take the following steps:^[1]

1. **Notify the Executive Director or designee and School Safety and Security Coordinator of the reported threat.**
2. **Notify the Superintendent or designee at the student's district of residence of the reported threat, and coordinate to notify the student's parent/guardian of the reported threat.**

When a reported student's behavior indicates that there may be an imminent threat to the safety of the student or others, or an emergency situation, a threat assessment team member shall take immediate action, which may include promptly reporting to the appropriate law enforcement agency and school administration.^{[1][5][6][20]}

Where a threat assessment team member has reasonable cause to suspect that a reported situation indicates that a student may be a victim of child abuse, the member shall make a report of suspected child abuse in accordance with law and Joint Operating Committee policy.^{[1][21][22]}

Inquiry and Assessment

In investigating, assessing and responding to threat reports, the threat assessment team shall make a determination if the report should be addressed under one or more specific Joint Operating Committee policies or administrative regulations, based on the subject matter of the report and the requirements of law, regulations and Joint Operating Committee policy, including, but not limited to, reports involving:

1. **Discrimination/Title IX Sexual Harassment.**^{[8][17]}
2. **Bullying/Cyberbullying.**^[19]
3. **Suicide Awareness, Prevention and Response.**^[7]
4. **Hazing.**^[23]
5. **Dating Violence.**^[24]

Members of the threat assessment team, in coordination with the student's school district of residence, shall engage in an assessment of the reported student behavior that may indicate a threat, in accordance with training and established procedures. This process may include, but is not limited to:

1. **Interviewing the student, other students, staff, parents/guardians or others regarding the subject(s) of the reported threat.**
2. **Reviewing existing academic, health and disciplinary records and assignments, as appropriate, regarding the subject(s) of the report.**
3. **Conducting searches of lockers, storage spaces, and other possessions on school property as applicable, in accordance with applicable law, regulations and Joint Operating Committee policy.**^[25]
4. **Examining outside resources such as social media sites, in coordination with law enforcement, or contacting law enforcement, juvenile probation, or community agencies to request additional information about the subject(s) of the report, in accordance with law, regulations and Joint Operating Committee policies.**
5. **Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Student Assistance Program team, or others.**^{[4][26][27][28][29]}

The threat assessment team shall establish and implement procedures, in accordance with the school's Memorandum of Understanding, to address situations where the investigation of a reported threat shall be transferred to the appropriate law enforcement agency.^{[5][20]}

The threat assessment team may request that the county agency or juvenile probation department consult and cooperate with the team in assessing the student who is the subject of a preliminary determination regarding a threat.^[1]

When assessment of a student's behavior determines that it is not a threat to the student, other students, school employees, school facilities, the community or others, the threat assessment team shall document the assessment and may refer the student to other appropriate resources such as a child study team, the Student Assistance Program team, an IEP or Section 504 Team or other school supports and services.

Response and Intervention

The threat assessment team, in coordination with the student's school district of residence, shall develop an Individualized Management Plan for each student identified and assessed as posing a threat to the student, other students, school employees, school facilities, the community or others. The plan should document the team's evaluation of the threat and recommendations for disposition of the threat, including the information gathered during the assessment and recommendations for response and intervention.

Following notification to the student's parent/guardian, the threat assessment team, in coordination with the student's school district of residence, may refer the student to an appropriate program or take action to address the reported situation in accordance with applicable Joint Operating Committee policy, which may include, but is not limited to:[\[1\]](#)

1. A referral to the Student Assistance Program.[\[4\]](#)
2. A referral to the appropriate law enforcement agency.[\[5\]](#)[\[6\]](#)[\[20\]](#)
3. An appropriate evaluation to determine whether the student is a qualified student with a disability in need of a Section 504 Service Agreement or in need of special education services through an Individualized Education Program (IEP), in accordance with applicable law and Joint Operating Committee policy.[\[26\]](#)[\[27\]](#)
4. A referral to the student's IEP Team to review and address the student's IEP and/or Positive Behavior Support Plan. This could include, but is not limited to, a manifestation determination or functional behavioral assessment in accordance with applicable law, regulations and Joint Operating Committee policy.[\[27\]](#)[\[28\]](#)[\[29\]](#)
5. A referral to the student's Section 504 Team to review and address the student's Section 504 Service Agreement and/or Positive Behavior Support Plan.[\[26\]](#)
6. With prior parental consent, a referral to a behavioral service provider, health care provider or county agency.[\[30\]](#)
7. Addressing behavior in accordance with applicable discipline policies and the Code of Behavior and Discipline.[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)
8. Ongoing monitoring of the student by the threat assessment team, a child study team, Student Assistance Program team or other appropriate personnel.
9. Taking steps to address the safety of any potential targets identified by the reported threat.[\[6\]](#)[\[35\]](#)

Safe Schools Incident Reporting –

For Safe Schools reporting purposes, the term incident means an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[20\]](#)[\[36\]](#)[\[37\]](#)[\[38\]](#)

When a reported threat also meets the definition of an incident under the Safe Schools Act, in accordance with reporting requirements, the Executive Director or designee shall immediately report required incidents, if not previously reported by school staff, and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or a school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Joint Operating Committee policies.[\[20\]](#)[\[31\]](#)[\[36\]](#)[\[37\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)

The Executive Director or designee shall notify the parent/guardian, if not previously notified by school staff, of any student directly involved in an incident on school property, at any school-sponsored activity or on a conveyance providing transportation to or from the school or a school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Executive Director or designee will inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Executive Director or designee will document attempts made to reach the parent/guardian.[\[20\]](#)[\[36\]](#)[\[42\]](#)

Students With Disabilities –

When reporting an incident committed by a student with a disability or referring a student with a disability to a law enforcement agency, the school shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The school shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[9][11][43][44][45][46]

Monitoring and Management

If a student has an Individualized Management Plan, the threat assessment team shall monitor the Individualized Management Plan and coordinate with the designated team or resource to provide support and follow-up assessment as necessary. Follow-up assessments, referrals, re-entry plans and other supports shall be documented as part of the student's Individualized Management Plan.

The threat assessment team, in coordination with the student's school district of residence, other appropriate teams and supports, shall determine when the student's Individualized Management Plan is no longer needed for disposition of the threat(s), and may transfer appropriate information in accordance with applicable law, regulations and Joint Operating Committee policy.[4][7][9][11][26][27]

Records Access and Confidentiality

In order to carry out their duties and facilitate the timely assessment of and intervention with students whose behavior may indicate a threat, the threat assessment team shall have access to the following student information to the extent permitted under applicable law and regulations:[1]

1. Student health records.[47][48]
2. Prior school disciplinary records.[9][11][49]
3. Records related to adjudication under applicable law and regulations.[49][50][51][52][53][54]
4. Records of prior behavioral or mental health or psychological evaluations or screenings maintained by the school entity.
5. Other records or information that may be relevant to evaluating a threat or determining treatment or referral options for a student that are maintained by the school entity.

The threat assessment team shall use all information or records obtained in fulfilling the team's duty in accordance with law to evaluate a threat or to recommend disposition of a threat. Team members shall not redisclose any record or information obtained or otherwise use any record of a student beyond the purpose for which the disclosure was made to the team, in accordance with law.[1]

The threat assessment team shall maintain confidentiality and handle all student records in accordance with applicable law, regulations, Joint Operating Committee policy, the Student Records Plan and the school's legal and investigative obligations.[4][7][9][10][11][19][43][46][49][55]

Threat assessment members whose other assignments and roles require confidentiality of specific student communications, in accordance with law, shall ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Joint Operating Committee policy and administrative regulations.[10][56][57][58][59]

Annual Joint Operating Committee Report

The threat assessment team shall provide the required information to the Executive Director, in consultation with the School Safety and Security Coordinator, to annually develop and present to the Joint Operating Committee, at an executive session, a report outlining the school's approach to threat assessment, which shall include:[1]

1. Verification that the school's threat assessment team and process complies with applicable law and regulations.
2. The number of threat assessment teams assigned in the school, and their composition.
3. The total number of threats assessed that year.
4. A summary of interactions with outside law enforcement agencies, juvenile probation and behavioral service providers.
5. An assessment of the school's threat assessment team(s) operation.

6. **Recommendations for improvement of the school's threat assessment processes.**

7. **Any additional information required by the Executive Director or designee.**

The annual threat assessment report shall be presented as part of the annual report to the Joint Operating Committee by the School Safety and Security Coordinator on school safety and security practices.[\[1\]](#)^[5]

The threat assessment team's information addressing verification of compliance with law and regulations, the number of threat assessment teams assigned in the school and their composition, the total number of threats assessed that year, and any additional information required by the Executive Director or designee shall be included in the School Safety and Security Coordinator's annual report on school safety and security practices that is submitted to the state's School Safety and Security Committee.[\[1\]](#)^[5][\[60\]](#)

Legal

[1. 24 P.S. 1302-E](#)

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

3. Pol. 832

4. Pol. 236

5. Pol. 805.2

6. Pol. 805

7. Pol. 819

8. Pol. 103

9. Pol. 113.3

10. Pol. 207

11. Pol. 216

12. Pol. 146.1

[13. 24 P.S. 1205.2](#)

[14. 24 P.S. 1205.5](#)

[15. 24 P.S. 1310-B](#)

16. Pol. 333

17. Pol. 104

18. Pol. 105.1

19. Pol. 249

20. Pol. 805.1

[21. 23 Pa. C.S.A. 6311](#)

22. Pol. 806

23. Pol. 247

24. Pol. 252

25. Pol. 226

26. Pol. 103.1

27. Pol. 113

28. Pol. 113.1

29. Pol. 113.2

30. Pol. 146

31. Pol. 218

32. Pol. 218.1

33. Pol. 218.2

34. Pol. 233

35. Pol. 709

[36. 22 PA Code 10.2](#)

[37. 24 P.S. 1303-A](#)

[38. 35 P.S. 780-102](#)

[39. 22 PA Code 10.21](#)

[40. 22 PA Code 10.22](#)

[41. 24 P.S. 1302.1-A](#)

[42. 22 PA Code 10.25](#)

[43. 20 U.S.C. 1232g](#)

[44. 20 U.S.C. 1415](#)

[45. 34 CFR Part 300](#)

[46. 34 CFR Part 99](#)

[47. 24 P.S. 1409](#)

48. Pol. 209

49. Pol. 216.1

[50. 24 P.S. 1304-A](#)

[51. 24 P.S. 1305-A](#)

[52. 24 P.S. 1307-A](#)

[53. 42 Pa. C.S.A. 6341](#)

54. Pol. 218.3

[55. 24 P.S. 1304-D](#)

[56. 22 PA Code 12.12](#)

[57. 42 Pa. C.S.A. 5945](#)

[58. 42 Pa. C.S.A. 8337](#)

[59. 42 CFR Part 2](#)

[60. 24 P.S. 1309-B](#)

[20 U.S.C. 1400 et seq](#)

[35 P.S. 7601 et seq](#)

Pol. 203.1

[PA Commission on Crime and Delinquency, School Safety and Security Committee Model K-12 Threat Assessment Procedures and Guidelines](#)

Book	Policy Manual
Section	200 Pupils
Title	Electronic Devices
Code	237
Status	

Purpose

The Joint Operating Committee adopts this policy in order to support an educational environment that is orderly, safe and secure for students and employees, while also recognizing that electronic devices may provide a positive contribution when used for educational purposes.

Definition

Electronic devices shall include all devices that can take photographs; record, play or edit audio or video data; store, transmit or receive calls, messages, text, data or images; operate online applications; or provide a wireless, unfiltered connection to the Internet.

Authority

The Joint Operating Committee prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.[\[1\]](#)[\[2\]](#)

Authorized Use of Electronic Devices

The Joint Operating Committee authorizes use of electronic devices in the classroom, in education-related activities and in approved locations under the supervision of the classroom teacher or staff for educational purposes. All use shall be in compliance with the Code of Behavior and Discipline and Joint Operating Committee policy, or as designated in an Individualized Education Program (IEP) or Section 504 Service Agreement.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

{X} **Students may use their personal electronic devices, in accordance with Joint Operating Committee policy, only with written parental consent on a form provided by the school.**

{ X} **The Joint Operating Committee directs that electronic devices may be used in authorized areas or as determined by the Executive Director as follows:**

- 1. For educational or instructional purposes, as determined and supervised by the classroom teacher.**
- 2. Before and after school, during break time and study hall if authorized by the classroom teacher.**
- 3. When the educational, safety, emergency, medical or security use of the electronic device is approved by the Executive Director or designee, or the student's Individualized Education Program (IEP) or Section 504 team. In such cases, the student's use must be supervised by a classroom teacher or school staff.**[\[3\]](#)[\[4\]](#)

The Joint Operating Committee prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

The school shall not be liable for the loss, damage or misuse of any electronic device.

Electronic Images and Photographs

The Joint Operating Committee prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Because such violations may constitute a crime under state and/or federal law, the school may report such conduct to state and/or federal law enforcement agencies.

Delegation of Responsibility

The **Executive** Director or designee shall annually notify students, parents/guardians and **employees** about the electronic device policy.

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

Guidelines

Violations of this policy by a student shall result in disciplinary action and may result in confiscation of the electronic device.[5][8][9]

Legal

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

[2. 24 P.S. 1850.1](#)

3. Pol. 103.1

4. Pol. 113

5. Pol. 218

6. Pol. 815

7. Pol. 235

8. Pol. 226

9. Pol. 233

Book	Policy Manual
Section	200 Pupils
Title	Contests
Code	240 - Recommended to Retire
Status	From PSBA

-The original AVTS policy, 240, Contests, has not been included in the draft policy manual. This language is a bit procedural, not recommended for policy, and might be better retained as an administrative regulation. A draft of said policy can be created in the web-based system for consideration or JOC review at AVTS request. It is recommended the JOC vote to retire policy 240 and possibly institute the guidelines as an administrative regulation.

Book	Policy Manual
Section	200 Pupils
Title	School Wellness
Code	246 - New
Status	First Reading
Last Revised	June 13, 2023

Purpose

Admiral Peary Area Vocational Technical School recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development and readiness to learn. The Joint Operating Committee is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education and promotion, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.

Authority

The Joint Operating Committee adopts this policy based on the recommendations of the Wellness Committee and in accordance with federal and state laws and regulations.[\[1\]](#)[\[2\]](#)

To ensure the health and well-being of all students, the Joint Operating Committee establishes that the school shall provide to students:

1. A comprehensive nutrition program consistent with federal and state requirements.
2. Access at reasonable cost to foods and beverages that meet established nutrition guidelines.
3. Opportunities for developmentally appropriate physical activity during the school day.
4. Curriculum and programs that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

Delegation of Responsibility

The Executive Director or designee shall be responsible for the implementation and oversight of this policy to ensure the school's programs and curriculum are compliant with this policy, related policies and established guidelines or administrative regulations.[\[1\]](#)[\[2\]](#)

Staff members responsible for programs related to school wellness shall report to the Executive Director or designee regarding the status of such programs.

The Executive Director or designee and the established Wellness Committee shall conduct an assessment at least once every three (3) years on the contents and implementation of this policy as part of a continuous improvement process to strengthen the policy and ensure implementation. This triennial assessment shall be made available to the public in an accessible and easily understood manner and include:[\[1\]](#)[\[2\]](#)

1. The extent to which the school is in compliance with law and policies related to school wellness.
2. The extent to which this policy compares to model wellness policies.
3. A description of the progress made by the school in attaining the goals of this policy.

At least once every three (3) years, the school shall update or modify this policy as needed, based on the results of the most recent triennial assessment and/or as school and community needs and priorities change; wellness goals are met; new health science, information and technologies emerge; and new federal or state guidance or standards are issued.[\[2\]](#)

The school shall annually inform and update the public, including parents/guardians, students, and others in the community, about the contents, updates and implementation of this policy via the school website, student handbooks, newsletters, posted notices and/or other efficient communication methods. This annual notification shall include

information on how to access the School Wellness policy; information about the most recent triennial assessment; information on how to participate in the development, implementation and periodic review and update of the School Wellness policy; and a means of contacting Wellness Committee leadership.[1][2]

Guidelines

-IMPORTANT NOTE: There are options preceded by brackets in the Guidelines section. All of these options are included strictly for the consideration of the AVTS, and there is an additional space under each subsection to add other AVTS-specific practices, if applicable. It should be determined if any of these options are in accordance with AVTS practice or wishes. If any of the options are desired, **please be sure to place an X in the brackets to indicate such language should be included. If any language is not desired, please strike or delete such language.** The draft revision process is a good time for the administration and Wellness Committee to review currently established goals, assess if they meet the requirements under federal law, and revise as necessary.

Recordkeeping

The school shall retain records documenting compliance with the requirements of the School Wellness policy, which shall include:[2][3]

1. The written School Wellness policy.
2. Documentation demonstrating that the school has informed the public, on an annual basis, about the contents of the School Wellness policy and any updates to the policy.
3. Documentation of efforts to review and update the School Wellness policy, including who is involved in the review and methods used by the school to inform the public of their ability to participate in the review.
4. Documentation demonstrating the most recent assessment on the implementation of the School Wellness policy and notification of the assessment results to the public.

Wellness Committee

The school shall establish a Wellness Committee comprised of, but not necessarily limited to, at least one (1) of each of the following: Joint Operating Committee member, a school administrator, food service representative, student, parent/guardian, school health professional and member of the public. It shall be the goal that committee membership will reflect the diversity of the community.[1]

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing, implementing and periodically reviewing and updating a School Wellness policy that complies with law to recommend to the Joint Operating Committee for adoption.

The Wellness Committee shall review and consider evidence-based strategies and techniques in establishing goals for nutrition education and promotion, physical activity and other school based activities that promote student wellness as part of the policy development and revision process.[2]

Nutrition Education

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.[4][5][6]

{ } Nutrition education in the school shall teach, model, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

{ } Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.

{ } Nutrition education lessons and activities shall be age-appropriate.

{ } Nutrition curriculum shall teach behavior-focused skills, which may include menu planning, reading nutrition labels and media awareness.

{ } The school's food service and nutrition education classes shall cooperate to create a learning laboratory.

{ } Lifelong lifestyle balance shall be reinforced by linking nutrition education and physical activity.

{ } The staff responsible for providing nutrition education shall be properly trained and prepared and shall participate in appropriate professional development. The school shall develop standards for such training and professional development.[7]

{ } Nutrition education shall extend beyond the school environment by engaging and involving families and communities, in conjunction with participating school districts.

{X } Sending School Shall Provide Nutrition Education for Students and Parents.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school culinary programs.

{ } The school shall promote nutrition through the implementation of Farm to School activities, where possible. Activities may include, but not be limited to, the initiation/maintenance of gardens, taste-testing of local products in the cafeteria and classroom, classroom education about local agriculture and nutrition, field trips to local farms and incorporation of local foods into school culinary programs.

{ } School staff shall cooperate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition.

{ } School food service personnel shall review and implement research-based, behavioral economics techniques in the cafeteria to encourage consumption of more whole grains, fruits, vegetables and legumes, and to decrease plate waste.

{ } Consistent nutrition messages shall be disseminated and displayed throughout the school, classrooms, cafeterias, participating school districts, homes, community and media.

{ } Consistent nutrition messages shall be demonstrated by avoiding use of unhealthy food items in classroom lesson plans and school staff avoiding eating less healthy food items in front of students.

{ } The school shall offer resources about health and nutrition to encourage parents/guardians to provide healthy meals for their children.

{X } The Sending School shall provide resources about health and nutrition to the students/ parents/ guardians to provide healthy meals for their children.

Physical Activity

{ } The school shall strive to provide opportunities for developmentally appropriate physical activity during the school day for all students.

{ } The school shall contribute to the effort to provide students opportunities to accumulate at least sixty (60) minutes of age-appropriate physical activity daily, as recommended by the Centers for Disease Control and Prevention. Opportunities offered at the school will augment physical activity outside the school environment, such as outdoor play at home, sports, etc.

{ } Students shall participate daily in a variety of age-appropriate physical activities designed to achieve optimal health, wellness, fitness and performance benefits.

{ } Age-appropriate physical activity opportunities, such as before and after school programs, clubs, and intramurals , shall be provided to meet the needs and interests of all students,

{ } A physical and social environment that encourages safe and enjoyable activity for all students shall be maintained.

{ } Extended periods of student inactivity, two (2) hours or more, shall be discouraged.

{ } Physical activity breaks shall be provided for students during classroom hours.

{ } Before and/or after-school programs shall provide developmentally appropriate physical activity for participating children.

{ } The school shall partner with parents/guardians and community members, participating school districts and organizations, such as YMCAs, Boys & Girls Clubs, local and state parks, hospitals, etc., to institute programs that support lifelong physical activity.

{ } Physical activity shall not be used or withheld as a form of punishment.

{ } The school shall promote physical activity through encouragement of walking and biking as a means of transportation to and from the school.

{ } Students and their families shall be encouraged to utilize school-owned physical activity facilities, such as playgrounds and fields, outside school hours in accordance with established rules.

{X } Sending schools shall provide information of the availability of physical activities at their facilities.

Physical Education

A sequential physical education program consistent with curriculum regulations and Health, Safety and Physical Education academic standards shall be developed and implemented at each student's school of residence. All students must participate, as appropriate, in their sending school district's physical education if provided by the school.[5][6][8]

Other School Based Activities

Safe drinking water shall be available and accessible to students, without restriction and at no cost to the student, throughout the school day.[9][10][11][12]

Nutrition professionals who meet hiring criteria established by the school and in compliance with federal regulations shall administer appropriate programs. Professional development and continuing education shall be provided for nutrition staff, as required by federal regulations.[7][13][14][15]

{ } The school shall provide adequate space, as defined by the school, for eating and serving food.

{ } Students shall be provided a clean and safe environment for the preparation and eating of food.

{ } Students shall have access to hand washing or sanitizing before meals and snacks.

{ } Access to the food service operation shall be limited to authorized staff.

{ } Nutrition content of school meals shall be available to students and parents/guardians.

{ } Students and parents/guardians may be involved in menu selections through various means, such as taste testing and surveys.

{ } To the extent possible, the school shall utilize available funding and outside programs to enhance student wellness.

{ } The school shall provide appropriate training to all staff on the components of the School Wellness policy.

{ } Goals of the School Wellness policy shall be considered in planning all school based activities.

{ } Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness.

{ } Administrators, teachers, food service personnel, students, parents/guardians and community members shall be encouraged to serve as positive role models through school programs, communications and outreach efforts.

{ } The school shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for children by communicating relevant information through various methods.

{X } The school shall maintain a healthy school environment to optimize conditions for learning and minimize potential health risks to students, in accordance with the school's school environmental health program and applicable laws and regulations.

{ } _____ other.

Nutrition Guidelines for All Foods/Beverages at the School

All foods and beverages available in the school during the school day shall be offered to students with consideration for promoting student health and reducing obesity.

Foods and beverages provided through the National School Lunch or School Breakfast Programs shall comply with established federal nutrition standards.[9][10][13][14]

Foods and beverages offered or sold at school-sponsored events outside the school day, such as athletic events and dances, shall offer healthy alternatives in addition to more traditional fare.

Competitive Foods -

Competitive foods available for sale shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School). These standards shall apply in all locations and through all services where foods and beverages are sold to students, which may include, but are not limited to: a la carte options in cafeterias, vending machines, school stores, snack carts and fundraisers.[2][16][17]

Competitive foods are defined as foods and beverages offered or sold to students on school campus during the school day, which are not part of the reimbursable school breakfast or lunch.

For purposes of this policy, **school campus** means any area of property under the jurisdiction of the school that students may access during the school day.[2][16]

For purposes of this policy, **school day** means the period from midnight before school begins until thirty (30) minutes after the end of the official school day.[2][16]

The school may impose additional restrictions on competitive foods, provided that the restrictions are not inconsistent with federal requirements.[\[16\]](#)

Fundraiser Exemptions -

Fundraising activities held during the school day involving the sale of competitive foods shall be limited to foods that meet the Smart Snacks in School nutrition standards, unless an exemption is approved in accordance with applicable Joint Operating Committee policy and administrative regulations.[\[18\]](#)

The school may allow a limited number of exempt fundraisers as permitted by the Pennsylvania Department of Education each school year: up to ten (10) exempt fundraisers. **Exempt fundraisers** are fundraisers in which competitive foods are available for sale to students that do not meet the Smart Snacks in School nutrition standards.[\[16\]](#)

The school shall establish administrative regulations to implement fundraising activities, including procedures for requesting a fundraiser exemption.

Non-Sold Competitive Foods -

Non-sold competitive foods available to students, which may include but are not limited to foods and beverages offered as rewards and incentives, at classroom parties and celebrations, or as shared classroom snacks, shall meet or exceed the standards established by the school.

If the offered competitive foods do not meet or exceed the Smart Snacks in School nutrition standards, the following standards shall apply:

1. Rewards and Incentives:

- a. Foods and beverages **may be** used as a reward or incentive in the school.

2. Classroom Parties and Celebrations:

- a. Classroom parties/celebrations with food/beverages shall be limited to no more than one (1) per month in each classroom.

3. Shared Classroom Snacks:

- a. Shared classroom snacks **may be** permitted in the school.

The school shall provide a list of suggested nonfood ideas and healthy food and beverage alternatives to parents/guardians and staff, which may be posted via the school website, student handbooks, newsletters, posted notices and/or other efficient communication methods.

Marketing/Contracting -

Any foods and beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School) and comply with established Joint Operating Committee policy and administrative regulations.[\[2\]](#)[\[16\]](#)

Exclusive competitive food and/or beverage contracts shall be approved by the Joint Operating Committee, in accordance with provisions of law. Existing contracts shall be reviewed and modified to the extent feasible to ensure compliance with established federal nutrition standards, including applicable marketing restrictions.[\[19\]](#)

Management of Food Allergies in the School

The school shall establish Joint Operating Committee policy and administrative regulations to address food allergy management in the school in order to:[\[20\]](#)

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.
2. Ensure a rapid and effective response in case of a severe or potentially life-threatening allergic reaction.
3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities.

[4. 24 P.S. 1513](#)

5. Pol. 102

6. Pol. 105

7. Pol. 808

[8. 24 P.S. 1512.1](#)

[9. 7 CFR 210.10](#)

[10. 7 CFR 220.8](#)

[11. 24 P.S. 701](#)

[12. 24 P.S. 742](#)

[13. 42 U.S.C. 1751 et seq](#)

[14. 42 U.S.C. 1773](#)

[15. 7 CFR 210.30](#)

[16. 7 CFR 210.11](#)

[17. 7 CFR 220.12](#)

18. Pol. 229

[19. 24 P.S. 504.1](#)

20. Pol. 209.1

[24 P.S. 1337.1](#)

[24 P.S. 1422.3](#)

[24 P.S. 1850.1](#)

[P.L. 111-296](#)

[7 CFR Part 210](#)

[7 CFR Part 220](#)

Pol. 103

Pol. 103.1

Book	Policy Manual
Section	200 Pupils
Title	Hazing
Code	247
Status	First Reading
Last Revised	June 7, 2023

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school and are prohibited at all times.

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[\[1\]](#)

- 1. Violate federal or state criminal law.**
- 2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.**
- 3. Endure brutality of a physical nature, including** whipping, beating, branding, calisthenics or exposure to the elements.
- 4. Endure brutality of a mental nature, including** activity adversely affecting the mental health or dignity of the individual, **sleep deprivation**, exclusion from social contact **or** conduct **that** could result in extreme embarrassment.
- 5. Endure brutality of a sexual nature.**
- 6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.**

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:[\[2\]](#)

- 1. The person acts with reckless indifference to the** health and safety of the student; **or**
- 2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.**

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.[\[3\]](#)[\[4\]](#)

Any activity, **as described above, shall be deemed a violation of this policy regardless of whether:**[\[5\]](#)

- 1. The consent of the student was sought or obtained, or**
- 2. The conduct was sanctioned or approved by the school or organization.**

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the school, whose members are primarily students or alumni of the organization.[\[6\]](#)[\[7\]](#)

For purposes of this policy, bodily injury shall mean impairment of physical condition or substantial pain.[\[8\]](#)

For purposes of this policy, serious bodily injury shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.[\[8\]](#)

Authority

The Joint Operating Committee **prohibits** hazing in connection with any **student** activity or organization **regardless of whether the conduct occurs on or off school property or outside of school hours.**[\[4\]](#)[\[5\]](#)[\[7\]](#)[\[9\]](#)

No student, **parent/guardian**, coach, sponsor, volunteer or school employee shall engage in, condone or **ignore** any form of hazing.

The Joint Operating Committee encourages students **who believe they, or others**, have been subjected to hazing to promptly report such incidents to the **Executive Director or designee**.

Title IX Sexual Harassment and Other Discrimination

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a hazing investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.[\[10\]](#)[\[11\]](#)

Delegation of Responsibility

Students, **parents/guardians**, coaches, sponsors, volunteers, and school employees shall be alert to incidents of hazing and shall report such conduct to the **Executive Director or designee**.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[12\]](#)[\[13\]](#)

Guidelines

In addition to posting this policy on the school's publicly accessible website, the school shall inform students, parents/guardians, sponsors, volunteers and **school employees of the school's policy** prohibiting hazing, **including school rules, penalties for violations of the policy, and the program established by the school for enforcement of the policy** by means of distribution of written policy, publication in handbooks, presentation at an assembly, **verbal instructions by the coach or sponsor at the start of the season or program and** posting of notice/signs.[\[4\]](#)

This policy, along with other applicable school policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct.[\[7\]](#)

Complaint Procedure

A student who believes **that they have** been subject to hazing **is encouraged to** promptly report the incident to the **Executive Director or designee**.

Students are encouraged to use the school's report form, available from the Executive Director, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Joint Operating Committee directs that verbal and written complaints of hazing **shall be provided to the Executive Director or designee, who shall then determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Joint Operating Committee directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Joint Operating Committee policies.**

Interim Measures/Police

Upon receipt of a complaint of hazing, the Executive Director or designee shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to the police consistent with school practice and, as appropriate, consult with legal counsel about whether to report the matter to the police at every stage of the proceeding. The decision to report a matter to the police should not involve an analysis by school personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with the police in this regard.[\[14\]](#)

Referral to Law Enforcement and Safe Schools Reporting Requirements –

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[15\]](#)[\[16\]](#)[\[17\]](#)

The Executive Director or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, 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 local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Joint Operating Committee policies.[\[15\]](#)[\[16\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)^[21]

The Executive Director or designee shall notify the parent/guardian of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Executive Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.[\[15\]](#)^[21][\[22\]](#)

In accordance with state law, the Executive Director shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[16\]](#)^[21]

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the school's legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if the individual complies with the requirements under law, subject to the limitations set forth in law.[\[14\]](#)

Students –

If the investigation results in a substantiated finding of hazing, **the investigator** shall recommend appropriate disciplinary action **up to and including expulsion**, as circumstances warrant, in accordance with the Code of **Behavior and Discipline**. The student may **also** be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity **or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.**[\[4\]](#)[\[7\]](#)[\[14\]](#)^[23]^[24]

Nonstudent Violators/Organizational Hazing -

If the investigation results in a substantiated finding that a coach, sponsor, **or volunteer** affiliated with the **student activity or organization engaged in**, condoned or ignored any **violation of this policy, the coach, sponsor, or volunteer** shall be disciplined **in accordance with Joint Operating Committee policy and applicable laws and regulations**. Discipline could include, **but is not limited to**, dismissal from the position as coach, sponsor, **or volunteer, and/or dismissal from school employment.**^[25]

If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the school.

Criminal Prosecution –

Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[4]

Legal

[1. 18 Pa. C.S.A. 2802](#)

[2. 18 Pa. C.S.A. 2803](#)

[3. 18 Pa. C.S.A. 2804](#)

[4. 18 Pa. C.S.A. 2808](#)

[5. 18 Pa. C.S.A. 2806](#)

[6. 18 Pa. C.S.A. 2801](#)

[7. 24 P.S. 1850.1](#)

[8. 18 Pa. C.S.A. 2301](#)

9. Pol. 122

10. Pol. 103

11. Pol. 103.1

[12. 24 P.S. 1302-E](#)

13. Pol. 236.1

[14. 18 Pa. C.S.A. 2810](#)

[15. 22 PA Code 10.2](#)

[16. 24 P.S. 1303-A](#)

[17. 35 P.S. 780-102](#)

[18. 22 PA Code 10.21](#)

[19. 22 PA Code 10.22](#)

[20. 24 P.S. 1302.1-A](#)

21. Pol. 805.1

[22. 22 PA Code 10.25](#)

23. Pol. 218

24. Pol. 233

25. Pol. 317

[18 Pa. C.S.A. 2801 et seq](#)

[22 PA Code 10.23](#)

Pol. 113.1

Pol. 916



247-Attach Report Form.pdf (162 KB)

Book	Policy Manual
Section	200 Pupils
Title	Unlawful Harassment
Code	248 - Recommended to Retire
Status	From PSBA

-On May 19, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), published extensively amended federal regulations implementing Title IX provisions relating to sexual and discriminatory harassment. **The original AVTS policy, 248, Unlawful Harassment, no longer reflects Title IX provisions, and it is strongly recommended that the JOC vote to retire policy 248.** All updates to the topic will now be implemented in policy 103, Discrimination/Title IX Sexual Harassment Affecting Students, to ensure those parties responsible for addressing allegations of discriminatory and sexual harassment have one comprehensive policy with a consistent, effective approach to investigations and handling of discriminatory harassment which reflects the most perfect provisions of appropriate law and regulation.

Book	Policy Manual
Section	200 Pupils
Title	Bullying/Cyberbullying
Code	249
Status	From PSBA

Purpose

The Joint Operating Committee is committed to providing a safe, positive learning environment for its students. The Joint Operating Committee recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Joint Operating Committee prohibits bullying by students.

Definitions

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:[\[1\]](#)

1. Substantially interfering with a student's education.
2. Creating a threatening environment.
3. Substantially disrupting the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.[\[1\]](#)

Authority

The Joint Operating Committee prohibits all forms of bullying by students.[\[1\]](#)

The Joint Operating Committee encourages students who **believe they or others** have been bullied to promptly report such incidents to the **Executive Director** or designee.

Students are encouraged to use the school's report form, available from the Executive Director, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Joint Operating Committee directs that verbal and written complaints of bullying shall be investigated promptly, and **appropriate** corrective **or preventative** action shall be taken when allegations are **substantiated. The Joint Operating Committee directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be bullying under this policy but merits review and possible action under other Joint Operating Committee policies.**

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[2\]](#)[\[3\]](#)

Title IX Sexual Harassment and Other Discrimination

Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination and discriminatory harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a bullying investigation, potential

Issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.^[4]^[5]

Confidentiality

Confidentiality of all parties, **witnesses, the allegations, the filing of a complaint and the investigation** shall be **handled in accordance with applicable law, regulations, this policy and** the school's legal and investigative obligations.

Retaliation

Reprisal or retaliation **relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.**

Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The **Executive** Director or designee shall develop administrative regulations to implement this policy.

The **Executive** Director or designee shall ensure that this policy and administrative regulations are reviewed annually with students.^[1]

The **Executive** Director or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Joint Operating Committee.^[1]

The administration shall annually provide the following information with the Safe School Report:^[1]

1. Joint Operating Committee's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

Guidelines

The Code **of Behavior and** Discipline, which shall contain this policy, shall be disseminated annually to students.^[1]^[6]^[7]

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within the school building and on the school's website, if available.^[1]

Education

The school may develop, implement **and evaluate** bullying prevention and intervention programs **and activities**. Programs **and activities** shall provide staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.^[1]^[8]^[9]^[10]

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code **of Behavior and** Discipline, which may include:^[1]^[7]^[11]

1. Counseling within the school.
2. Parental conference.
3. Loss of school privileges.
4. Exclusion from school-sponsored activities.
5. Detention.
6. Suspension.

7. Expulsion.
8. Counseling/Therapy outside of the school.
9. Referral to law enforcement officials.

Legal

[1. 24 P.S. 1303.1-A](#)

[2. 24 P.S. 1302-E](#)

3. Pol. 236.1

4. Pol. 103

5. Pol. 103.1

[6. 22 PA Code 12.3](#)

7. Pol. 218

[8. 24 P.S. 1302-A](#)

9. Pol. 236

[10. 20 U.S.C. 7118](#)

11. Pol. 233

Pol. 113.1



249-Attach Report Form.pdf (162 KB)

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

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

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

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

Confidentiality

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

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

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

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

☐ Other _____ (please explain relationship to the school entity)

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

Name: _____

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

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

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

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

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the school entity)

III. Description of the Conduct You are Reporting

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

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

Where did the reported conduct take place?

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

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

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

☐ Yes ☐ No

If yes, who did you tell about it?

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

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

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

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

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

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

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

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

☐ Other _____ (please explain relationship to the school entity)

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

Name: _____

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

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

II. Respondent Information

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

Name(s):

The reported respondent(s) is/are:

- ☐ Student(s) ☐ Employee(s)
- ☐ Other _____ (please explain relationship to the school entity)

III. Level of Report:

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

IV. Type of Report:

- ☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Bullying
- ☐ Hazing ☐ Dating Violence ☐ Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Dating Violence |

V. Reported Conduct

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

How often did the conduct occur?

Is it being repeated? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

☐ No.

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

Date Director of Special Education was contacted: _____

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

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

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

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

VI. Safety Concerns

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

☐ No.

☐ Yes, please describe:

VII. Other Reports

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

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students

☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff

☐ Policy 247. Hazing

☐ Policy 249. Bullying/Cyberbullying

☐ Policy 252. Dating Violence

☐ Other _____

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

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

☐ Yes

☐ No

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

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

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

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

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

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

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

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

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

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

IX. Recommended Course of Action

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

☐ No further action at this time. Reason:

☐ Policy 247. Hazing

☐ Policy 249. Bullying/Cyberbullying

☐ Policy 252. Dating Violence

☐ Other _____

☐ Policy 103 Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 2
Discrimination Complaint Procedures

- ☐ Policy 104 Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures
- ☐ Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 3 Title
IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
- ☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 3 Title IX
Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

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

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

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

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

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

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

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

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

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

☐ Yes

☐ No

Complainant's Signature: _____

Date: _____

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

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

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

Title IX Coordinator's Signature: _____

Date: _____

Book	Policy Manual
Section	200 Pupils
Title	Student Recruitment
Code	250
Status	From PSBA

Authority

In accordance with law, the Joint Operating Committee shall permit disclosure of required student information about secondary students to representatives of postsecondary institutions and to representatives of the Armed Forces of the United States.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Equitable access to secondary students shall be granted to postsecondary education representatives, military recruiters and prospective employers.

Guidelines

Postsecondary institutions and military recruiters shall have access to secondary students' names, addresses and telephone numbers, unless the student or parent/guardian requests that such information not be released without prior written parental consent.[\[2\]](#)[\[3\]](#)

The school shall notify parents/guardians of the right of the secondary student or parent/guardian to request that student information not be released to representatives of postsecondary institutions and/or military recruiters without prior written parental consent.[\[4\]](#)[\[2\]](#)[\[3\]](#)

The school shall provide a list of graduating seniors, which shall be available to military recruiters by the first day of the academic year of graduation.[\[4\]](#)

Military Personnel

Military recruiters and all other members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to wear their official military uniforms while on school property.[\[5\]](#)

Delegation of Responsibility

The **Executive** Director shall determine under what conditions and when access to secondary students will be provided to representatives of postsecondary institutions, military recruiters and prospective employers.

The **Executive** Director reserves the right to deny access to students when such access will materially and substantially interfere with the proper and orderly operation of the school.

The **Executive** Director or designee shall notify parents/guardians prior to the end of the student's junior year about the provisions of this policy. The notice shall include:[\[4\]](#)

1. Notice that the school routinely discloses names, addresses and telephone numbers of junior and senior students to postsecondary institutions and military recruiters, subject to a parent's/guardian's or secondary student's request not to disclose such information without prior written parental consent.
2. Explanation of the parent's/guardian's or secondary student's right to request that information not be disclosed without prior written parental consent.
3. Procedures for how the parent/guardian or secondary student can opt out of the public, nonconsensual disclosure of such information, and the method and timeline for doing so.

Legal	1. 51 P.S. 20221 et seq
	2. 10 U.S.C. 503
	3. 20 U.S.C. 7908
	4. 51 P.S. 20222

[5. 24 P.S. 2402 \(Military Uniform\).](#)

[22 PA Code 403.1](#)

Book	Policy Manual
Section	200 Pupils
Title	Homeless Students
Code	251
Status	From PSBA

NOTE: THIS POLICY IS APPLICABLE TO FULL-DAY, COMPREHENSIVE VOCATIONAL SCHOOLS AND CAREER CENTERS ONLY

DO NOT use this policy for half-day programs because, in this case, the school district of residence assumes responsibility for homeless students.

Authority

The Joint Operating Committee recognizes the need to promptly identify homeless children and youths, facilitate their immediate admission into programs, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations, and in coordination with the school district of residence. [\[1\]](#)[\[2\]](#)[\[3\]](#)

The Joint Operating Committee shall ensure that homeless children and youths have equal access to the same educational programs and services provided to other students in the center (school). [\[1\]](#)[\[2\]](#)[\[3\]](#)

The Joint Operating Committee authorizes the Administrative Director to waive policies, procedures and administrative regulations that create barriers to the identification, admission, attendance, transportation, school stability and success in school of homeless children and youths. [\[3\]](#)

It is the policy of the Joint Operating Committee that no student shall be discriminated against, segregated or stigmatized based on his/her homeless status. [\[4\]](#)[\[5\]](#)

Definitions

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes: [\[6\]](#)

1. Children and youths who are:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
 - c. Living in emergency, transitional or domestic violence shelters; or
 - d. Abandoned in hospitals.
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. When the child or youth completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools. [\[5\]](#)

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[\[6\]](#)

Delegation of Responsibility

The Joint Operating Committee designates the

{ } Administrative Director

{ } Federal Programs Coordinator

{ } Business Manager

{ } (Other) _____

to serve as the center's (school's) liaison for homeless children and youths.[\[5\]](#)

The center's (school's) liaison shall coordinate with the liaison from the school district of residence to ensure outreach and coordination with:[\[5\]](#)

1. Local social service agencies and other entities that provide services to homeless children and youths and families.
2. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.
3. Staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[\[7\]](#)[\[8\]](#)
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The center's (school's) liaison shall coordinate with the liaison from the school district of residence to ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[\[5\]](#)

The center's (school's) liaison shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[\[5\]](#)

Guidelines

Best Interest Determination

In determining the best interest of a child or youth, the center (school) in coordination with the school district of residence, shall:

1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth.[\[5\]](#)
2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the parent/guardian or unaccompanied youth.[\[5\]](#)
3. If, after such consideration, the center (school) and the school district of residence determine that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the parent/guardian or unaccompanied youth shall be provided with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal.[\[5\]](#)

Placement

In accordance with the child's or youth's best interest, the school district of residence and the center (school) shall continue to enroll a homeless student in his/her school of origin while s/he remains homeless and through the end of the academic year in which s/he obtains permanent housing.[\[5\]](#)

Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools.[\[5\]](#)

The center's (school's) liaison, in coordination with the liaison from the school district of residence, shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled.[\[5\]](#)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decision related to school selection or placement, including the right to appeal.[\[5\]](#)

Admission

The center (school) shall immediately admit the student, even if:

1. The student is unable to produce records normally required for admission.[\[3\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)
2. The application or admission deadline has passed during any period of homelessness.[\[5\]](#)

The center's (school's) liaison, in coordination with the liaison from the school district of residence, shall immediately contact the school last attended by the child or youth to obtain relevant academics or other records.[\[5\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The center (school) may require a parent/guardian to submit contact information.[\[5\]](#)

Assignment

If the center (school) is unable to determine the student's grade level due to missing or incomplete records, the center (school) shall administer tests or utilize appropriate means to determine the student's assignment within the center (school).[\[5\]](#)

Dispute Resolution

If a dispute arises: [\[5\]](#)

1. The parent/guardian or unaccompanied youth shall be referred to the center's (school's) liaison, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The center's (school's) liaison, in coordination with the liaison from the school district of residence, shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may appeal the written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.[\[9\]](#)[\[13\]](#)

Comparable Services

Homeless students shall be provided services comparable to those offered to other students, including, but not limited to:[\[1\]](#)[\[5\]](#)[\[14\]](#)

1. Transportation services.[\[15\]](#)
2. School nutrition programs.[\[16\]](#)
3. Career and technical education programs.
4. Educational programs for which the homeless student meets eligibility criteria, such as:
 - a. Services provided under Title I or similar state or local programs.
 - b. Programs for English Language Learners.[\[17\]](#)
 - c. Programs for students with disabilities.[\[7\]](#)
 - d. Programs for gifted and talented students.[\[18\]](#)

Training.

The center's (school's) liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[\[5\]](#)

The center's (school's) liaison shall arrange professional development programs for center (school) staff, including office staff.[\[5\]](#)

Center (School) personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[\[5\]](#)

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

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Legal

[1. 24 P.S. 1306](#)

[2. 22 PA Code 11.18](#)

[3. 42 U.S.C. 11431 et seq](#)

[4. 42 U.S.C. 11431](#)

[5. 42 U.S.C. 11432](#)

[6. 42 U.S.C. 11434a](#)

7. Pol. 113

8. Pol. 103.1

9. Pol. 216

10. Pol. 201

11. Pol. 209

12. Pol. 204

13. Pol. 113.3

14. Pol. 146

15. Pol. 810

16. Pol. 808

17. Pol. 138

18. Pol. 114

[22 PA Code 403.1](#)

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

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

[34 CFR Part 99](#)

[67 Fed. Reg. 10698](#)

PA Education for Homeless Children and Youth State Plan

Book	Policy Manual
Section	200 Pupils
Title	Dating Violence
Code	252 - New
Status	From PSBA

Purpose

The purpose of this policy is to maintain a safe, positive learning environment for all students that is free from dating violence. Dating violence is inconsistent with the educational goals of the school and is prohibited at all times.

Definitions

Dating partner shall mean a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.[\[1\]](#)

Dating violence shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person's dating partner.[\[1\]](#)

Authority

The Joint Operating Committee encourages students who have been subjected to dating violence to promptly report such incidents.

The school shall investigate promptly all complaints of dating violence and shall administer appropriate discipline to any student who violates this policy.[\[2\]](#)

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, staff shall report the student to the threat assessment team, in accordance with applicable law and Joint Operating Committee policy.[\[3\]](#)[\[4\]](#)

Title IX Sexual Harassment and Other Discrimination

Every report of alleged dating violence that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.[\[5\]](#)[\[6\]](#)

Discipline of Student Convicted or Adjudicated of Sexual Assault

Upon notification of a conviction or adjudication of a student for sexual assault against another student attending the school or participating in a school program, the school shall coordinate actions with the appropriate participating school entity and comply with the disciplinary requirements established by state law and Joint Operating Committee policy.[\[7\]](#)[\[8\]](#)

Guidelines

Complaint Procedure

When a student believes that they have been subject to dating violence, the student is encouraged to promptly report the incident, orally or in writing, to the Executive Director, guidance counselor or classroom teacher.

The Executive Director shall conduct a timely, impartial, and comprehensive investigation of the alleged dating violence.

The Executive Director shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The complainant and the accused shall be informed of the outcome of the investigation.[\[1\]](#)

If the investigation results in a substantiated finding of dating violence, the Executive Director shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Behavior and Discipline.[\[1\]](#)[\[2\]](#)

The school shall document the corrective action taken and, where not prohibited by law, inform the complainant.

This policy on dating violence shall be:[\[1\]](#)


- 1. Published in the Code of Behavior and Discipline.**
- 2. Published in the Student Handbook.**
- 3. Made available on the school’s website, if available.**
- 4. Provided to parents/guardians.**

Dating Violence Training

The school may provide dating violence training to guidance counselors, nurses, and mental health staff as deemed necessary. At the discretion of the Executive Director, parents/guardians and other staff may also receive training on dating violence.[\[1\]](#)

Legal

- [1. 24 P.S. 1553](#)
2. Pol. 218
- [3. 24 P.S. 1302-E](#)
4. Pol. 236.1
5. Pol. 103
6. Pol. 103.1
- [7. 24 P.S. 1318.1](#)
8. Pol. 218.3
- [9. 71 P.S. 611.13](#)
10. Pol. 105.1
11. Pol. 105.2
- [22 PA Code 12.12](#)
- [20 U.S.C. 1232g](#)

 [252-Attach Report Form.pdf \(162 KB\)](#)

Book	Policy Manual
Section	200 Pupils
Title	200 Pupils
Code	Cross Reference
Status	From PSBA

Admiral Peary Area Vocational Technical School

KEY:

Numbers - existing JOC policy	Web - school website	
CQ - Checklist and Questionnaire		
St Hbk - 2021-2022 Admiral Peary AVTS Student Handbook		

200 PUPILS

***Please Note:** This drafted section has been developed using AVTS's Policy Manual which was available as a PDF on the AVTS's website as the source material. A copy of the AVTS's entire 200 Pupil section has been extracted from the manual and has been attached to this Cross Reference document in PDF format for the purpose of reference. A copy of the Word versions of the more recent policies 222 and 227 which were provided to PSBA as resources have also been attached to the Cross Reference document for the purpose of reference; these documents were presumed to supersede the policy versions of 222 and 227 which were found in the AVTS PDF Policy Manual, and have been used as source material for the corresponding drafts.

POLICY	RESOURCES	NEW LANGUAGE	DELETIONS/NOTES
201 Admission of Students	201, web (enrollment page)	-Language regarding programs for students with disabilities has been added to the Delegation of Responsibility section in accordance with Chapter 4 regulations.	-Original AVTS policy language regarding reports to the JOC for enrollment/admission of students has been included in the draft policy as it appeared in the original policy with the exception of minor editorial revisions to ensure a consistent policy style. However, there is no indication of <i>if/when</i> this language was last reviewed by the JOC. Please review and revise in accordance with current AVTS practice.
202 Eligibility of Nonresident Students	202		-Original policy language regarding affidavits for students with "questionable residence" has not been retained in the draft policy as determining a student's district of residence is generally the responsibility of the school district in which the student is attending their regular school program.

203 Communicable Diseases - New		<p>-New policy: This policy is recommended by PSBA for the protection of the AVTS from potential legal challenges and/or a loss of funding. This policy represents issues that may be driven by law or regulation. The draft policy is recommended for CTCs to address PA Department of Health and/or state regulations requiring exclusion for certain communicable diseases and infectious conditions. It has been written in accordance with the most recent amendments state laws, but also refers in a general manner to guidance from state and local health officials in consideration of changing guidance related to public health exigencies.</p> <p>-Note: A list of required immunizations can be found at 28 PA Code Sec. 23.83. <u>Revised immunization requirements have taken effect as of the 2017-2018 school year.</u> We currently recommend keeping this note in the policy for the benefit of the public.</p>	
203.1 HIV Infection	203, web	<p>-Language regarding notification about the HIV Infection policy/procedures has been added to the Delegation of Responsibility section in consideration of recommended periodic notifications/notice through postings.</p> <p>-The school physician has been added to those parties involved in the Screening Team as a recommendation. Please review and revise in accordance with current AVTS practice.</p> <p>-The school nurse has been added to those parties that employees shall notify of exposure to bodily fluids. PSBA <i>specifically recommends</i> the school nurse, and the original AVTS policy included the AVTS Director. Please review and revise in accordance with current AVTS practice.</p>	<p>-This policy was originally numbered 203, it has been renumbered in order to follow PSBA's guides. This makes policy identification easier when updates are released.</p> <p>-Original AVTS policy language referring to "all other diseases" has not been retained in the draft policy, as this topic is now addressed draft policy, 203, Communicable Diseases.</p>

204 Attendance	<p>204, st hbk, web,</p> <p>-The Definitions section has been added to the draft policy in order to clarify the terms used in the draft policy.</p> <p>-The Delegation of Responsibility section has been added to the draft policy in order to clarify the administrative duties related to the draft policy as recommended by PSBA.</p> <p>-Language regarding annual distribution of the AVTS attendance policy has been expanded upon to include more parties; Act 138 encourages a collaborative approach to improving school attendance, and involvement of the local children and youth agency and local Magisterial District Judges will be imperative. For this reason, PSBA <i>strongly recommends</i> these additions, although the distribution to these additional parties is a local decision.</p> <p>Please review and revise in accordance with AVTS practice.</p> <p>-Language regarding parental review and sign-off on the contents of the draft policy has been added to the Delegation of Responsibility section. This language is recommended to foster comprehension of the attendance policy, and has been written in accordance with best-practice recommendations from PDE.</p> <p>Please review and revise in accordance with AVTS practice.</p> <p>-IMPORTANT NOTE: There is new language regarding policy implementation and enforcement preceded by brackets in the Delegation of Responsibility section. Please determine which option is in accordance with AVTS <u>practice or wishes</u>. Please place an X in the appropriate brackets to indicate the desired option, or strike through language as necessary should it not apply to the AVTS.</p> <p>-Language has been added to the Compulsory School Attendance Requirements section to address students who have been assigned to Instruction Conducted in the Home by their Individualized Education Program (IEP) Team.</p> <p>-IMPORTANT NOTE: There is language regarding limiting tours/trips/visits preceded by brackets in the Excused/Lawful Absence section. It should be determined if any of these options are in accordance with AVTS practice or wishes. If any of the language is desired, please be sure to place an X in the brackets to indicate such language should be included. If any language is not desired, please strike or delete such language.</p> <p>-IMPORTANT NOTE: There is language preceded by brackets in the new Parental Notice of Absence section. Please determine which option is in accordance with AVTS <u>practice or wishes</u>. Please place an X in the appropriate brackets to indicate the desired option.</p> <p>-The Special Needs and Accommodations section has been added to the draft policy in accordance with guidance from PDE. Schools should consider the special circumstances of students who have attendance issues. This new language reflects circumstance where schools may be required to accommodate a student under other</p>	<p>-The draft policy has been heavily revised in order to reflect the provisions of Act 138 of 2016.</p> <p>Instances of repetitive language in the original AVTS policy have been revised in the draft policy in order to be more concise.</p> <p>-The Purpose and Authority sections has been replaced with language that better and more concisely reflects the contents of the draft policy.</p> <p>-All examples of acceptable absences from the original AVTS policy have been aggregated into the new Excused/Lawful Absence section. The reasons for absences have been revised for clarity and expanded upon in order to more concisely reflect those lawful absences provided for in legislation and PDE resources. Language regarding religious holidays has also been heavily revised. A religious program is no longer defined as being "acknowledged by the [JOC]" but rather as 'bona fide', in order to better reflect 22 PA Code 11.21.</p> <p>-All original AVTS policy language relating to truancy, including: discipline, penalties, notifications, expulsions, suspensions, and infractions; reporting students or parents for unexcused absences; and "prosecutions" and liability stemming from unexcused absences, has been replaced with new language, including the new Unexcused/Unlawful Absence, Enforcement of Compulsory Attendance Requirements, and Discipline sections. This language has been drafted in accordance with 24 PS 1333 and Act 138 of 2016, which significantly altered truancy requirements and practices, including the filing of additional citations for subsequent violations of compulsory school attendance requirements. The provisions of Act 138 became effective in the 2017-2018 school year. The individuals designated to enforce compulsory school attendance at the AVTS should use this information to ensure school practices reflect the most current laws and regulations.</p>
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		federal/state laws and regulations, or may need to consider whether to refer a student for evaluation for additional protections/services.	
206 Assignment to Programs	206		-Only minor, editorial revisions have been made to the draft policy for the purpose of clarity. There is no indication of <i>if/when</i> this language was last reviewed by the JOC. It is strongly recommended that the JOC review draft policy 206, Assignment to Programs, for accuracy as part of the Policy Manual Review process.
207 Confidential Communications of Students	207		-Only minor, editorial revisions have been made to the draft policy for the purpose of clarity. There is no indication of <i>if/when</i> this language was last reviewed by the JOC. It is strongly recommended that the JOC review draft policy 207, Confidential Communications of Students, for accuracy as part of the Policy Manual Review process.
208 Withdrawal From School	208	<p>-The administrator responsible for the return of supplies has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.</p> <p>-Optional language regarding counseling and assistance for students contemplating leaving the school program before graduation has been added to the Guidelines section. This language is recommended by PSBA and is intended to serve as best-practice guidance. Please review and revise in accordance with AVTS practice.</p>	-Original policy language referring to students between the ages of eight (8) and seventeen (17) years old has been replaced with language more generally referring to students of "compulsory school age" to include the legislative revision of said ages which took effect in the 2020-2021 school year.
209 Health Examinations	209, st hbk		<p>-This policy was processed as-is, with the exception of certain recommended revisions specifically pertaining to health records and examinations. PSBA does not maintain a policy guide on this topic for half-day vocational-technical programs; the responsibility for certain health tests and evaluations which are required by state law falls upon the sending school districts in the case of half-day vocational-technical programs, and exams which may be necessary to ensure safety for certain particular vocational study programs are subject to local decisions.</p> <p>Resources contained in the original AVTS policy manual indicated this policy was initially drafted for the AVTS in order to reflect the contents of a student handbook. However, the topic could not be found in current AVTS contracts or handbooks and there is no indication of <i>if/when</i> this language was last reviewed by the JOC. It is strongly recommended that the JOC review policy 209, Health Examinations, for accuracy as part of the Policy Manual Review process. Please review this policy with a solicitor and revise as necessary.</p>
209.1 Food Allergy Management - New		- New Policy: This draft policy is recommended by PSBA to provide guidance to school entities in the management of student food allergies in schools. This policy has been developed in response to revisions of Section 1422.3 of the School Code as revised by Act 104 of 2010, and has been written in accordance with recommendations and guidance from the PA Departments of Health and Education including the Pennsylvania Guidelines for Management of Food Allergies in Schools and applicable law and regulation.	

209.2 Diabetes Management - New		- New policy: This draft policy is recommended by PSBA for the protection of the school entity from potential legal challenges and/or a loss of funding. This policy represents issues that may be driven by law or regulation. This draft policy is meant to clarify the AVTS's practices when implementing the requirements of a student's Diabetes Medical Management Plan and providing diabetes-related care. This policy has been developed in response to the provisions of Act 86 of 2016 regarding Diabetes Care in Schools.	
210 Medications	210, st hbk	<p>-Note: PSBA's 210-Attach, Medication Administration Consent And Licensed Prescriber Order, policy attachment has been attached to draft policy 210. The sample form was included in the Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care. Please do not use this form prior to consultation with the school solicitor.</p> <p>-The definition of the term licensed prescribers has been added to draft policy for clarity. This terminology reflects the Pennsylvania Department of Health's <i>Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care</i>.</p> <p>-Language clarifying that school employees shall comply with the DOH Guidelines has been added to the Authority section for the guidance of employees.</p> <p>-Language regarding emergency events and the development of individualized healthcare plans has been added to the Delegation of Responsibility section in accordance with both the DOH Guidelines and 42 Pa CSA 8337.1.</p> <p>-The fourth paragraph regarding asthma inhalers and epinephrine auto-injectors has been added to the Guidelines section in accordance with 24 PS 1414.1.</p> <p>-The Disposal of Medications section has been added to the draft policy to clarify the retrieval/destruction of medications. The language clarifies that methods of disposal shall be 'environmentally friendly' in consideration of guidelines issued by the Environmental Protection Agency advising against flushing medications down the drain unless otherwise indicated.</p> <p>-The Administration of Medication During Field Trips and Other School-Sponsored Activities section has been added to the draft policy in accordance with the DOH Guidelines.</p>	<p>-The draft policy has been heavily revised in order to reflect the Pennsylvania Department of Health's <i>Guidelines for Pennsylvania Schools for the Administration of Medication and Emergency Care</i>. PSBA strongly recommends consulting with the solicitor and school nurse to modify this policy if AVTS operations include administration of medication by anyone other than a Certified School Nurse or other licensed school health staff.</p> <p>-Original policy language regarding the review of procedures for record keeping, safety practices, and policy effectiveness has been replaced with language regarding administrative regulations, individual healthcare plans, and the cyclical review of policy in the Delegation of Responsibility section in order to better reflect the DOH Guidelines.</p> <p>-Original AVTS policy language regarding other staff members responsible for administering medication and additional training in the administration of medication by additional employees has been replaced with language specifying the exact staff who may administer medication in the Delegation of Responsibility section. See note regarding administration of medication by anyone other than a Certified School Nurse.</p> <p>-Original policy language regarding the record-keeping, storage, and logging of medication has been heavily revised and expanded upon in the Guidelines and Delivery and Storage of Medications section in accordance with DOH Guidelines.</p> <p>-Original policy language regarding self-administration and the original Student Self-Administration section has been heavily revised in the Student Self-Administration of Emergency Medications section in accordance with the DOH Guidelines.</p>

210.1 Possession/Administration of Asthma Inhalers/Epinephrine Auto-Injectors	CQ	<p>-IMPORTANT NOTE: There is new, optional language regarding epinephrine auto-injectors preceded by brackets throughout the draft policy. 24 P.S. Sec. 14-1414.2 authorizes school entities to obtain a standing order for the stock and administration of epinephrine auto-injectors to students, provided the school entity meet certain criteria. The state DOH has a Free EpiPens for Schools program which offers qualifying schools free epinephrine auto-injectors. It should be determined <i>if</i> these options are in accordance with AVTS <u>practice or wishes</u>. Should this language reflect AVTS practice, please be sure to place an X in the brackets to indicate such language should be included. If it does not, please strike or delete such language.</p> <p>-Epinephrine auto-injectors have been added to appropriate areas throughout the draft policy in order to address student-owned epipens. The definitions of anaphylaxis and epinephrine auto-injectors have been added to the draft policy for clarity. PSBA strongly recommends reviewing any desired changes to the definition of "anaphylaxis" with the solicitor. Even if the AVTS does not stock the auto-injectors, PSBA recommends retaining the definition in accordance with other new policy language.</p> <p>-The Guidelines section has been added to the draft policy in consideration of overlapping policies regarding student health practices and records, and has been written in accordance with the applicable laws and regulations.</p> <p>-The Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors section has been expanded with recommended language for clarity. Language regarding students who have been prohibited from self-carry has been added to the section in accordance with 24 PS 1414.1.</p>	<p>-Note: The original AVTS policy attachments, Asthma Inhalers - Self-Administration by Students and Parent/Guardian Request For Medication In School, have not been attached to the draft policy. Attachments that are not mandated by law/regulation are usually not considered necessary for policy, unless the AVTS regularly attaches administrative regulations to policy. These attachments may be better suited for administrative regulations.</p> <p>-Original AVTS policy guidelines outlining the requirements used to establish student competency for self-administration has not been included in the Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors section as this language is very procedural, not recommended for policy, and might be better suited for administrative regulations if it is still in accordance with the Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.</p> <p>-Original AVTS policy language regarding annual prescription/written statement updates has been revised and expanded upon both for clarity and to better reflect the requirements of 24 PS 1414.1 in the Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors section.</p>
211 Student Accident Insurance - Recommended to Retire	211		<p>-The original AVTS policy, 211, Student Accident Insurance, has not been included in the draft policy manual. The AVTS practice in providing student accident insurance may change on an annual basis, necessitating the revision of JOC policy. The provision of such insurance is also considered "practice" rather than "board policy". It is recommended the JOC vote to retire policy 211.</p>
212 Reporting Student Progress	212, st hbk, web		<p>-Original policy language stating grade reports are issued every nine (9) weeks has been retained in the Guidelines section as it appeared in the original AVTS policy. However, no information regarding timeframes for the issuance of report cards or grade reports could be found in other AVTS resources, and there is no indication of if/when this language was last reviewed by the JOC. Please review and revise in accordance with current AVTS practice.</p>

213 Assessment of Student Progress - Recommended to Retire			-The original AVTS policy, 213, Assessment of Student Progress, has not been included in the draft policy manual. Due to changes in policy, this topic is now considered more appropriately covered in the draft policies 127, Assessment System, and 212, Reporting Student Progress. Much of the policy language is also procedural, not recommended for policy, and might be better retained as an administrative regulation. It is recommended the JOC vote to retire policy 213.
214 Class Rank	214		-This policy is optional and included in the draft manual because it is present in the current AVTS manual. However, if the AVTS does not calculate a class rank, and the draft policy does not reflect current AVTS practice, the JOC may vote to retire policy 214, Class Rank. Only minor, editorial revisions have been made to the draft policy for the purpose of clarity. There is no indication of <i>if/when</i> this language was last reviewed by the JOC. It is strongly recommended that the JOC review draft policy 214, Class Rank, for accuracy as part of the Policy Manual Review process if the JOC establishes class rank.
215 Promotion and Retention	215		-Original policy language referring to "academic standards" has been replaced with the terminology "academic and career and technical standards" as it appeared the AVTS original policy 102, Career and Technical Standards. However, there is no indication of if/when this language was last reviewed by the JOC. Please review and revise in accordance with current AVTS practice.
216 Student Records	216	<p>-The draft policy has been expanded upon in accordance with the most recent amendments to the regulations implementing Family Educational Rights and Privacy Act (FERPA), and provides more expansive language relating to issues covered in student records plans (not the actual plan).</p> <p>-The Definitions section has been added to the draft policy in order to clarify terms used in the draft policy. These definitions have been drafted to reflect the most recent amendments to the regulations implementing FERPA and are highly recommended.</p> <p>-The new Missing Child Registration section has been added to the draft policy summarizing the AVTS's obligations under state law relating to the education records of a student reported missing by a law enforcement agency.</p>	<p>-Original AVTS policy language outlining the contents of student records, a sending district's records, the student data sheet, and the use of these records is not recommended for policy, and might be better suited for an administrative regulation or inclusion in the actual student records plan.</p> <p>-The draft policy has been revised to use consistent terminology (e.g., collection, retention, disclosure) for purposes of style and clarity.</p> <p>-Original policy language regarding adult (eighteen-year old) students and the transference of rights has been revised: the new, recommended definition of "eligible student" has been drafted to include those students and this new terminology has been implemented in the appropriate places throughout the draft policy in order to more comprehensively include these students.</p> <p>-Original policy language regarding the compilation of "only those educational records" mandated by state and federal law has not been included in the Delegation of Responsibility section, as this language is a bit vague. New language which defines the term "education records" is pulled from state law and provides a comprehensive definition of the term.</p> <p>-The Guidelines section has been slightly revised and greatly expanded upon to include more provisions for the AVTS's plan. These items are drafted in accordance with state guidelines; even those that are not required are strongly recommended.</p>
216.1 Supplemental Discipline Records - On Hold			-The original AVTS policy, 216.1, Supplemental Discipline Records, has not been included in the draft policy manual. This topic is currently under legal review. Updates are anticipated and will be distributed at a later date via the PNN Newsletter.

217 Skills Certification	217, CQ, web	<p>-Additional items have been added to the Delegation of Responsibility section to clarify the administrative duties related to certification which are outlined or alluded to in other draft policies, including draft policies 212, Reporting Student Progress and 215, Promotion and Retention.</p> <p>-Recommended language regarding assessment for Pennsylvania Skills Certificate Program has been added to the Guidelines section in accordance with Chapter 4 regulations.</p>	
218 Student Discipline		<p>-A paragraph regarding the rights and treatment of those students who have or are being evaluated for a disability has been added to the Authority section in accordance with 22 Pa Code 10.23 of the Chapter 10 regulations.</p> <p>-Language regarding the publishing of school rules and the Code of Behavior and Discipline has been expanded upon in the Delegation of Responsibility section in accordance with recommendations from the PSBA policy guide and Chapter 12 regulations.</p> <p>-The Referral to Law Enforcement and Reporting Requirements section has been added to the draft policy in accordance with current School Code provisions and Chapter 10 regulations.</p>	<p>-The definition of corporal punishment has not been retained in the draft policy and is not recommended. Although the term is defined in state regulations, it could be misinterpreted as being too broad.</p> <p>-Original AVTS policy language regarding the behavior and discipline of students, both when they are located directly on school property and off, has been heavily revised, replaced, and expanded upon in the new On and Off-Campus Activities section, which has been developed by PSBA's legal staff in accordance with the findings of Mahanoy Area School District v. B.L. (2021).</p> <p>-Original policy language regarding the exclusion of students from extracurriculars for off-campus conduct has not been included in the new On and Off-Campus Activities section as a strong recommendation. Should the AVTS wish to retain such language, it should first be reviewed with a solicitor.</p> <p>-The administrator responsible for assigning student discipline has been assigned to the Executive Director instead of the Assistant Director, as past and current school resources provide no indication such a position within the AVTS. Please review and revise in accordance with AVTS practice.</p>
218.1 Weapons		<p>-Original AVTS policy language regarding disabled students has been expanded upon in order to better reflect amendments to the Mental Health and Intellectual Disability Act, Chapter 10 regulations, and in consideration of guidance from the U.S. Department of Education.</p>	<p>-Any instance of the building administrator position in the original AVTS policy has been removed and replaced with the Executive Director position as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.</p> <p>-Original AVTS policy language regarding reports to parents/guardians, law enforcement, and the Department of Education, as well as the establishment of a memorandum of understanding, has been revised and replaced with new and provisions regarding referrals to law enforcement, reports to the Office For Safe Schools, and the development/execution of a memorandum of understanding with local law enforcement agencies in accordance with Act 104 of 2010, which significantly amended Chapter 10 regulations. The topic of developing a memorandum of understanding will also be better addressed in the policy 805.1, Relations With Law Enforcement Agencies.</p> <p>-Original AVTS policy exceptions to the prohibitions of this policy have not been included in the Guidelines section as exceptions are more generally addressed via the fifth paragraph in the section. Original policy language is a bit procedural, not recommended for policy, and might be better retained as an administrative regulation.</p>

218.2 Terroristic Threats	218.2	<p>-The definition of "communicate" has been added to the draft policy in accordance with 18 Pa. C.S.A. 2706.</p> <p>-The definition of the term "terroristic threat" has been expanded upon in accordance with the most recent revisions to 18 Pa. C.S.A. 2706.</p> <p>-The Guidelines section in the draft policy has been heavily expanded upon in accordance with the provisions of School Code 1301-E et seq. regarding threat assessment.</p>	<p>-Original AVTS policy language has been heavily revised and expanded upon in accordance with the most recent amendments to Chapter 10 of the PA State Board of Education Regulations and the Safe Schools Act and in support of draft policy 236.1.</p> <p>-Original AVTS policy language regarding "terroristic acts", including the definition of the term as it appeared in the original policy, has not been retained in the draft policy. This language is not recommended. PSBA considers the terminology too broad, and notes that is not derived from any specific legal authority. Please review such language with a solicitor should the AVTS wish to retain it in the draft policy.</p> <p>-Procedures from the original policy for the review of suspected/actual threats has not been included in the Guidelines section; this sort of detailed investigation/discipline language is very procedural, and may no longer reflect the requirements of the threat assessment process. Should the AVTS wish to retain such language, it should first be reviewed with a solicitor.</p>
218.3 Discipline of Student Convicted/Adjudicated of Sexual Assault - New		<p>-New Policy: The AVTS is mandated by state or federal law or regulation to maintain a policy regarding this topic. This draft policy has been written in accordance with Act 110 of 2020. The Act requires schools to remove any student convicted or adjudicated delinquent of sexual assault against another student enrolled at the same school. The draft policy has been drafted in accordance with the requirements to expel, transfer or reassign an offender to another school or educational program from the victim, and further requirements.</p>	
219 Student Complaint Process	219		<p>-Any instance of the building administrator position in the original AVTS policy has been removed and replaced with the Executive Director position as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.</p>

220 Student Expression/Dissemination of Materials	220	<p>-Note: PSBA's recommended 220 ATTACH policy attachment has been added to draft policy 220. The procedures contained in the document are recommended to be included via the attachment in order to be easily accessible to students/parents/guardians along with the policy, rather than as a separate document. 220 ATTACH should also be included in student handbooks once it is completed by the AVTS.</p> <p>-IMPORTANT NOTE: PSBA's 220 ATTACH is a template intended for the AVTS to revise/complete in order to specify the AVTS procedures regulating the dissemination of nonschool materials by students within the school setting. 220 ATTACH contains options preceded by brackets. Please determine which options are in accordance with AVTS <u>practice or wishes</u>. Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with AVTS practice. Option(s) selected should align with AVTS practice and should align with language in the 220 draft policy. All recommended responsibilities outlined in the attachment have been assigned to the Executive Director. Please review and revise in accordance with AVTS practice.</p> <p>-The definition of "dissemination" has been added to the draft policy for clarity.</p> <p>-New language regarding staff training for evaluation of student requests and limitations on school officials' authority to regulate off-campus student expression has been added to the Delegation of Responsibility section as a strong recommendation.</p>	<p>-In both the draft policy and 220 ATTACH, any instance of the building administrator position has been removed from the drafted language, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. All recommended responsibilities outlined in the policy and attachment have instead been assigned to the Executive Director. Please review and revise in accordance with AVTS practice.</p> <p>-Terminology from the original AVTS policy has been heavily revised. The original "distribution and posting" terminology has been replaced with new "dissemination" terminology throughout the draft policy for clarity. Any instance of the term "unprotected expression" has also been replaced with more general terminology based upon concerns the "unprotected" terminology could potentially cause challenges based upon the First Amendment and relevant court decisions.</p> <p>-Original AVTS policy language regarding the ways and in what manner student expression would be subject to the limitations, prohibitions and requirements of the AVTS, both when students are located directly on school property and off, has been heavily revised, replaced, and expanded upon in the Authority section, which has been developed by PSBA's legal staff in accordance with the findings of Mahanoy Area School District v. B.L. (2021).</p>
221 Dress and Grooming	221		<p>-The administrator responsible for monitoring student dress and grooming has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.</p>
222 Tobacco and Vaping Products	222*, st hbk	<p>*A copy of Policy 222 in Word which was provided to PSBA as a resource has been attached to the Cross Reference document for the purpose of reference; this document is presumed to supersede the policy version of 222 which was found in the AVTS PDF Policy Manual, and has been used as source material for the following draft policy.</p>	<p>-Original AVTS policy language regarding the Student Assistance Program Team & Cambria County Behavioral Health Liaison has not been included in the Guidelines section of the draft policy as this language seems to contradict language found in the 2021-2022 Admiral Peary AVTS Student Handbook which states the AVTS utilizes its own Student Assistance Program; this contradiction makes it unclear what the role of the AVTS versus the home district is. However, general language has been incorporated into this draft policy and policy 236, Student Assistance Program regarding collaboration with the school district of residence in consideration of this language.</p>

223 Use of Motor Vehicles	223, Admiral Peary Area Vo-Tech School - Student Parking Permit, st hbk	-Broader language regarding prohibited vehicles has been added to the Authority section as a general recommendation.	-Due to what appeared to be outdated language, the original AVTS policy language has been largely replaced with the PSBA policy guide, which has been generally written in accordance with the current AVTS practices for student drivers as indicated in the 2021-2022 Admiral Peary AVTS Student Handbook. -Original AVTS policy language regarding bus transportation has also not been retained in the draft policy as this topic will be more appropriately addressed in the upcoming draft policy 810, Transportation. -Any instance of the building administrator position in the original AVTS policy has been removed and replaced with the Executive Director position as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.
224 Care of School Property	224		-Original AVTS policy language regarding the safekeeping of textbooks etc. has not been retained in the Authority section as this language is a bit procedural, not recommended for policy, and might be better suited for administrative regulations or a student handbook.
225 Relations With Law Enforcement - Recommended to Retire			-The original AVTS policy, 225, Relations With Law Enforcement, has not been included in the draft policy manual as a strong recommendation. This policy is no longer recommended mainly because the memorandum of understanding is the guidance document that will be referred to when dealing with a situation that would involve law enforcement officials. The memorandum of understanding will detail the procedures for notification and protocols for response by law enforcement officials; therefore, AVTS policy 225 is no longer necessary and could conflict with the memorandum of understanding. The topic will be more appropriately addressed in upcoming draft policy 805.1, Relations With Law Enforcement Agencies. It is strongly recommended the JOC vote to retire policy 225. Please review any concerns with a solicitor should the AVTS wish to retain this draft policy.
226 Searches	226	-New language regarding coordination with law enforcement and the AVTS solicitor has been added to the Random or General Searches Without Individualized Suspicion section as a recommendation from the PSBA policy guide. -New language regarding the search and inspection of vehicles has been added to the Search Upon Consent section in support of policy 223, Use of Bicycles/Motor Vehicles. -The Searches Involving Removal of Clothing or Examination Beneath Clothing section has been added to the draft policy establishing the standards which employees must follow if such searches are conducted for the consideration of the AVTS. PSBA language establishes special standards for searches of students that involve the removal of undergarments or examination beneath undergarments, as established by the United States Supreme Court in Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (U.S.2009). Please review this policy with a solicitor should there be any desired revisions.	-The original AVTS policy has been heavily revised and expanded upon with language from PSBA's policy guide, which was developed by PSBA's legal staff directly in response to the outcomes and findings of court cases. Policy 226 Searches has been updated to broaden its application to various kinds of searches that have been the subject of litigation. The revised policy provides more comprehensive guidance reflecting court-established standards applicable to searches for students' persons and other belongings based on individualized reasonable suspicion, including searches of electronic devices, as well as random or general searches that are not based on individualized reasonable suspicion but are justified by the AVTS's compelling interest in protecting the school population from weapons and drugs, when there is information that these pose a greater threat. The random or general search standards in the policy reflect the decisions of the Pennsylvania Supreme Court in In re F.B., 555 Pa. 661, 726 A.2d 361, 368 (1999) and Commonwealth v. Cass, 551 Pa. 25, 709 A.2d 350, 355-56 (1998). Provisions which include electronic devices are intended to emphasize that if a student's cell phone or other electronic device has been temporarily confiscated due to usage which violates/is suspected to violate school rules, the same reasonable suspicion standards shall apply in the examination of the contents of the device. -Any instance of the building administrator position in the original AVTS policy has been removed from the draft policy, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.

227 Controlled Substances/Paraphernalia	227*, st hbk *A copy of Policy 227 in Word which was provided to PSBA as a resource has been attached to the Cross Reference document for the purpose of reference; this document is presumed to supersede the policy version of 227 which was found in the AVTS PDF Policy Manual, and has been used as source material for the following draft policy.	-Language regarding voluntary consent relating to admission into rehabilitation programs has been added to the Guidelines section as a recommendation.	-Note: The original policy attachment 227 Reasonable Suspicion, Drug Testing of Individual Students, has not been attached to the draft policy. Attachments that are not mandated by law/regulation are usually not considered necessary for policy, unless the JOC regularly attaches administrative regulations to policy. This attachment may be better suited for administrative regulations, if it still reflects current AVTS practice. -The Off-Campus Activities section has been revised to remove language listing specific circumstances in which the provisions of the policy would apply and replace it with guidance referring the reader to draft policy 218, Student Discipline, which contains more comprehensive guidance for student conduct which occurs off school property or during nonschool hours. -Original AVTS policy language regarding the Student Assistance Program Team & Cambria County Behavioral Health Liaison has not been included in the Guidelines section of the draft policy as this language seems to contradict language found in the 2021-2022 Admiral Peary AVTS Student Handbook which states the AVTS utilizes its own Student Assistance Program; this contradiction makes it unclear what the role of the AVTS versus the home district is. However, general language has been incorporated into this draft policy and policy 236, Student Assistance Program regarding collaboration with the school district of residence in consideration of this language. -The administrator responsible in the Reasonable Suspicion section has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.
228 Student Government	228, st hbk, web	-Language regarding the representation/ recognition of the student government via a Student Council has been added to the Authority section as a general recommendation. However, no information regarding a student council/government/representative could be found in other AVTS resources. Please review and revise in accordance with current AVTS practice; the JOC may also consider voting to retire policy 228 if it no longer reflects AVTS practices.	-Original policy language regarding the establishment and contents of administrative regulations have not been included in the draft policy as this language is not in this case necessary for policy and is not recommended.
229 Student Fundraising	229		-The administrator responsible for approving collection efforts of school organizations and policy distribution has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.
230 Public Performances by Students	230		-Original policy language regarding overnight activities has not been retained in the draft policy, as this particular topic is more appropriately addressed in the draft policies 121, Field Trips; and 231, Social Events and Class Trips. -The Guidelines section from the original AVTS policy has not been included in the draft policy as this language is a bit procedural, not recommended for policy, and might be better suited for administrative regulations.

231 Social Events and Class Trips	231		-Original policy language regarding the approval of class trips has been revised slightly in the Authority section by removing "overnight" from the paragraph. The language now stipulates that all trips shall be approved by the JOC. Please review and revise in accordance with AVTS practice. -Original policy language outlining the contents of administrative regulations have not been included in the Delegation of Responsibility section as this language is not in this case necessary for policy and is not recommended.
232 Student Involvement in Decision-Making	232	-Language has been added to the Purpose section which is intended to further describe why the AVTS values student involvement. -Item number four regarding the maintenance of a fair process for voting has been added to the list under the Delegation of Responsibility section as a recommendation. This practice is intended to clarify the collaborative nature of the student involvement.	
233 Suspension and Expulsion	233, st hbk	-Original policy language referring to students under the age of seventeen (17) in the Attendance/School Work After Expulsion section has been expanded upon in order to reflect the new compulsory school age provisions that took effect at the start of the 2020-2021 school year.	-The administrator responsible for suspension and expulsion-related matters has been assigned to the Executive Director instead of the building administrator throughout the draft policy, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. The designation of the Executive Director also reflects information found in the 2021-2022 Admiral Peary AVTS Student Handbook. Please review and revise in accordance with AVTS practice.
234 Pregnant/Married Students	234		-The original AVTS policy language regarding "credit for the school year" received through schoolwork as prescribed by the school's teachers/administration has not been retained in the Guidelines section; the achievement of both academic standards and career and technical standards by students through assessments and works is more appropriately addressed in draft policy 215, Promotion and Retention. -The original policy language "A student who is married must declare his/her marital status at the time of marriage or at the time of enrollment in the school" has not been retained in the Guidelines section and is strongly recommended against. Such language may be deemed a liability, and could potentially cause challenges. Please review such language with a solicitor should the AVTS wish to retain it in the draft policy.
235 Student Rights and Responsibilities	235, st hbk	-Language has been added to the Guidelines section regarding general student responsibilities and discipline. This language is recommended, reflects Chapter 4 and 12 regulations as well as other draft policies, and has been drafted in accordance with information found in the 2021-2022 Admiral Peary AVTS Student Handbook.	-Original AVTS policy language regarding surveys and has not been included in the draft policy as this topic will be addressed in the new draft policy 235.1, Surveys.

235.1 Surveys	235	<p>-The definition of the term "protected information" has been clarified in the draft policy for guidance and has been written to reflect the provisions of 20 USC 1232h.</p> <p>-Clarifying language has been added to the Collection of Information for Marketing, Sales or Other Distribution Purposes section in accordance with 20 USC 1232h.</p> <p>-The second paragraph of the Delegation of Responsibility section regarding the time at which notifications are to be given has been expanded upon for guidance.</p> <p>-The third paragraph of the Delegation of Responsibility section regarding administrative regulations has been added to the draft policy in consideration of procedures the AVTS may use for the implementation of practices enumerated in policy.</p>	<p>-Original policy language related to surveys has been pulled from the original AVTS policy 235, Student Rights/Surveys, in order to draft a stand-alone policy and reflect PSBA's policy guide numbering system. This makes policy identification easier when updates are released. The draft policy has been expanded upon and revised in order to better reflect the most recent provisions of Chapter 4 and Chapter 12 regulations, as well as other applicable laws/regulations.</p> <p>-Original AVTS policy language regarding rights of adult students has been revised in the Student and Parent/Guardian Rights section in order to clarify the rights of adult students and any rights the parents/guardians of adult student retain.</p> <p>-Original AVTS policy language regarding parent/guardian review of instructional materials and the disclosure of protected information has been revised and expanded upon in order to clarify the language applies to federally-funded surveys and programs. Other materials not connected to such programs are more comprehensively addressed in the draft policy 105.1, Review of Instructional Materials by Parents/Guardians and Students.</p>
236 Student Assistance Program	222, 227, 236, st hbk		<p>-General language has been incorporated into this draft policy regarding collaboration with the school district of residence in consideration of language regarding the Student Assistance Program Team of the sending district & Cambria County Behavioral Health Liaison found in the original AVTS policies 222 and 227.</p>
236.1 Threat Assessment - New		<p>-New Policy: This policy is recommended by PSBA for the protection of the AVTS from potential legal challenges and/or a loss of funding. A policy on threat assessment is not mandated but the school entities are required to establish "procedures" for implementation of 24 P.S. 1302-E regarding threat assessment. For this reason, the 236.1 draft policy has been written to assist school entities with identifying and addressing the comprehensive compliance elements of threat assessment, and contains more procedural language than most PSBA policy guides. This draft policy has been written in accordance with Act 18 of 2019 and Pennsylvania Commission on Crime and Delinquency (PCCD) guidance.</p>	<p>-IMPORTANT NOTE: Please work the school solicitor and determine if any language contained in the policy guide would be better suited for AVTS administrative regulations in order to implement the Joint Operating Committee-level policy language. Any such language may be removed from the draft policy and placed in administrative regulations.</p> <p>-IMPORTANT NOTE: There is optional language preceded by brackets in the Delegation of Responsibility section regarding the appointment of a threat assessment team. Note: school entities should only select one of the appropriate options if the designated team is made up of required personnel under 24 P.S. 1302-E. If so, the JOC should determine which option(s) are in accordance with AVTS <u>practice or wishes</u>, in coordination with AVTS administration and the school solicitor in conjunction with other stakeholders. Please place an X in the appropriate brackets to indicate the desired option. If the plan and team are developed differently, please review and revise the Delegation of Responsibility section as necessary.</p>

237 Electronic Devices	237, st hbk	<p>-The definition of "electronic devices" has been added to the draft policy for clarity. This definition is intended to be broad enough to account for the evolving technologies used in educational settings.</p> <p>-Language prohibiting of electronic devices in select, private locations has been added to appropriate locations in the draft policy.</p> <p>-IMPORTANT NOTE: There is new, optional language preceded by brackets Authorized Use of Electronic Devices section. The first paragraph has been included in the section to reflect AVTS practices as indicated in the student handbook. It should be determined which of/if these options are in accordance with AVTS <u>practice or wishes</u>. Please place an X in the appropriate brackets to indicate the desired option(s), or review and revise in accordance with current AVTS practice. If any language is not desired, please strike or delete such language.</p> <p>-The Electronic Images and Photographs section has been added to the draft policy for clarity. This language has been drafted in response to court cases.</p>	<p>-The original policy language has been heavily revised. Original policy language prohibiting student possession of personal communication devices and cell phones has not been retained in the Authority section in order to avoid confusion; the policy has instead been revised to focus on the use of "electronic devices" in general, and clarify where the use of such devices is allowed versus where/when use is prohibited by the AVTS in consideration of guidelines for appropriate use found in the original AVTS policy and 2021-2022 Admiral Peary AVTS Student Handbook.</p> <p>-The Telephone Pagers/Beepers section from the original AVTS policy has not been included in the draft policy; 24 P.S. 1317.1, which specifically prohibited such devices has since been repealed. However, the draft policy now more broadly addresses all types of electronic devices.</p> <p>-The Laptop Computers/Personal Digital Assistants section from the original AVTS policy has not been included in the draft policy as this language appears to be outdated. This topic will be more comprehensively addressed in the new Authorized Use of Electronic Devices section of the draft policy.</p> <p>-The administrator responsible for approving exceptions to the policy prohibitions has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice.</p>
240 Contests - Recommended to Retire			<p>-The original AVTS policy, 240, Contests, has not been included in the draft policy manual. This language is a bit procedural, not recommended for policy, and might be better retained as an administrative regulation. A draft of said policy can be created in the web-based system for consideration or JOC review at AVTS request. It is recommended the JOC vote to retire policy 240 and possibly institute the guidelines as an administrative regulation.</p>
246 School Wellness - New	CQ	<p>-New Policy: Policy 246, School Wellness, is a mandated policy for any school entity participating in federal child nutrition programs, including the National School Lunch and School Breakfast Programs. Some language in the policy may still apply to half-day centers which operate culinary programs (see language in policy related to non-sold competitive foods and Smart Snacks in School standards). Please review this policy and determine which language applies to the AVTS programs. Language preceded with brackets indicates optional goals for the school's consideration. Please place an X in the appropriate brackets to indicate the applicable option(s), or review and revise in accordance with current AVTS practice. If any language is not applicable, please strike or delete such language.</p>	<p>-This new draft policy has been written in accordance with the most current federal regulations under the Healthy, Hunger-Free Kids Act (HHFKA), which expand the requirements to strengthen policies and increase transparency; guidance from the U.S. Environmental Protection Agency (EPA); and PA School Code sections 24 P.S. Sec. 7-701 and 7-742. Additionally, the contents of the policy have been drafted in consideration of the wellness policy content requirements as enumerated in the framework and regulations established by the USDA Food and Nutrition Service in 7 CFR Sec. 210.30</p> <p>-IMPORTANT NOTE: There are options preceded by brackets in the Guidelines section. All of these options are included strictly for the consideration of the AVTS, and there is an additional space under each subsection to add other AVTS-specific practices, if applicable. It should be determined if any of these options are in accordance with AVTS <u>practice or wishes</u>. If any of the options are desired, please be sure to place an X in the brackets to indicate such language should be included. If any language is not desired, please strike or delete such language. The draft revision process is a good time for the administration and Wellness Committee to review currently established goals, assess if they meet the requirements under federal law, and revise as necessary.</p> <p>-The Marketing/Contracting section is included the draft policy in accordance with applicable laws and regulations. Please note that if a contract already exists, the contract is allowable until its expiration.</p> <p>-The Management of Food Allergies in the School section is included in the draft policy to address food allergy management in schools. This section supports draft policy 209.1 and has been drafted in accordance with guidelines developed by the state.</p>

247 Hazing	247, CQ	<p>-The Authority section has been expanded upon in order to clarify hazing is addressed by this draft policy "whether the conduct occurs on or off school property" in order to reflect the Antihazing Law, 24 PS 5354.</p> <p>-The Title IX Sexual Harassment and Other Discrimination section has been added to the draft policy. This language is intended to ensure proper handling of reports in accordance with Title IX regulations addressing discrimination on the basis of sex in JOC programs and activities.</p> <p>-Language regarding threat assessment has been added to the Delegation of Responsibility section in accordance with PS 1001-E et seq. This language also supports policy 236.1, Threat Assessment.</p> <p>-The Referral to Law Enforcement and Safe Schools Reporting Requirements section has been added to the draft policy as a strong recommendation. This language is intended to ensure proper handling of reports and primarily addresses necessary reporting and notification requirements.</p> <p>-The Confidentiality and Retaliation sections have been added to the draft policy as a strong recommendation.</p> <p>-The Safe Harbor section regarding immunity for individuals needing medical attention or seeking medical attention for another, subject to specific limitations, has been added to the draft policy in accordance with Act 80 of 2018. There are complex requirements under law to determine whether safe harbor is applicable.</p> <p>-IMPORTANT NOTE: There is language preceded by brackets under the Students section regarding fees. The JOC should determine whether it will authorize fees, and the amount of those fees, to be charged for violation of the hazing policy. Fees may be charged at the administrative and/or JOC level. If any of the language is desired, please be sure to place an X in the brackets to indicate such language should be included. If any language is not desired, please strike or delete such language.</p> <p>-The Criminal Prosecution section has been added to the draft policy in reflection of amendments made to the Antihazing law by Act 31 in 2016. Because the law declares hazing at the secondary school or higher level a misdemeanor criminal offense, any person who causes or participates in hazing may also be subject to criminal prosecution.</p>

248 Unlawful Harassment - Recommended to Retire			-On May 19, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), published extensively amended federal regulations implementing Title IX provisions relating to sexual and discriminatory harassment. The original AVTS policy, 248, Unlawful Harassment, no longer reflects Title IX provisions, and it is strongly recommended that the JOC vote to retire policy 248. All updates to the topic will now be implemented in policy 103, Discrimination/Title IX Sexual Harassment Affecting Students, to ensure those parties responsible for addressing allegations of discriminatory and sexual harassment have one comprehensive policy with a consistent, effective approach to investigations and handling of discriminatory harassment which reflects the most perfect provisions of appropriate law and regulation.
249 Bullying/Cyberbullying	249	-New recommended language has been added to the Authority section regarding oral and written reports, the handling of such reports, and report reviews. -A new paragraph has been added to the Authority section regarding threat assessment in accordance with PS 1001-E et seq. This language supports policy 236.1, Threat Assessment. -The Title IX Sexual Harassment and Other Discrimination section has been added to the draft policy. This language is intended to ensure proper handling of reports in accordance with Title IX regulations addressing discrimination on the basis of sex in JOC programs and activities.	-The administrator responsible for receiving reports of bullying has been assigned to the Executive Director instead of the building administrator, as past and current school resources provide no indication of a principal or building administrator position within the AVTS. Please review and revise in accordance with AVTS practice. -Original AVTS policy language regarding confidentiality and retaliation has revised and expanded upon for clarity.
250 Student Recruitment	250	-The Military Personnel section regarding military uniforms has been added to the draft policy in accordance with 24 PS 2402.	
252 Dating Violence - New		-New Policy: This policy is optional, and has been placed in the draft area for the consideration of the JOC. The draft policy has been written in response to Act 104 of 2010 and written in accordance with PS 1001-E et seq. This policy was developed by PSBA after recognizing a need due to many school entity requests.	



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APAVTS 227.doc (74 KB)



APAVTS 222.doc (66 KB)