

**ERIE COUNTY TECHNICAL SCHOOL
PROPOSED AGENDA ITEM**

DATE: June 20, 2007

SUBJECT: First Reading—Board Policies Affected by PDE Ch. 12 Regulation Changes

CATEGORY: Operations

INITIATED BY: Aldo Jackson

DESCRIPTION:

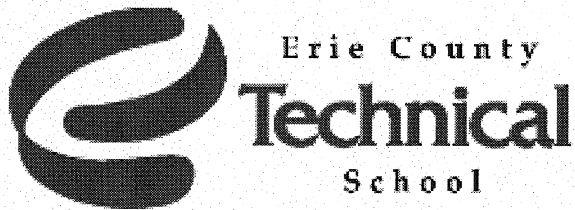
The State Board of Education amended Chapter 12 regulations that address student rights and responsibilities and student services are now in effect and required to be followed by all public schools. These revisions were put in place to update and align the regulations with current state and federal provisions and relevant case law.

The new regulations provide direction regarding:

- a. Preparation of a Student Records Plan
- b. Preparation of a written Student Services plan consistent with strategic plan requirements outlined in Chapter 4 and to include developmental, diagnostic and consultative services
- c. Prohibition of the use of corporal punishment as a form of student discipline
- d. Setting of timelines for disciplinary hearings
- e. Clarification of student rights to free expression
- f. Planning and provision of Student Assistance Program for all school entities

103	NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES
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All proposed policies follow models provided by PSBA's Policy Network



SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN
SCHOOL AND CLASSROOM
PRACTICES

ADOPTED: December 19, 1996

REVISED: July 26, 2007

1. Authority SC 1310 Title VI 42 U.S.C. Sec. 2000d et seq Title IX 20 U.S.C. Sec. 1681 42 U.S.C. Sec. 12101 et seq 29 U.S.C. Sec. 701 et seq Title 22 Sec. 4.4, 12.1, 12.4, 14.101 et seq, 15.1 et seq 2. Delegation of Responsibility	103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES The Joint Operating Committee declares it to be the policy of the school to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the school regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability. The school shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The school shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations. The Joint Operating Committee encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees. The Joint Operating Committee directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the school's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of discrimination. In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Joint Operating Committee designates the Business Manager as the school's Compliance Officer. The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.
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3. Guidelines	The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas: 1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias. 2. Training - Provision of training for students and staff to identify and alleviate problems of discrimination. 3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation. 4. Equitable Support - Assurance that like aspects of the vocational technical program receive like support as to staffing and compensation, facilities, equipment, and related matters. 5. Student Evaluation - Review of tests, procedures and guidance and counseling materials for stereotyping and discrimination. The building administrator shall be responsible to complete the following duties when receiving a complaint of discrimination: 1. Inform the student or third party of the right to file a complaint and the complaint procedure. 2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure. 3. Notify the complainant and the accused of the progress at appropriate stages of the procedure. 4. Refer the complainant to the Compliance Officer if the building administrator is the subject of the complaint. <u>Complaint Procedure – Student/Third Party</u> Step 1 – Reporting A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building administrator.
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	An employee of the school who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building administrator. If the building administrator is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer. The complainant or reporting employee is encouraged to use the report form available from the building administrator, but oral complaints shall be acceptable. Step 2 – Investigation Upon receiving a complaint of discrimination, the building administrator shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building administrator to investigate the complaint, unless the building administrator is the subject of the complaint or is unable to conduct the investigation. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation. The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded. Step 3 – Investigative Report The building administrator shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint. The findings of the investigation shall be provided to the complainant, the accused, and the Compliance Officer. Step 4 – Action of School If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the school shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Disciplinary actions shall be consistent with the Student Code of Conduct, Joint Operating Committee policies and school procedures, applicable collective bargaining agreements, and state and federal laws.
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	<u>Appeal Procedure</u> 1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days. 2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation. 3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building administrator who conducted the initial investigation. PSBA Revision 9/06
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REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____

Home Address: _____

Home Phone: _____

Date of Alleged Incident(s): _____

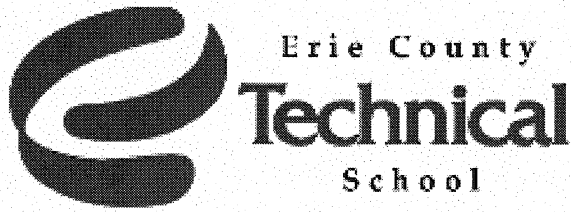
Alleged discrimination was based on: _____Name of person you believe violated the Joint Operating Committee's nondiscrimination policy:
_____If the alleged discrimination was directed against another person, identify the other person:
_____Describe the incident as clearly as possible, including any verbal statements (i.e. threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary: _____

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has discriminated against me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature_____
Date_____
Received By_____
Date



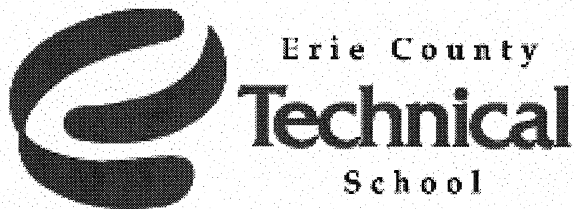
SECTION: PROGRAMS

TITLE: GUIDANCE COUNSELING

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	112. GUIDANCE COUNSELING
1. Purpose Title 22 Sec. 4.34	A guidance counseling program is an integral part of the instructional program of the technical school. Such a program can: Assist students in achieving their optimum potential. Enable students to significantly benefit from the offerings of the technical program. Identify intellectual, emotional, social and physical needs. Aid students in recognizing options and making choices in vocational and academic educational planning. Assist students in identifying career options consistent with their abilities and goals.
2. Authority Title 22 Sec. 4.34, 12.41	The Joint Operating Committee directs that a program of guidance and counseling shall be offered to students that involves the coordinated efforts of school staff members and personnel from participating school districts, under the professional leadership of certificated guidance and counseling personnel.
3. Delegation of Responsibility Pol. 103	The Administrative Director or designee is directed to implement a guidance program that serves the needs of and is available equally to all students. References: State Board of Education Regulations – 22 PA Code Sec. 4.34, 12.16, 12.41 Joint Operating Committee Policy – 103 PSBA Revision 3/06



SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION

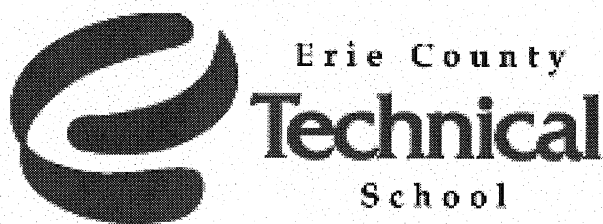
ADOPTED: December 19, 1996

REVISED: July 26, 2007

	113. SPECIAL EDUCATION
1. Purpose Title 22 Sec. 4.28, 12.1, 12.4, 14.102	Each student with a disability who attends the school shall be provided quality education programs and services that meet the student's needs for educational, instructional, transitional and related services. The special education program shall be designed to comply with law; conform to goals of the school; and integrate programs of special education with the regular instructional program of the school, consistent with the interests of the student with a disability and other students.
2. Definition Title 22 Sec. 14.101 34 CFR 300.7	Students with disabilities who are provided special education programs by the school shall include all children who meet the criteria defined by law and are residents of participating school districts.
3. Authority 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq Title 22 Sec. 12.1, 12.41, 14.101 et seq SC 1372	The Joint Operating Committee directs that all students with disabilities residing in participating districts shall be identified, evaluated, and provided with appropriate educational services, in accordance with federal and state laws and regulations. The school shall establish and implement a system of procedural safeguards and parental notification.
Title 22 Sec. 14.104 Pol. 100	The school's special education plan shall include procedures for educating students with disabilities and shall be aligned with the Strategic Plan adopted by the Joint Operating Committee. The Joint Operating Committee shall determine the facilities, programs, services and staff that will be provided by the school for the instruction of students with disabilities.

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4. Delegation of Responsibility	The Administrative Director or designee is directed to annually recommend to the Joint Operating Committee the employment and retention of necessary staff and provision of required facilities, programs and services to provide for the needs of students with disabilities. The Administrative Director or designee shall develop procedures for evaluating the effectiveness of the school's special education plan and shall periodically report to the Joint Operating Committee the criteria and results of such evaluation.
5. Guidelines 34 CFR 300.550	The program to which each student with a disability is assigned shall be one that provides an appropriate education, seeks to assure success in learning, and offers the least restrictive environment, in accordance with federal and state regulations.
34 CFR 300.560-300.576	The Joint Operating Committee directs that all procedures for implementing an individualized education program be designed to guard the privacy of the student and family.
42 U.S.C. Sec. 12101 et seq 29 U.S.C. Sec. 794 Pol. 103	No student with a disability shall be denied, because of handicap/disability, participation in activities, programs or services offered or recognitions rendered to regular students, unless participation is not possible because of the handicap/disability.
Title 22 Sec. 14.101 et seq 34 CFR 300.4 et seq	The school shall maintain procedures and processes that implement special education programs and services, in accordance with federal and state laws and regulations.
	References: Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq Rehabilitation Act of 1973, Sec. 504 – 29 U.S.C. Sec. 794 Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – Part 300 School Code – 24 P.S. Sec. 1372 State Board of Education Regulations – 22 PA Code Sec. 12.1, 12.4, 12.41, 14.101 et seq PSBA Revision 9/06



SECTION: PROGRAMS

TITLE: EXTRACURRICULAR
ACTIVITIES

ADOPTED: December 19, 1996

REVISED: July 26, 2007

122. EXTRACURRICULAR ACTIVITIES

1. Purpose

The Joint Operating Committee believes that the school's goals and objectives are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular curricular program of the school. The Joint Operating Committee strongly supports vocational student organizations.

2. Definition
Title 22
Sec. 12.1

For purposes of this policy, extracurricular activities shall be those programs that are sponsored or approved by the Joint Operating Committee; are conducted wholly or partly outside the regular school day; are marked by student participation in the processes of initiation, planning, organizing, and execution; and are equally available to all students who voluntarily elect to participate.

3. Authority
SC 511, 1850.1
20 U.S.C.
Sec. 4071 et seq
Pol. 103

The Joint Operating Committee shall make the facilities, supplies and equipment of the school available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with the Equal Access Act.

Any extracurricular activity shall be considered to be under the sponsorship of the Joint Operating Committee when it has been approved by the Joint Operating Committee on recommendation of the Administrative Director.

The Joint Operating Committee shall maintain the program of extracurricular activities at no cost to participating students, except that:

Pol. 110

The Joint Operating Committee's responsibility for provision of supplies shall carry the same exemptions as stated in the policy on regular school supplies.

Students may assume all or part of the costs for travel and attendance at extracurricular events and trips.

Where eligibility requirements are necessary or desirable, the Joint Operating Committee shall be informed and must approve the establishment of eligibility standards before they are operable.

	<u>Off-Campus Activities</u>
Pol. 218	This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if:
	1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities. 2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities. 3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school. 4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Code of Student Conduct. 5. The conduct involves the theft or vandalism of school property.
4. Delegation of Responsibility	The Administrative Director or designee shall develop and disseminate procedures to implement the extracurricular activities program.
5. Guidelines	Guidelines shall ensure that the program of extracurricular activities: - Assesses the needs and interests of and is responsive to students. - Invites the participation of parents/guardians and community in developing extracurricular activities. Such participation shall be in accordance with the Equal Access Act. - Involves students in developing and planning extracurricular activities. - Ensures provision of competent guidance and supervision by staff. - Guards against exploitation of students. - Provides a variety of experiences and diversity of organizational models. - Provides for continuing evaluation of the program and its components.
20 U.S.C. Sec. 4071 et seq	
Title 22 Sec. 12.1, 12.4	Ensures that all extracurricular activities are open to all students and that all students are fully informed of the opportunities open to them.

20 U.S.C. Sec. 4071 et seq	<u>Equal Access Act</u> The school shall provide secondary students the opportunity for non-curriculum related student groups to meet on the school premises during non-instructional time for the purpose of conducting a meeting within the limited open forum on the basis of religious, political, philosophical, or other content of the speech at such meetings. Such meetings must be voluntary, student-initiated, and not sponsored in any way by the school, its agents or employees. Non-instructional time is the time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. The meetings cannot materially and substantially interfere with the orderly conduct of the educational activities in the school. The Administrative Director or designee shall establish the length of sessions, number per week, and other limitations deemed reasonably necessary. The school retains the authority to maintain order and discipline on school premises in order to protect the well-being of students and employees and to ensure that student attendance at such meetings is voluntary. References: Equal Access Act – 20 U.S.C. Sec. 4071 et seq School Code – 24 P.S. Sec. 511, 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.1, 12.4 Joint Operating Committee Policy – 103, 110, 218 PSBA Revision 9/06
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SECTION: PROGRAMS

TITLE: STUDENT SERVICES

ADOPTED: July 26, 2007

REVISED:

	146. STUDENT SERVICES
1. Authority Title 22 Sec. 4.13, 12.41	The Joint Operating Committee shall approve a written plan for implementing a comprehensive and integrated K-12 program of student services, based on the needs of students.
Title 22 Sec. 4.13, 12.41	The Joint Operating Committee directs that the Student Services Plan be reviewed and revised during the third year of the six-year plan, and as necessary.
2. Guidelines Title 22 Sec. 12.41	Services offered by community agencies in the school shall be coordinated by and be under the general direction of the school.
Title 22 Sec. 12.41	The following categories of services shall be provided by the school and included in the Student Services Plan:
Pol. 112, 113, 209, 210, 210.1	1. Developmental services that address students' needs throughout their enrollment, which include: guidance counseling, psychological services, health services, home and school visitor services, and social work services that support students in addressing academic, behavioral, health, personal and social development issues. 2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.
Title 22 Sec. 12.41	The school's student services shall: 1. Be an integral part of the instructional program at all levels of the programs. 2. Provide information to students and parents/guardians about the educational opportunities of the school's instructional program and how to access those opportunities.
Pol. 115	3. Provide career information and assessments to inform students and parents/guardians about work and career options available to individual students.

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Pol. 209, 210, 210.1, 227 3. Delegation of Responsibility	4. Provide basic health services required by law for students and provide information to parents/guardians about the health needs of their children. The Administrative Director or designee shall be responsible to develop, implement and monitor a Student Services Plan that complies with state regulations and is available to all students. References: State Board of Education Regulations – 22 PA Code Sec. 4.13, 12.41 Joint Operating Committee Policy – 112, 113, 115, 209, 210, 210.1, 227 PSBA New 9/06
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SECTION: PUPILS

TITLE: ATTENDANCE

ADOPTED: December 19, 1996

REVISED: July 26, 2007

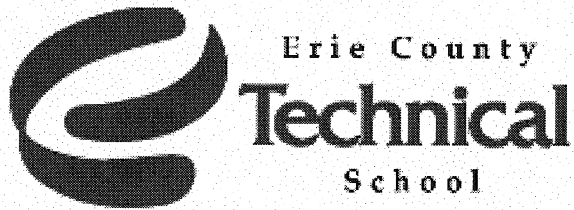
	204. ATTENDANCE
1. Purpose SC 1301 Title 22 Sec. 11.12, 12.1 2. Authority SC 1302, 1327, 1329 Title 22 Sec. 11.11, 11.23, 11.25, 11.41, 12.1 Title 22 Sec. 11.26	The Joint Operating Committee requires that school age students enrolled in the technical school attend school regularly, in accordance with state laws. The educational program provided by the school is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The Joint Operating Committee recognizes the positive correlation between regular attendance and achievement. Attendance shall be required of all students enrolled in the school during the days and hours that the school is in session, except that the building administrator or teacher may excuse a student for temporary absences when receiving satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence. Urgent reasons shall be strictly construed and do not permit irregular attendance. The Joint Operating Committee considers the following conditions to constitute reasonable cause for absence: - illness, - quarantine, - recovery from accident, - required court attendance, - death in family, - family educational trips, or - educational tours and trips.

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	Absences shall be treated as unlawful until the school receives a written excuse explaining the absence, to be submitted within three (3) days of the absence. A maximum of ten (10) days of cumulative lawful absences verified by parental notification may be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed physician.
SC 1332, 1333, 1354 Title 22 Sec. 12.1	The Joint Operating Committee may report to appropriate authorities infractions of the law regarding the attendance of students below the age of seventeen (17). The Joint Operating Committee shall issue notice to those parents/guardians who fail to comply with the statutory requirements of compulsory attendance that such infractions will be prosecuted in accordance with law.
Title 22 Sec. 11.8, 11.22, 11.23, 11.28 SC 1327, 1329 Pol. 115, 117	Attendance need not always be within school facilities. A student will 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.
Title 22 Sec. 11.21	All absences occasioned by observance of the student's religion on a day approved by the Joint Operating Committee as a religious holiday shall be excused. A penalty shall not be attached to an absence for a religious holiday.
SC 1546 Title 22 Sec. 11.21	The Joint Operating Committee shall, upon written request of the parents/guardians, release from attendance a student participating in a religious instruction program acknowledged by the Joint Operating Committee. Such instruction shall not require the student's absence from school for more than thirty-six (36) hours per school year, and its organizers must inform the Joint Operating Committee of the student's attendance record. The Joint Operating Committee shall not provide transportation to religious instruction. A penalty shall not be attached to an absence for religious instruction.
SC 1329 Title 22 Sec. 11.41	The Joint Operating Committee shall permit a student to be excused for participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group upon written request prior to the event.
Title 22 Sec. 11.23, 11.25	The Joint Operating Committee will recognize other justifiable absences for part of the school day. These shall include - medical or dental appointments, - court appearances, - family emergencies, or

Title 22 Sec. 11.26	other urgent reasons. <u>Educational Tours And Trips</u> The Joint Operating Committee may excuse a student from school attendance to participate in an educational tour or trip not sponsored by the school or participating district if the following conditions are met: 1. The parent/guardian submits a written request for excusal prior to the absence. 2. The student's participation has been approved by the Superintendent or designee of the participating district and the Administrative Director. 3. The adult directing and supervising the tour or trip is acceptable to the parents/guardians, the Superintendent of the participating district and the Administrative Director. The Joint Operating Committee may limit the number and duration of tours or trips for which excused absences may be granted to a student during the school term, in conjunction with the participating district.
3. Delegation of Responsibility	The Administrative Director or designee shall develop procedures for the attendance of students which:
Title 22 Sec. 11.1, 11.2, 11.3	Ensure a school session that conforms with requirements of state regulations.
SC 1332, 1339	Govern the keeping of attendance records in accordance with state statutes.
Title 22 Sec. 11.41	Distribute annually to staff, students, and parents/guardians Joint Operating Committee policies and school rules and regulations governing student attendance, absences and excusals.
SC 1333, 1338	Impose on truant students appropriate incremental disciplinary measures for infractions of school rules, but no penalty may have an irredeemably negative effect on the student's record beyond that which naturally follows absence from class learning experiences. Ensure that students legally absent have an opportunity to make up work.

SC 1333, 1338, 1354 Title 22 Sec. 11.24	Issue written notice to any parent/guardian who fails to comply with the compulsory attendance statute, within three (3) days of any proceeding brought under that statute. Each notice shall inform the parent/guardian of the date(s) the absence occurred, that the absence was unexcused and in violation of law, that the parent/guardian is being notified and informed of his/her liability under law for the absence of the student, and that further violation during the school term will be prosecuted without notice.
SC 1318, 1850.1	Repeated infractions of Joint Operating Committee policy requiring the attendance of enrolled students may constitute misconduct and disobedience to warrant the student's suspension or expulsion from the regular school program. References: School Code – 24 P.S. Sec. 1301, 1302, 1318, 1327, 1329, 1330, 1332, 1333, 1338, 1339, 1354, 1546, 1850.1 State Board of Education Regulations – Title 22 PA Code Sec. 11.1, 11.2, 11.3, 11.5, 11.8, 11.11, 11.12, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.28, 11.32, 11.34, 11.41, 12.1 Joint Operating Committee Policy – 115, 117 PSBA Revision 9/06



SECTION: PUPILS

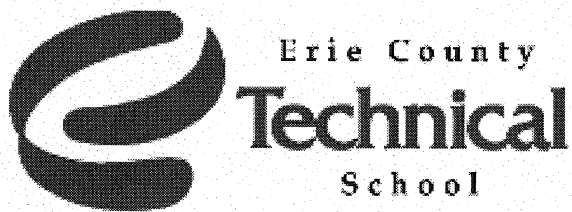
TITLE: CONFIDENTIAL
COMMUNICATIONS OF
STUDENTS

ADOPTED: July 26, 2007

REVISED:

	207. CONFIDENTIAL COMMUNICATIONS OF STUDENTS
1. Purpose	The Joint Operating Committee recognizes that certain written and oral communications between students and school personnel must be confidential.
2. Authority SC 1850.1	The Joint Operating Committee directs personnel to comply with all federal and state laws and regulations and Joint Operating Committee policy concerning confidential communications of students.
3. Guidelines Title 22 Sec. 12.12 Title 22 Sec. 12.12 42 P.S. Sec. 5945, 8337	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. Use of a student's confidential communications to school personnel in legal proceedings is governed by statutes and regulations appropriate to the proceedings.
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 Principal may reveal confidential information to a student's parent/guardian and other appropriate authorities, including law enforcement personnel. References: School Code – 24 P.S. Sec. 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.12 PA Statutes, Title 42, Judiciary and Judicial Procedures – 42 P.S. Sec. 5945, 8337

PSBA Revision 9/06



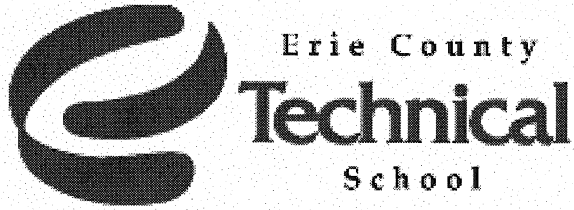
SECTION: PUPILS

TITLE: HEALTH EXAMINATIONS

ADOPTED: December 19, 1996

REVISED: July 26, 2007

1. Authority SC 1401, 1402, 1403 Title 22 Sec. 12.41 2. Delegation of Responsibility SC 1402, 1406	209. HEALTH EXAMINATIONS In compliance with the School Code, the Joint Operating Committee shall require that students submit to health and dental examinations required by law, in cooperation with the sending school. The Administrative Director or designee shall instruct all staff members to continually observe students for conditions that indicate physical defect or disability and to promptly report such conditions to the nurse. References: School Code – 24 P.S. Sec. 1401-1419 State Board of Education Regulations – 22 PA Code Sec. 12.41 State Department of Health Regulations – 28 PA Code Sec. 23.2, 23.45 PSBA Revision 9/06
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SECTION: PUPILS

TITLE: STUDENT RECORDS

ADOPTED: December 19, 1996

REVISED: July 26, 2007

216. STUDENT RECORDS	
1. Purpose	The educational interests of students require the collection, retention, and use of data and information about individuals and groups of students while ensuring the individual's right to privacy. The school will maintain educational records for students for legitimate educational purposes.
2. Authority SC 1303a, 1305-A, 1306-A, 1402, 1409, 1532, 1533, 1850.1 20 U.S.C. Sec. 1232g 34 CFR 99 Title 22 Sec. 4.52, 12.31, 12.32	The Joint Operating Committee recognizes its responsibility for compilation, retention, disposition and security of student records. The Joint Operating Committee also recognizes the legal requirement to maintain the confidentiality of student records. The Joint Operating Committee shall adopt a comprehensive plan for the collection, maintenance and dissemination of student 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 be revised as required by changes in federal or state law.
3. Delegation of Responsibility SC 1532 Pol. 213, 215	The Administrative Director or designee shall be responsible for implementing and monitoring the adopted student records plan which meets all legal requirements. The designated administrator shall establish safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining and disseminating student information and providing access to authorized persons. School staff shall compile only those educational records mandated by federal and state laws and regulations. In accordance with law, 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.

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4. Guidelines Title 22 Sec. 4.31	The record of a student enrolled in a vocational technical program shall include the student's educational and occupational objectives and the results of the assessment of student competencies. The school's plan for compilation, retention, disclosure and security of student records shall provide for the following: 1. Informing parents/guardians and eligible students eighteen (18) years and older of their rights and the procedures to implement those rights, upon enrollment and annually. 2. Permitting appropriate access by authorized persons and officials, describing procedures for access, and listing copying fees. 3. Enumerating and defining the types, locations and persons responsible for student records maintained by the school. 4. Establishing guidelines for disclosure of information and data in student records. 5. Maintaining a record of access and release of information for each student's records. 6. Assuring appropriate retention and security of student records.
SC 1305-A	7. Transferring education records and appropriate disciplinary records to school districts and/or vocational technical schools.
Pol. 250	Procedures for disclosure of student records shall apply equally to military recruiters and postsecondary institutions.
Title 22 Sec. 12.31	Copies of the student records plan shall be submitted to the Department of Education, upon request of the Secretary.

216. STUDENT RECORDS - Pg. 3

References:

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

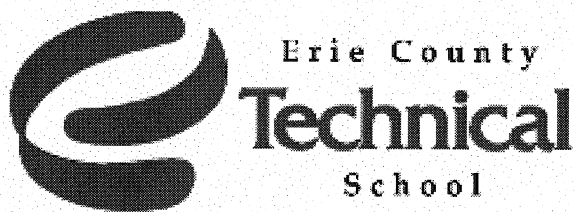
Family Educational Rights and Privacy, Title 34, Code of Federal Regulations –
34 CFR 99

School Code – 24 P.S. Sec. 1303a, 1305-A, 1306-A, 1402, 1409, 1532, 1533,
1850.1

State Board of Education Regulations – 22 PA Code Sec. 4.31, 4.52, 12.31, 12.32

Joint Operating Committee Policy – 213, 215, 250

PSBA Revision 9/06



SECTION: PUPILS

TITLE: STUDENT DISCIPLINE

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	218. STUDENT DISCIPLINE
1. Purpose	The Joint Operating Committee finds that student conduct is closely related to learning. An effective vocational education program requires a safe and orderly school environment.
2. Definition Title 22 Sec. 12.16	Corporal punishment - a form of physical discipline intended to cause pain and fear, in which a student is spanked, paddled or hit on any part of the body with a hand or instrument.
3. Authority SC 1850.1 Title 22 Sec. 12.3, 12.4	The Joint Operating Committee shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities.
Title 22 Sec. 12.3, 12.4 Pol. 103	The Joint Operating Committee shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, gender, color, religion, sexual orientation, national origin or handicap/disability.
Title 22 Sec. 12.2 Pol. 235	Each student must adhere to Joint Operating Committee policies and the Code of Student Conduct governing student discipline. <u>Off-Campus Activities</u>
Pol. 122	This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if: 1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities. 2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.

	3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school. 4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement made on school property to complete a transaction outside of school that would violate the Code of Student Conduct. 5. The conduct involves the theft or vandalism of school property.
4. Guidelines Pol. 233	Any student disciplined by a school employee shall have the right to notice of the infraction.
Pol. 233	Suspensions and expulsions shall be carried out in accordance with Policy 233.
	<u>Corporal Punishment</u>
Title 22 Sec. 12.5	The Joint Operating Committee prohibits the use of corporal punishment to discipline students for violations of Joint Operating Committee policies and school rules or regulations.
Title 22 Sec. 12.5	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.
5. Delegation of Responsibility	The Administrative Director or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Joint Operating Committee policy governing student conduct.
Title 22 Sec. 12.3 Pol. 235	The Administrative 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 Student Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct shall be available in each school library and school office. The Administrative 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.

218. STUDENT DISCIPLINE - Pg. 3

SC 1317	The building administrator shall have the authority to assign discipline to students, subject to Joint Operating Committee policies and school rules and regulations and to the student's due process right to notice, hearing, and appeal.
SC 1317	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. References: School Code – 24 P.S. Sec. 1317, 1318, 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.1 et seq Joint Operating Committee Policy – 103, 122, 233, 235 PSBA Revision 9/06



SECTION: PUPILS

TITLE: STUDENT EXPRESSION/
DISTRIBUTION AND POSTING
OF MATERIALS

ADOPTED: December 19, 1996

REVISED: July 26, 2007

1. Purpose Title 22 Sec. 12.9 2. Definitions	220. STUDENT EXPRESSION/DISTRIBUTION AND POSTING OF MATERIALS 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 distribute and post materials in areas designated for posting as a part of that expression. The Joint Operating Committee also recognizes that exercise of that right must be limited by the school's responsibility to maintain an orderly school environment and to protect the rights of all members of the school community. This policy addresses student expression in general and distribution and posting of materials that are not part of school-sponsored activities. Materials sought to be distributed or posted as part of the curricular or extracurricular programs of the school shall be regulated as part of the educational program. Distribution - students handing nonschool materials to others on school property or during school-sponsored events; placing upon desks, on or in lockers; or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When e-mail, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by this policy. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by this policy. Expression - verbal, written or symbolic representation or communication.
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220. STUDENT EXPRESSION/DISTRIBUTION AND POSTING OF MATERIALS - Pg. 2

3. Authority Title 22 Sec. 12.9 SC 511 Title 22 Sec. 12.2, 12.9 SC 1850.1 Title 22 Sec. 12.9	Nonschool materials - any printed or written materials meant for posting or general distribution to others that are not prepared as part of the curricular or extracurricular program of the school, including but not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal web sites and the like. Posting - publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; on school-sponsored or student web sites; through other school-owned technology and the like. Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, school work, or discipline 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 that occurs on school property or at school-sponsored events is fully governed by this policy. In addition, off-campus or after hours expression is governed by this policy if the student expression involved constitutes unprotected expression as stated in this policy and provided the off-campus or after hours expression does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline 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. The Joint Operating Committee shall require that distribution and posting of nonschool materials occur only at the places and during the times set forth in written administrative regulations. Such regulations or procedures shall be written to permit the orderly operation of the school, while recognizing the rights of students to engage in protected expression. <u>Unprotected Student Expression</u> The Joint Operating Committee reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, or discipline and order on school property or at school functions including but not limited to: 1. Libel of any specific person or persons.
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Title 22 Sec. 12.2	2. Advocating the use or advertising 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. 3. Using obscene, lewd, vulgar or profane language – whether verbal, written or symbolic. 4. Inciting violence; advocating use of force; or encouraging violation of federal, state or municipal law, Joint Operating Committee policy or school rules or regulations. 5. Are likely to or do materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threaten serious harm to the school or community; encourage unlawful activity; or interfere with another's rights. 6. Violating written school administrative regulations or procedures on time, place and manner for posting and distribution of otherwise protected expression. Spontaneous student expression which is otherwise protected speech is not prohibited by this section.
Title 22 Sec. 12.9	<u>Discipline For Engaging In Unprotected Expression</u> The Joint Operating Committee reserves the right to prohibit the posting or distribution of nonschool materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Joint Operating Committee reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a substantial and material disruption of the school program must be established. <u>Distribution Of Nonschool Materials</u> The Joint Operating Committee requires that students who wish to distribute or post nonschool materials on school property shall submit them one (1) school day in advance of planned distribution or posting to the building administrator or designee. If the nonschool materials contain unprotected expression as stated in this policy, the building administrator or designee shall notify the students that they may not post or distribute the materials because the materials constitute a violation of Joint Operating Committee policy.

Pol. 219	If notice is not given during the period between submission and the time for the planned distribution or posting, students may proceed with the planned distribution or posting, provided they comply with written administrative regulations or procedures on time, place and manner of posting or distribution of nonschool materials. Students who post or distribute nonschool materials in compliance with this provision may still be ordered to desist such distribution if the materials are later found to be unprotected expression under this policy. Students who distribute printed 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. <u>Posting Of Nonschool Materials</u> If the school has an area where individuals are allowed to post nonschool materials, students may post such items as well, if the materials do not constitute unprotected expression and the items are submitted for prior review in the same manner as if the students were going to distribute them. Such materials shall be officially dated, and the school may remove the materials within ten (10) days of the posting or other reasonable time as stated in the administrative regulations or procedures relating to posting. <u>Review Of Student Expression</u> 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 shall not be prohibited except as to time, place and manner of distribution, or if the expression involved violates some other part of this policy, e.g., because it is independently determined to be unprotected expression under the standards and definitions of this policy. The review for unprotected expression shall be reasonable and not calculated to delay distribution. Appeal of the reviewer's decision may be made to the Superintendent of Record and then to the Joint Operating Committee, in accordance with Joint Operating Committee policy and school (center) regulations or procedures.
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220. STUDENT EXPRESSION/DISTRIBUTION AND POSTING OF MATERIALS - Pg. 5

4. Delegation of Responsibility Pol. 218	The Administrative Director shall determine the designation of the places and times nonschool materials may be distributed in the school. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit distribution of nonschool materials to non-instructional times. Disciplinary action may be determined by the administration for students who distribute or post nonschool materials in violation of this policy and school regulations or procedures, or who continue the manifestation of unprotected expression after a person in authority orders that they desist. Disciplinary actions shall be included in the Code of Student Conduct. This Joint Operating Committee policy and any administrative regulations or procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information. References: School Code – 24 P.S. Sec. 511, 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.2, 12.9 Joint Operating Committee Policy – 218, 219 PSBA Revision 3/06
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SECTION: PUPILS

TITLE: DRESS AND GROOMING

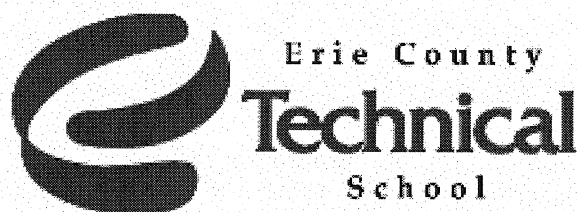
ADOPTED: December 19, 1996

REVISED: July 26, 2007

	221. DRESS AND GROOMING
1. Purpose	The Joint Operating Committee recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.
2. Authority SC 1317.3 Title 22 Sec. 12.11	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.
SC 1317.3 Title 22 Sec. 12.11	The Joint Operating Committee may require students to wear standard dress or uniforms, which may be required school-wide or by individual programs.
Title 22 Sec. 12.11	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.
3. Delegation of Responsibility	The building administrator 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.
Title 22 Sec. 12.11	The Administrative 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.
Pol. 325, 425, 525	Staff members shall be instructed to demonstrate, by example, positive attitudes toward safety, neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

221. DRESS AND GROOMING - Pg. 2

	References: School Code – 24 P.S. Sec. 1317.3 State Board of Education Regulations – 22 PA Code Sec. 12.11 Joint Operating Committee Policy – 325, 425, 525 PSBA Revision 9/06
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SECTION: PUPILS

TITLE: SEARCHES

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	226. SEARCHES
1. Purpose	The Joint Operating Committee acknowledges the need for safe storage of books, clothing, school materials and personal property and may provide lockers for storage purposes.
2. Authority SC 1850.1	It shall be the policy of the Joint Operating Committee that all lockers are and shall remain the property of the school. As such, students shall have only a limited expectation of privacy in their lockers. No student may use a locker as a depository for a substance or object that is prohibited by law, Joint Operating Committee policy or school rules, or constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself.
Title 22 Sec. 12.14	The Joint Operating Committee reserves the right to authorize its employees to inspect a student's locker at any time, based on reasonable suspicion, for the purpose of determining whether the locker is being used improperly for the storage of contraband, a substance or object the possession of which is illegal, or any material that poses a threat to the health, welfare or safety of the school population .
3. Delegation of Responsibility	The Joint Operating Committee authorizes the administration to conduct random searches of lockers when the school has a compelling interest in protecting and preserving the health, safety or welfare of the school population. Students, parents/guardians and staff shall be notified at least annually, or more often if deemed appropriate by administration, concerning the contents of this policy and school procedures. The Administrative Director or designee shall develop procedures to implement this policy. The building administrator or designee shall be present whenever a student locker is inspected based on reasonable suspicion.

226. SEARCHES - Pg. 2

Pol. 225 4. Guidelines Title 22 Sec. 12.14 Title 22 Sec. 12.14	The building administrator shall be responsible for promptly recording in writing each locker inspection; such record shall include the reason(s) for the search, persons present, objects found and their disposition. The building administrator shall open a student's locker for inspection on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the intelligent and voluntary consent of the student. The building administrator shall be responsible for the safekeeping and proper disposal of any substance, object or material found to be stored in a student's locker in violation of law, Joint Operating Committee policy or school rules. School officials are authorized to search a student's personal possessions or motor vehicle parked on school property when there is reasonable suspicion that the student is violating law, Joint Operating Committee policy or school rules, or poses a threat to the health, safety or welfare of the school population. Students shall assume responsibility for maintaining the security of their lockers. Prior to an individual locker search, the student shall be notified and be given an opportunity to be present. However, when school authorities have 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 warning. Illegal and prohibited materials seized during a student search may be used as evidence against the student in a school disciplinary hearing. Searches conducted by the administration may include but not be limited to utilization of certified drug dogs, metal detection units, or any device used to protect the health, safety and welfare of the school population. References: School Code – 24 P.S. Sec. 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.14 Joint Operating Committee Policy – 225 PSBA Revision 9/06
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SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	233. SUSPENSION AND EXPULSION
1. Purpose Title 22 Sec. 12.6, 14.143 34 CFR 300.519-300.529	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.
2. Authority SC 1318 Title 22 Sec. 12.6, 12.8	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. Every administrator or teacher in charge of the school may temporarily suspend any student for disobedience or misconduct.
3. Guidelines SC 1318 Title 22 Sec. 12.6	<u>Exclusion From School - Suspension</u> The building administrator may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Administrative Director in writing when the student is suspended. 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.

Title 22 Sec. 12.8	When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the building administrator. 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. Informal hearings under this provision shall be conducted by the building administrator. <u>Purpose Of Informal Hearing</u>
Title 22 Sec. 12.8	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. <u>Due Process Requirements For Informal Hearing</u>
Title 22 Sec. 12.8	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. <u>Exclusion From Class - In-School Suspension</u>
Title 22 Sec. 12.7	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.
Title 22 Sec. 12.8	Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the building administrator. 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. The school shall provide for the student's education during the period of in-school suspension.

SC 1318 Title 22 Sec. 12.6, 12.8 2 Pa. C.S.A. Sec. 101 et seq Title 22 Sec. 12.8	<u>Expulsion</u> 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, and upon action taken by the Joint Operating Committee after the hearing. <u>Expulsion Hearings</u> A formal hearing shall be required in all expulsion actions. The formal hearing shall observe the due process requirements of: 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.
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	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. <u>Adjudication</u> 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. <u>Attendance/School Work During Suspension And Prior To Expulsion</u> 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. 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. <u>Attendance/School Work After Expulsion</u> Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education. The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the 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.
2 Pa. C.S.A. Sec. 101	
Title 22 Sec. 12.6 Pol. 204	
Title 22 Sec. 12.6	

Pol. 113, 113.1 4. Delegation of Responsibility Pol. 218 Pol. 216	<u>Students With Disabilities</u> A student with a disability shall be provided educational services as required by state and federal laws and regulations and Joint Operating Committee policies. The Administrative Director or designee shall develop rules and regulations to implement this policy which include: 1. Publication of a Code of Student Conduct, in accordance with Joint Operating Committee policy on student discipline. 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. 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 school upon such conditions as may be imposed by the Joint Operating Committee. References: Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400-1482 Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR 300.519-300.529 Local Agency Law – 2 Pa. C.S.A. Sec. 101 et seq School Code – 24 P.S. Sec. 1318 State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.6, 12.7, 12.8, 14.143 Joint Operating Committee Policy – 113, 113.1, 204, 216, 218 PSBA Revision 9/06
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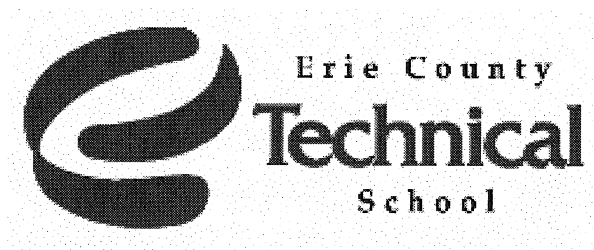
SECTION: PUPILS

TITLE: PREGNANT/MARRIED STUDENTS

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	234. PREGNANT/MARRIED STUDENTS
1. Purpose SC 1326 Title 22 Sec. 12.1	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.
2. Authority SC 1850.1	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 Administrative 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 student who is married must declare his/her marital status at the time of marriage or at the time of enrollment in the school. 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 of homebound instruction. 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.
4. Delegation of Responsibility	The Administrative Director or designee shall develop procedures for implementing this policy which include offering counseling services to help students plan their future or cooperate with community resources to assist students. References: School Code – 24 P.S. Sec. 1326, 1850.1 State Board of Education Regulations – 22 PA Code Sec. 12.1 PSBA Revision 9/06



SECTION: PUPILS

TITLE: STUDENT RIGHTS/SURVEYS

ADOPTED: December 19, 1996

REVISED: July 26, 2007

	235. STUDENT RIGHTS/SURVEYS
1. Purpose	This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.
2. Definition	Personal information means individually identifiable information including a student's or parent's/guardian's name, address, telephone number, or social security number.
3. Authority SC 1850.1 Title 22 Sec. 12.1, 12.3, 12.4, 12.9	The Joint Operating Committee has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of its 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.
	Surveys conducted by outside agencies, organizations and individuals shall be approved by the Joint Operating Committee, based on the Administrative Director's recommendation, prior to administration to students.
4. Guidelines Title 22 Sec. 12.2, 12.3	Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Joint Operating Committee policies and school rules and regulations; respect for the rights of students, administrators, and others; and expression of ideas and opinions in a respectful manner.
Title 22 Sec. 12.3 Pol. 218	A listing of students' rights and responsibilities shall be included in the Code of Student Conduct, which shall be distributed annually to students and parents/guardians. A student who has reached the age of eighteen (18) years possesses the full rights of an adult and may authorize those school matters previously handled by a parent/guardian.

235. STUDENT RIGHTS/SURVEYS - Pg. 2

Pol. 105.1	<u>Instructional Materials</u> The parent/guardian shall be notified annually that all instructional materials, including teachers' manuals, audiovisuals, and other supplementary instructional material used in the instructional program shall be available for inspection by the parents/guardians of students, in accordance with Joint Operating Committee policy. Instructional materials do not include tests or academic assessments.
	<u>Surveys/Evaluations</u>
	All surveys and instruments used to collect information from students shall relate to the school's educational objectives.
20 U.S.C. Sec. 1232h Title 22 Sec. 12.41	The parent/guardian shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the Administrative Director.
Title 22 Sec. 4.4	No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning: 1. Political affiliations or beliefs of student or parent/guardian. 2. Mental and psychological problems of the student or family. 3. Sexual behavior or attitudes. 4. Illegal, antisocial, self-incriminating or demeaning behavior. 5. Critical appraisals of other individuals with whom respondents have close family relationships. 6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers. 7. Religious practices, affiliations, or beliefs of the student or parent/guardian. 8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

5. Delegation of Responsibility Title 22 Sec. 12.3	However, such survey, analysis or evaluation may be conducted on a voluntary basis, provided that the student and parent/guardian have been notified of their right to inspect all related materials and to opt the student out of participation. The school shall implement procedures to protect student identity and privacy when a survey contains any of the restricted subject areas listed above. <u>Collection Of Information For Marketing</u> The parent/guardian has the right to inspect the material and opt out the student from participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information. This does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students. The Administrative Director or designee shall develop and promulgate procedures consistent with law and Joint Operating Committee policy to ensure that student rights under specific conditions are properly recognized and maintained. The Administrative Director or designee shall annually notify the parent/guardian concerning: 1. Contents of this policy and its availability. 2. Contents of the Code of Student Conduct. 3. Approximate dates that any surveys requesting personal information may be scheduled. 4. Procedures to request access to survey instruments prior to administration. 5. Procedures for opting students out of participation in surveys. References: School Code – 24 P.S. Sec. 1850.1 State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.2, 12.3, 12.4, 12.9, 12.41 No Child Left Behind Act of 2001 – 20 U.S.C. Sec. 1232h Joint Operating Committee Policy – 105.1, 218
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PSBA Revision 9/06



SECTION: PUPILS

TITLE: STUDENT ASSISTANCE PROGRAM

ADOPTED: July 26, 2007

REVISED:

	236. STUDENT ASSISTANCE PROGRAM
1. Purpose	The Joint Operating Committee is committed to assisting all students to achieve to their fullest potential.
2. Definition Title 22 Sec. 12.16	Student Assistance Program (SAP) - a systematic process using effective and accountable professional techniques to mobilize school resources to remove the barriers to learning and, when the problem is beyond the scope of the school, to assist the parent/guardian and student with information so they may access services within the community.
3. Authority Title 22 Sec. 12.16, 12.42	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.
4. Delegation of Responsibility	The Administrative Director or designee shall develop, implement and monitor a Student Assistance Program (SAP) that complies with state regulations.
5. Guidelines	The Student Assistance Program (SAP) shall provide assistance in: 1. Identifying issues that pose a barrier to a student's learning and/or academic achievement. 2. Determining whether or not the identified problem lies within the responsibility of the school. 3. Informing the parent/guardian of a problem affecting the student's learning and/or academic achievement. 4. Making recommendations to assist the student and the parent/guardian. 5. Providing information on community resources and options to deal with the problem. 6. Establishing links with resources to help resolve the problem.

7. Collaborating with the parent/guardian and agency when students are involved in treatment through a community agency.
8. Providing a plan for in-school support services for the student during and after treatment.

References:

State Board of Education Regulations – 22 PA Code Sec. 12.16, 12.41, 12.42

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. 8337

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Title 34, Code of Federal Regulations – 34 CFR Part 98, Part 99