



# Northwest Area Elementary Schools'

**STUDENT HANDBOOK**

**2023-2024**

### **Legal Notice**

Northwest Area School District, as an Equal Opportunity Employer, will not discriminate in employment, its program admission policy, educational programs or activities, based on race, sex, handicap or because a person is a disabled veteran of the Vietnam era, and is in compliance with the following nondiscriminatory laws, Title IV Rights Act of 1964, Title VII Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Act of 1963 as amended, Executive Order 11246 as amended, Section 503 of the Rehabilitation Act of 1974, section 504 of the Rehabilitation Act of 1973 as amended. If any individual or group of individuals believe that a contradiction of the preceding law exists, those individuals can contact the school district Title IX and Section 504 compliance officer and initiate the grievance procedure. This policy or discrimination extends to all other legally protected classifications. Publication of this document is in accordance with the State and Federal Laws including Title IX of the Education Amendments of 1972, Section 504 of the Civil Rights Act of 1964. We further affirm that all curriculum offerings are without discrimination based on race, sex, religion, national origin, ancestry or non-job related handicaps or disabilities. Inquiries should be forwarded to the Northwest Area School District Principal's Office, who is the Title IX and Section 504 compliance officer at 570-542-4126 X 3001.

### **Annual Notice to Parents**

In compliance with state and federal law, the Northwest Area School District will provide to each protected handicapped student, without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of school programs and/or extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program. These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. For further information on the evaluation procedures and provision of services to protected handicapped students, contact Ms. Mary Agnes Kratz at 542-4126 extension 5012.

### **Notification of Rights under FERPA**

*The Family Educational Rights and Privacy Act (FERPA)* affords parents and students who are over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- (1.) The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will arrange for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2.) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal (or appropriate school

official), clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3.) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
- (4.) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-46-05

### **Northwest Area School District Educational Philosophy**

The Northwest Area School District Board of Education believes that innovation and change in education – both content and methods – are necessary for meeting the needs of our youth as they face life before them.

We also believe that education is best achieved when students become involved in experiences meaningful to their lives in today's world. We believe that the educational process should develop a feeling of self worth and accomplishment. We believe that equal educational opportunity is the right of all children without regard to race, creed, color or national origin and the laws to this end should be followed promptly and effectively.

We further believe education should develop habits, attitudes, understandings and skill necessary for a productive, satisfying life in civilized society. Each child should be helped to understand the duties and privileges of responsible citizenship as it relates to him or her as an individual and to the world community. We recognize the vast changes brought by increasing technology, population and urbanization. We request the advice and support of the citizens of the community and especially the professional staff as we endeavor to develop the attitudes and abilities demanded in this age.

## **Northwest Area School District Mission Statement**

### ***Northwest Area Learning Community Mission...***

...In collaboration with family and community partners, the Northwest Area School District provides a continuum of services that support ALL students to realize their fullest potential through academically rigorous and relevant programs of study.

## **Northwest Area School District Vision Statement**

*Description of the vision for the future of the Northwest Area School District if it is successful in its mission:*

...For all students to demonstrate college or career readiness, critical thinking, and the skills to meet and exceed the demands of a globally diverse society as responsible citizens in the 21st century.

## **Northwest Area School District Shared Values**

*Description of the values, which underscore district decision making, and initiatives:*

- Through continued professional development and implementation of professional learning communities, the Northwest Area School District will continue to increase teacher collaboration.
- Areas of focus will be differentiated instruction and curricular development as we strive to educate students based on their individual learning needs.
- The Northwest Area School District will continue to provide technology resources to all students in the district.
- Continued development of a Comprehensive Career Development Model.

## **Northwest Area School District Core Values**

*The Northwest Area School District believes that student success is achieved by:*

- Encouraging life-long learning
- Promoting effective communication
- Cultivating professional development opportunities
- Stimulating critical thinking skills
- Fostering character development
- Setting challenging academic expectations
- Providing a healthy social and emotional environment
- Providing developmentally appropriate, standards-aligned instructional opportunities
- Providing students with a continuum of support so that ALL students realize their potential

## **Description of the Educational Community:**

The Northwest Area School District consists of the Borough of Shickshinny, Union Township, Huntington Township, Fairmount Township, Hunlock Township, and New Columbus Borough. The school district is characterized as a small rural school district.

The school district currently operates and maintains three buildings: The Northwest Area Primary School, which houses grades Pre-K-2, is located in Huntington Township, the Northwest Area Intermediate School, which houses grades 3-6, is located in Hunlock Township, and the Northwest Area Senior High and Middle School is located in Union Township which houses grades 7-12.

The Northwest Area School District is a rural school district and is the smallest school district in Luzerne County. The school district is the largest employer in the area and has an extremely limited tax base due to the rural nature of the district and that no major industry is evident. Currently the district serves a population of 1100 students K-12. Almost 40% of the students of the school district are considered economically disadvantaged. Many students leave the boundaries of the school district to obtain employment as a result of the limited job opportunities.

The Northwest Area School District is the epicenter of the communities that it serves. Consequently, the district is committed to providing an environment within which all its stakeholders: students, parents, guardians, faculty members, and community members can participate in a variety of athletic, cultural, and artistic opportunities



## **NORTHWEST AREA SCHOOL DISTRICT BOARD OF EDUCATION**

Marvin LeValley.....	President	
Clement Benson .....	Vice-President	
Pete Lanza .....	Secretary	
Atty. Angela Evans.....	Solicitor	
Edward Beleski	Dr. Edward Brunn	Ryan Sutliff
Tara Biller	Jeff Pierontoni	Dr. Jennifer Yarnell

### **ADMINISTRATION**

Joseph Long Jr. ....	District Superintendent
Ryan Miner.....	Secondary Principal
Matthew Mills.....	Assistant Secondary Principal
Daniel Yarnell.....	Elementary Principal
Mary Agnes Kratz.....	Acting Dir. Of Special Education
Barry Shoemaker.....	Facilities Manager
Adam Sorber.....	Director of Technology/Transportation
Kristy Straub.....	Business Manager/Payroll
Jessica Hurst.....	Executive Secretary to the Superintendent

### **BUSINESS OFFICE STAFF:**

Maria Hoeffner.....	Child Accounting/PIMS Coordinator
Vanessa Martin.....	Business Office Administrative Assistant
Kimberly Piestrak.....	Grant Writer
Cecilia Stritzinger.....	Accounts Payable

### **PRIMARY INSTRUCTIONAL STAFF:**

Wendy Coburn.....	Grade 1
Ember Hasay.....	Title I Reading, Grades K-2
Sarah Hercik.....	Learning Support, Grades K-2
Scott Kline.....	Grade 1
Amy Kunec.....	Grade 2
Beth Logsdon.....	Pre-K Counts
Kacey Piatt.....	Kindergarten
Darren Ryan.....	Grade 2
Lisa Schaefer.....	Kindergarten
Molly Sidoti.....	Kindergarten
Nichole Ulichney.....	Grade 1
Joseph Zelinske.....	Grade 2 /P.S. Head Teacher

### **INTERMEDIATE INSTRUCTIONAL STAFF:**

Alyssa Ambosie.....	Grade 4, Science
Diana Antolik.....	Title I Reading Grades 3-6
Patti Axtell.....	Grade 3, Mathematics /IS Head Teacher
Jodi Babcock.....	Grade 5, Science
Amy Carle.....	Grade 4, ELA
Holly Cragle.....	Grade 5, ELA
Nancylee Fenicchia.....	Grade 6, Science

Autumn Ford..... Grade 5, Mathematics  
 Ronald Heller..... Learning Support, Grade 3  
 Mark Masakowski..... Learning Support, Grade 4  
 Ashlee Papadopoulos.....Grade 6, ELA  
 Suzanne Pierontoni.....Grade 3, Science  
 Kayla Smith.....Grade 3-6, Emotional Support  
 Madison Goodrich.....Life Skills  
 Hali Storm..... Grade 6, Learning Support  
 Donna Stransky.....Grade 4, Mathematics  
 Sierra Sutliff ..... Grade 5, Learning Support  
 Denise Williams.....Grade 3, ELA  
 Kathy Wychock.....Grade 6, Mathematics

**RELATED ARTS STAFF:**

Jillian Cienciva.....PS & IS STEM, Careers, Technology  
 Amy Clink.....PS & IS Band & Music  
 Matthew Meade.....PS & IS Health/Physical Education

**PUPIL SERVICES/GUIDANCE:**

Lauren Malacari.....District Occupational Therapist  
 Jaclyn Mondell.....District Psychologist  
 Michael Nardelli.....Elementary Guidance Counselor  
 Kelly Ritsick.....District Speech/Language Therapist

**BUILDING SECRETARIES:**

Tiffany Gregorio.....Intermediate School Principal's Secretary  
 Susan Price.....Primary School Principal's Secretary

**NURSES:**

Karen Muldoon MS, RN, CSN.....Intermediate School Nurse  
 Carmela Shiptoski MSN, RN, NCSN.....Certified District Nurse  
 Corenna Wagner, LPN.....Primary School Nurse

**PARAPROFESSIONALS & BUILDING AIDES:**

Kaysie Dluzeski ..... Intermediate School Aide  
 Brittany Firth..... Primary School Aide  
 Jackey Hettes.....Primary School Aide  
 Brianna Nichols.....Intermediate School Aide  
 Meg Obuhosky..... Intermediate School Aide  
 Nicole Tattersall.....Intermediate School Aide  
 Todd Phillips.....Primary School Aide  
 Susan Smereski..... Intermediate Life Skills Aide  
 TBD.....Primary School Aide  
 Lynn Sutliff ..... Primary School Pre-K Aide  
 Maggie Swiatek.....Primary School Aide  
 Gabrielle Winn.....Intermediate Emotional Support Aide  
 Christine Zultevicz.....Intermediate School Aide

**MAINTENANCE/CLEANING STAFF:**

Leo Madl.....Intermediate Maintenance  
Linda Blass.....IS Cleaning Staff  
Michelle Kunkle.....IS Cleaning Staff  
Tracie Noss.....IS Cleaning Staff  
Gary Seigfreid.....Primary Maintenance  
Rico Amasarai.....PS Cleaning Staff  
Maggie Swiatek..... PS Cleaning Staff  
Jennifer Trudnak.....PS Cleaning Staff

**CAFETERIA STAFF:**

Deanna Yonki.....The Nutrition Group Food Services Director  
Alice Baluski.....Primary Cafeteria Manager  
Grace McMurtrie.....Intermediate Cafeteria Staff  
Susan Paltrineri.....Intermediate Cafeteria Manager  
Linda Thorne.....Primary Cafeteria Staff

**TECHNOLOGY SUPPORT STAFF:**

William Lesho

**JUMPSTART:**

Keri Nafus

**FOSTER GRANDPARENTS:**

Lora Womer

## **Northwest Area School District Attendance Policy:**

### **PURPOSE:**

A sound and workable policy on school attendance is only feasible when it is strongly enforced by the professional community and backed by the administration, Board of Education, and local law officials and parent organizations. Recognizing that the Commonwealth mandates school-aged pupils attend school regularly, the purpose of this policy is to ensure our compliance with applicable law and to instill values that will prepare students of the Northwest Area School District for lifetime success.

### **SCHOOL ATTENDANCE:**

Students enrolled in the Northwest Area School District receive 180 days of instructional services as required by Pennsylvania School Code. Moreover, the Northwest Area School District promotes and enforces consistent and regular attendance to school for it recognizes that consistent and regular attendance correlates with student success and proficiency.

### **SCHOOL DAY:**

The school day at both the Intermediate and Primary School begins at 8:40 am and ends at 3:15 pm. Students are permitted to enter the elementary school buildings at 8:40 am. Students who arrive to the elementary buildings prior to 8:40 am will not be granted permission to enter. (ONLY students who are transported to school on one of the transition buses will be permitted to enter school at 8:25 am). Students will be served breakfast upon arrival. Instruction and academic activities will begin promptly at 8:55 am and end at 3:05 pm. At which time, students are dismissed to their homerooms to prepare for school dismissal. School dismisses students beginning at 3:15 pm.

### **ATTENDANCE REGULATIONS:**

Regulations governing school attendance have been established by the Commonwealth of Pennsylvania and must be enforced by all schools in the Commonwealth. Schools in the Northwest Area School District are open 180 days each year, and students are expected to attend all classes regularly unless excused. Pennsylvania School Code *Truancy* 24 Pa.C.S. 13-1333, 13-1338, 13-1338.1, 13-1338.2, 13-1341, and 13-1343

- **ENFORCEMENT OF COMPULSORY ATTENDANCE:**

- **EXCUSE BLANKS:**

A student who is absent must present an excuse to her/his homeroom teacher within three (3) days after returning to school. The excuse should have the parent's signature and the reason for the absence clearly stated. *(If an "excuse blank" is unavailable, you may write a note with the student's name, date, reason for illness, date of illness and parent/guardian signature).*

- **LAWFUL/UNLAWFUL ABSENCES:**

Pennsylvania 24 Purdon's Statutes 13-1327, 1332, 1354 The Northwest Area School District is responsible for monitoring and maintaining records of the attendance of students. All absences will be treated as unlawful until the school district receives a written excuse explaining the reason for the absence. The written excuse is to be submitted within three (3) days after the absence. If a written excuse is not received within that period, the absence will be marked unlawful.

## 1. LEGAL ABSENCES:

### Illness

- Doctor or Dental Appointment
- Motor Vehicle Accident
- Court Appearance
- Death of a Family Member
- Authorized School Activities
- Pre-approved Educational Travel
- Family Medical Emergency
- Religious Event
- Dismissal by Building Nurse

*\*\*In order for an excuse blank/parent note to yield an excused absence, it must conform to the legal absences as defined above and be submitted within three (3) days subsequent to the student's absence from school. Parents can submit excuse blanks by accessing the Northwest Area Homepage at [nasdedu.com](http://nasdedu.com) and selecting the appropriate school, for parents, and parent resources.*

## 2. UNLAWFUL ABSENCES:

An unlawful absence is any absence that is not legally excused. Unlawful absences include but are not limited to those that result from parental neglect or truancy. Unexcused absences are considered unlawful and subject to prosecution when the student is of compulsory school age.

- **CUMULATIVE LAWFUL ABSENCES:** A maximum of ten (10) days of cumulative lawful absences may be permitted during the school year. All absences beyond ten (10) cumulative days will require an excuse from a medical provider or they may be counted as unlawful.
- **18 TOTAL ABSENCES**
  - ✓ Students with 18 or more days of absence will be required to attend school but may receive no credit for courses taken that year. They may also be retained at the same grade level for the following school year. Absences of all types (excused and unexcused) count against the total limit of 18 days.
  - ✓ Students aged
  - ✓ The Principal's office will send a "Final Notice" by registered mail to the parents/guardians of students who have accumulated 18 absences (excused or unlawful) from school, encouraging them to schedule a conference with the Principal and Guidance counselor within 1 week of receiving the notice.
  - ✓ Administrative actions that result in the loss of credit for a given school year may be appealed by parents/guardians before a special Attendance Appeals Board consisting of the guidance counselor, attendance secretary, principal and classroom teacher or designee of the principal. Appeals for exemption from the school attendance policy shall be based on excused absences, which are considered legal absences, as listed under "LEGAL ABSENCES" above. However, excused absences are not required to be forgiven in an appeals hearing and those days that are not forgiven are not "subtracted" from the total number of absences.
- **PROCEDURE FOR ADDRESSING UNLAWFUL ABSENCES:**
  1. A letter will be mailed home upon the student's second unlawful absence.
  2. A second letter will be mailed home upon the student's third unlawful absence.
  3. After the 3<sup>rd</sup> unlawful absence, a school/family conference will be held to develop a mutually agreed upon School Attendance Improvement Plan (SAIP).
  4. Once a SAIP agreement has been reached, if the child or family does not adhere to the agreement, a complaint may be filed with the district magistrate. If the family refuses to

attend a SAIP meeting, the meeting will be held with school personnel and subsequent unlawful absences will result in a complaint to the district magistrate.

5. A complaint will be filed on a weekly basis for subsequent unlawful absences.

*\*\* Copies of attendance correspondence from the Principal's Office will be forwarded to the Guidance Office.*

**A copy of the Pennsylvania Compulsory Attendance Law will be available to view in the Elementary Offices.**

## **PENNSYLVANIA COMPULSORY ATTENDANCE LAW**

Section 1325. Purpose.--The purpose of this subdivision is to improve school attendance and deter truancy through a comprehensive approach to consistently identify and address attendance issues as early as possible with credible intervention techniques in order to:

(1) Preserve the unity of the family whenever possible as the underlying issues of truancy are addressed.

(2) Avoid the loss of housing, the possible entry of a child to foster care and other unintended consequences of disruption of an intact family unit.

(3) Confine a person in parental relation to a child who is habitually truant only as a last resort and for a minimum amount of time.

(1325 added Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which added section 1325, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

(b) Enforcing Attendance.

Section 1326. Definitions.--When used in this article, the following words and phrases shall have the following meanings:

"Citation" shall mean a non traffic citation or private criminal

"Compulsory school age" shall mean the period of a child's life from the time the child's parents elect to have the child enter school and which shall be no later than six (6) years of age until the child reaches eighteen (18) years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school. (Def. amended June 28, 2019, P.L.117, No.16)

"Conviction" shall mean a conviction under section 1333.2 for violation of the requirement for compulsory school attendance.

"Court" shall mean a magisterial district court, the Philadelphia Municipal Court or a court of common pleas.

"Department" shall mean the Department of Education of the Commonwealth.

"Educational entity" shall mean a public school district, charter school, regional charter school, cyber charter school or area career and technical school. (Def. amended Oct. 30, 2019, P.L.460, No.76)

"Excused absence" shall mean an absence from school which is permitted under section 1329.

"Governing body" shall mean the board of school directors of a school district or any other governing entity of a school.

"Habitually truant" shall mean six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance under this article.

"Judge" shall mean a magisterial district judge, a municipal court judge or a judge of a court of common pleas.

"Juvenile act" shall mean the provisions of 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

"Migratory child" shall mean a child domiciled temporarily in a school district for the purpose of seasonal employment, but not acquiring residence therein, and a child accompanying his or her person in parental relation who is so domiciled.

"Offense" shall mean each citation filed under section 1333.1 for a violation of the requirement for compulsory school attendance under this article regardless of the number of unexcused absences alleged in the citation.

"Person in parental relation" shall mean a:

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

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child defined under 42 Pa.C.S. § 6302 (relating to definitions). This definition shall not expand the right of a child under any other section of this act.

"School" shall mean the educational entity in which the child is enrolled.

"School attendance improvement conference" shall mean a conference where the child's absences and reasons for the absences are examined in an effort to improve attendance, with or without additional services. The following individuals shall be invited to the conference:

- (1) The child.
- (2) The child'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.

"School day" shall mean the length of time that a child subject to compulsory school attendance is expected to be receiving instruction during a calendar day, as determined by the governing body.

"School year" shall have the same meaning as "school term" as defined in section 102, as applicable to a school district, and as further defined in section 1327(b) for a day school which is operated by a bona fide church or other religious body, section 1327.1(c) for a day school or boarding school accredited by an accrediting association which is approved by the State Board of Education, section 1327.1(d) for a home education program, sections 1501 and 1504 for a public school or a school district, section 1715-A(9) for a charter school, section 1749-A(a)(1) for a cyber charter school and section 1718-A(c) for a regional charter school.

"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.

"Truant" shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance under this article.

"Unexcused absence" shall mean an absence from school which is not permitted by the provisions of section 1329 and for which an approved explanation has not been submitted within the time period and in the manner prescribed by the governing body. An out-of-school suspension may not be considered an unexcused absence.

(1326 amended Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which amended section 1326, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 26 of Act 16 of 2019 provided that the amendment of the definition of "compulsory school age" in this section and section 2103(8) shall apply to academic years commencing after the effective date of section 26.

Section 1327. Compulsory School Attendance.--(a) Except as hereinafter provided, every child of compulsory school age having a legal residence in this Commonwealth, as provided in this article, and every migratory child of compulsory school age, is required to attend a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. In lieu of such school attendance, any child fifteen years of age with the approval of the district superintendent and the approval of the Secretary of Education, and any child sixteen years of age with the approval of the district superintendent of schools, may enroll as a day student in a private trade school or in a private business school licensed by the Department of Education, or in a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board of Career and Technical Education. Except as hereinafter provided, every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. Such parent, guardian, or other person having control or charge of any child or children, fifteen or sixteen years of age, in accordance with the provisions of this act, may send such child or children to a private trade school or private business school licensed by the Department of Education, or to a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board of Career and Technical Education. Such child or children shall attend such school continuously through the entire term, during which the public schools in their respective districts shall be in session, or in cases of children of

migrant laborers during the time the schools are in session in the districts in which such children are temporarily domiciled. The financial responsibility for the education of such children of migrant laborers shall remain with the school district in which such children of migrant laborers are temporarily domiciled; except in the case of special schools or classes conducted by an intermediate unit and approved by the Department of Education or conducted by the Department of Education. The certificate of any principal or teacher of a private school, or of any institution for the education of children, in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section. For the purposes of this section, "properly qualified private tutor" shall mean a person who is certified by the Commonwealth of Pennsylvania to teach in the public schools of Pennsylvania; who is teaching one or more children who are members of a single family; who provides the majority of the instruction to such child or children; and who is receiving a fee or other consideration for such instructional services. No person who would be disqualified from school employment by the provisions of subsection (e) of section 111 may be a private tutor, as provided for in this section. The private tutor must file a copy of his Pennsylvania certification and the required criminal history record with the student's district of residence superintendent. ((a) amended Oct. 30, 2019, P.L.460, No.76)

(b) A child enrolled in a day school which is operated by a bona fide church or other religious body, and the parent, guardian or other person having control or charge of any such child or children of compulsory school age shall be deemed to have met the requirements of this section if that school provides a minimum of one hundred eighty (180) days of instruction or nine hundred (900) hours of instruction per year at the elementary level or nine hundred ninety (990) hours per year of instruction at the secondary level and:

(1) At the elementary school level, the following courses are taught: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art.

(2) At the secondary school level, the following courses are offered: English, to include language, literature, speech and composition; science, to include biology and chemistry; geography; social studies, to include civics, economics, world history, history of the United States and Pennsylvania; a foreign language; mathematics, to include general mathematics and statistics, algebra and geometry; art; music; physical education; health and physiology; and safety education, including regular and continuous instruction in the dangers and prevention of fires. The requirements contained in sections 1511 and 1605 of this act shall not apply to such schools. The notarized affidavit of the principal of any

such school, filed with the Department of Education and setting forth that such subjects are offered in the English language in such school, whether it is a nonprofit organization, and that such school is otherwise in compliance with the provisions of this act, shall be satisfactory and sufficient evidence thereof. It is the policy of the Commonwealth to preserve the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the education and training for such child. Nothing contained in this act shall empower the Commonwealth, any of its officers, agencies or subdivisions to approve the course content, faculty, staff or disciplinary requirements of any religious school referred to in this section without the consent of said school.

(c) A child enrolled in a day or boarding school accredited by an accrediting association which is approved by the State Board of Education, and the parent, guardian or other person having designated control or charge of any child or children of compulsory school age shall be deemed to have met the requirements of subsection (a).

(d) Instruction to children of compulsory school age provided in a home education program, as provided for in section 1327.1 of this act, shall be considered as complying with the provisions of this section, except that any student who has been identified pursuant to the provisions of the Education of the Handicapped Act (Public Law 91-230, 20 U.S.C. § 1401 et seq.) as needing special education services, excluding those students identified as gifted and/or talented, shall be in compliance with the requirements of compulsory attendance by participating in a home education program, as defined in section 1327.1, when the program addresses the specific needs of the exceptional student and is approved by a teacher with a valid certificate from the Commonwealth to teach special education or a licensed clinical or certified school psychologist, and written notification of such approval is submitted with the notarized affidavit required under section 1327.1(b). The supervisor of a home education program may request that the school district or intermediate unit of residence provide services that address the specific needs of the exceptional student in the home education program. When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in the public schools or in a private school licensed to provide such programs and services. ((d) added Dec. 21, 1988, P.L.1321, No.169)

(1327 amended Dec. 15, 1986, P.L.1602, No.178)

Section 1327.1. Home Education Program.--(a) The following words and phrases when used in this section shall have the meanings given to them in this subsection:

"Appropriate education" shall mean a program consisting of instruction in the required subjects for the time required in this act and in which the student demonstrates sustained progress in the overall program.

"Department" shall mean the Department of Education of the Commonwealth.

"Hearing examiner" shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

"Home education program" shall mean a program conducted, in compliance with this section, by the parent or guardian or such person having legal custody of the child or children.

"Supervisor" shall mean the parent or guardian or such person having legal custody of the child or children who shall be responsible for the provision of instruction, provided that such person has a high school diploma or its equivalent.

((a) amended Oct. 31, 2014, P.L.2967, No.196)

(b) The requirements contained in sections 1511 and 1511.1, except as provided for in this section, and section 1605 shall not apply to home education programs. A home education program shall not be considered a nonpublic school under the provisions of this act.

(1) A notarized affidavit of the parent or guardian or other person having legal custody of the child or children, filed prior to the commencement of the home education program and annually thereafter on August 1 with the superintendent of the school district of residence and which sets forth: the name of the supervisor of the home education program who shall be responsible for the provision of instruction; the name and age of each child who shall participate in the home education program; the address and telephone number of the home education program site; that such subjects as required by law are offered in the English language, including an outline of proposed education objectives by subject area; evidence that the child has been immunized in accordance with the provisions of section 1303(a) and has received the health and medical services required for students of the child's age or grade level in Article XIV; and that the home education program shall comply with the provisions of this section and that the notarized affidavit shall be satisfactory evidence thereof. The required outline of proposed education objectives shall not be utilized by the superintendent in determining if the home education program is out of compliance with this section and section 1327. The affidavit shall contain a certification to be signed by the supervisor that the supervisor, all adults living in the home and persons having legal custody of a child or children in a home education program have not been convicted of the criminal offenses enumerated in subsection (e) of section 111 within five years immediately preceding the date of the affidavit.

(2) In the event the home education program site is relocating to another school district within this Commonwealth during the course of the public school term or prior to the opening of the public school term in the fall, the supervisor of the home education program must apply, by registered mail, thirty (30) days prior to the relocation, to the superintendent of the district in which he or she currently resides, requesting a letter of transfer for the home education program to the district to which the home education program is relocating. The current superintendent of residence must issue the letter of transfer thirty (30) days after receipt of the registered mail request of the home education program supervisor.

(i) If the home education program is not in compliance with the provisions of this section, the superintendent of the current district of residence must inform the home education supervisor and the superintendent of the district to which the home education program is relocating the

status of the home education program and the reason for the denial of the letter of transfer.

(ii) If the home education program is in hearing procedures, as contained in this section, the superintendent of the current district of residence must inform the home education supervisor, the assigned hearing examiner and the superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

(3) The letter of transfer, required by clause (2), must be filed by the supervisor of the home education program with the superintendent of the new district of residence. In the case of pending proceedings, the new district of residence superintendent shall continue the home education program until the appeal process is finalized.

(c) A child who is enrolled in a home education program and whose education is therefore under the direct supervision of his parent, guardian or other person having legal custody shall be deemed to have met the requirements of section 1327 if that home education program provides a minimum of one hundred eighty (180) days of instruction or nine hundred (900) hours of instruction per year at the elementary level, or nine hundred ninety (990) hours per year at the secondary level:

(1) At the elementary school level, the following courses shall be taught: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art.

(2) At the secondary school level, the following courses shall be taught: English, to include language, literature, speech and composition; science; geography; social studies, to include civics, world history, history of the United States and Pennsylvania; mathematics, to include general mathematics, algebra and geometry; art; music; physical education; health; and safety education, including regular and continuous instruction in the dangers and prevention of fires. Such courses of study may include, at the discretion of the supervisor of the home education program, economics; biology; chemistry; foreign languages; trigonometry; or other age-appropriate courses as contained in Chapter 5 (Curriculum Requirements) of the State Board of Education.

(d) The following minimum courses in grades nine through twelve are established as a requirement for graduation in a home education program:

- (1) Four years of English.
- (2) Three years of mathematics.
- (3) Three years of science.
- (4) Three years of social studies.
- (5) Two years of arts and humanities.

(d.1) (1) Notwithstanding any provision of this act or any other law or regulation to the contrary, a high school diploma awarded by a supervisor or an approved diploma-granting organization shall be considered as having all the rights and privileges afforded by the Commonwealth, a Commonwealth agency, including, but not limited to, the Pennsylvania Higher Education Assistance Agency, a political subdivision, a local agency and an authority or instrumentality of the Commonwealth or a political

subdivision to a high school diploma awarded under this act, subject to subparagraphs (i) and (ii):

(i) In the case of a diploma awarded by a supervisor the following shall apply:

(A) The student receiving the diploma shall have completed all the requirements in subsection (d) while enrolled in a home education program that is in compliance with this section.

(B) The diploma shall be awarded to the student on a standardized form to be developed by the department and which shall be made available on the department's publicly accessible Internet website.

(C) The diploma shall be signed by the student's twelfth grade evaluator in confirmation of the student's suitability for graduation.

(ii) In the case of a diploma awarded by an approved diploma-granting organization the following shall apply:

(A) The student receiving the diploma shall have completed all the requirements in subsection (d) while enrolled in a home education program that is in compliance with this section.

(B) The diploma shall be awarded to the student on a standardized form to be developed by the organization.

(2) The department shall establish eligibility criteria and an application process for approving diploma-granting organizations to award high school diplomas to students enrolled in home education programs. The department shall maintain a list of approved diploma-granting organizations and post the list on the department's publicly accessible Internet website.

((d.1) added Oct. 31, 2014, P.L.2967, No.196)

(e) In order to demonstrate that appropriate education is occurring, the supervisor of the home education program shall provide and maintain on file the following documentation for each student enrolled in the home education program:

(1) A portfolio of records and materials. The portfolio shall consist of a log, made contemporaneously with the instruction, which designates by title the reading materials used, samples of any writings, worksheets, workbooks or creative materials used or developed by the student and in grades three, five and eight results of nationally normed standardized achievement tests in reading/language arts and mathematics or the results of Statewide tests administered in these grade levels. The department shall establish a list, with a minimum of five tests, of nationally normed standardized tests from which the supervisor of the home education program shall select a test to be administered if the supervisor does not choose the Statewide tests. At the discretion of the supervisor, the portfolio may include the results of nationally normed standardized achievement tests for other subject areas or grade levels. The supervisor shall ensure that the nationally normed standardized tests or the Statewide tests shall not be administered by the child's parent or guardian.

(i) A teacher or administrator who evaluates a portfolio at the elementary level (grades kindergarten through six) shall have at least two years of experience in grading any of the following subjects: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; and civics.

(ii) A teacher or administrator who evaluates a portfolio at the secondary level (grades seven through twelve) shall have at least two years of experience in grading any of the following subjects: English, to include language, literature, speech, reading and composition; science, to include biology, chemistry and physics; geography; social studies, to include economics, civics, world history, history of the United States and Pennsylvania; foreign language; and mathematics, to include general mathematics, algebra, trigonometry, calculus and geometry.

(iii) As used in this clause, the term "grading" shall mean evaluation of classwork, homework, quizzes, classwork-based tests and prepared tests related to classwork subject matter.

(2) An annual written evaluation of the student's educational progress as determined by a licensed clinical or school psychologist or a teacher certified by the Commonwealth or by a nonpublic school teacher or administrator. Any such nonpublic teacher or administrator shall have at least two years of teaching experience in a Pennsylvania public or nonpublic school within the last ten years. Such nonpublic teacher or administrator shall have the required experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students. The certified teacher shall have experience at the elementary level to evaluate elementary students or at the secondary level to evaluate secondary students. The evaluation shall also be based on an interview of the child and a review of the portfolio required in clause (1) and shall certify whether or not an appropriate education is occurring. At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the district of residence superintendent. In no event shall the evaluator be the supervisor or their spouse.

(f) The school district of residence shall, at the request of the supervisor, lend to the home education program copies of the school district's planned courses, textbooks and other curriculum materials appropriate to the student's age and grade level.

(f.1) (1) Beginning January 1, 2006, the school district of residence shall permit a child who is enrolled in a home education program to participate in any activity that is subject to the provisions of section 511, including, but not limited to, clubs, musical ensembles, athletics and theatrical productions, provided that the child:

(i) Meets the eligibility criteria or their equivalent for participation in the activity that apply to students enrolled in the school district;

(ii) Meets the tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district; and

(iii) Complies with all policies, rules and regulations or their equivalent of the governing organization of the activity.

(2) For the purposes of this subsection, the school district of residence's program of interscholastic athletics, including varsity sports, shall be considered an activity and shall include all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the school district or between schools outside of the school district.

(3) Where the activity requires completion of a physical examination or medical test as a condition of participation and the school district of residence offers such physical examination or medical test to students enrolled in the school district, the school district shall permit a child who is enrolled in a home education program to access such physical examination or medical test. The school district shall publish the dates and times of such physical examination or medical test in a publication of general circulation in the school district and on its publicly accessible Internet website.

(4) A board of school directors may adopt a policy to implement the requirements of this subsection. Such policy shall only apply to participation in activities and shall not conflict with any provisions of this section.

((f.1) added Nov. 10, 2005, P.L.374, No.67)

(g) When documentation is required by this section to be submitted to the hearing examiner, the hearing examiner shall return, upon completion of his review, all such documentation to the supervisor of the home education program. The hearing examiner may photocopy all or portions of the documentation for his files.

((g) amended Oct. 31, 2014, P.L.2967, No.196)

(h) ((h) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(h.1) An evaluator's certification stating that an appropriate education is occurring for the school year under review shall be provided by the supervisor to the superintendent of the public school district of residence by June 30 of each year. If the supervisor fails to submit the certification due on June 30 to the superintendent, the superintendent shall send a letter by certified mail, return receipt requested, to the supervisor of the home education program, stating that the certification is past due and notifying the supervisor to submit the certification within ten (10) days of receipt of the certified letter. If the certification is not submitted within that time, the board of school directors shall provide for a proper hearing in accordance with subsection (k).

((h.1) added Oct. 31, 2014, P.L.2967, No.196)

(i) ((i) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(i.1) If the superintendent has a reasonable belief, at any time during the school year, that appropriate education may not be occurring in the home education program, he may submit a letter to the supervisor, by certified mail, return receipt requested, requiring that an evaluation be conducted in accordance with subsection (e)(2) and that an evaluator's certification stating that an appropriate education is occurring for the school year under review, be submitted to the district by the supervisor within thirty (30) days of the receipt of the certified letter. The certified letter shall include the basis for the superintendent's reasonable belief. If the tests, as required in subsection (e)(1), have not been administered at the time of the receipt of the certified letter by the supervisor, the supervisor shall submit the other required documentation to the evaluator and shall submit the test results to the evaluator with the completed documentation at the conclusion of the school year. If the certification is not submitted to the superintendent within thirty (30) days of receipt of the certified letter, the board of school

directors shall provide for a proper hearing in accordance with subsection (k).

((i.1) added Oct. 31, 2014, P.L.2967, No.196)

(j) ((j) deleted by amendment Oct. 31, 2014, P.L.2967, No.196)

(j.1) If the superintendent has a reasonable belief that the home education program is out of compliance with any other provisions of this section, the superintendent shall submit a letter to the supervisor by certified mail, return receipt requested, requiring a certification to be submitted within thirty (30) days indicating that the program is in compliance. The certified letter shall include the basis for the superintendent's reasonable belief. If the certification is not submitted within thirty (30) days of receipt of the certified letter, the board of school directors shall provide for a proper hearing in accordance with subsection (k).

((j.1) added Oct. 31, 2014, P.L.2967, No.196)

(k) If a hearing is required by the provisions of subsection (h.1), (i.1) or (j.1), the board of school directors shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The examiner shall render a decision within fifteen (15) days of the hearing except that he may require the establishment of a remedial education plan mutually agreed to by the superintendent and supervisor of the home education program which shall continue the home education program. The decision of the examiner may be appealed by either the supervisor of the home education program or the superintendent to the Secretary of Education, Commonwealth Court or court of common pleas.

((k) amended Oct. 31, 2014, P.L.2967, No.196)

(l) If the hearing examiner finds that the evidence does not indicate that appropriate education is taking place in the home education program, the home education program for the child shall be out of compliance with the requirements of this section and section 1327, and the student shall be promptly enrolled in the public school district of residence or a nonpublic school or a licensed private academic school. The home education program may continue during the time of any appeal.

((l) amended Oct. 31, 2014, P.L.2967, No.196)

(m) At such time as the child's home education program has been determined to be out of compliance with the provisions of this section and section 1327, the supervisor or spouse of the supervisor of the home education program shall not be eligible to supervise a home education program for that child, as provided for in subsection (b)(1) of this section, for a period of twelve (12) months from the date of such determination.

(n) Nothing in this section shall be construed to affect Federal or State law relating to special education for students with disabilities in home education programs.

((n) added Oct. 31, 2014, P.L.2967, No.196)

(1327.1 added Dec. 21, 1988, P.L.1321, No.169)

Section 1327.2. Attendance Policy at Charter, Regional Charter and Cyber Charter Schools.--(a) Each charter, regional charter and cyber charter school shall establish an attendance policy designed to accurately determine when a child who is enrolled in a charter, regional charter or

cyber charter school has an unexcused absence, which may differ from the policy of the school district in which the child resides. The policy must conform to the provisions of this act relating to compulsory attendance.

(b) Notwithstanding section 1333.2(a), in the case of a child enrolled in a cyber charter school the venue for the filing of a citation under section 1333.1 shall be based upon the residence of the child. A cyber charter school may participate in a proceeding under sections 1333.1, 1333.2 and 1333.3 in person, by telephone conferencing, by video conferencing or by any other electronic means.

(c) Charter, regional charter and cyber charter schools shall report unexcused absences directly to the department annually through the Pennsylvania Information Management System (PIMS).

(1327.2 added Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which added section 1327.2, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1327.3. Attendance Policy at Nonpublic Schools.--(a) Each nonpublic school shall establish an attendance policy designed to accurately determine when a child who is enrolled in a nonpublic school has an unexcused absence, which may differ from the policy of the school district in which the child resides. The policy shall, at a minimum, conform to the provisions of this act relating to compulsory attendance but may contain additional criteria for determining when a student is determined to be deemed truant or habitually truant. The policy shall also contain actions prescribed by the nonpublic school in response to a determination of truant or habitually truant which may include expulsion.

(b) At such time that the child is deemed habitually truant as defined in section 1326, the venue for the filing of a citation or referral under section 1333.1 shall be based upon the residence of the child and executed by the school district of residence. A nonpublic school may participate in a proceeding under sections 1333.1, 1333.2 and 1333.3 in person, by phone conferencing, by video conferencing or by any other electronic means.

(c) The following sections shall apply to nonpublic schools:

- (1) Section 1326.
- (2) Section 1327.
- (3) This section.
- (4) Section 1329.
- (5) Section 1330.
- (6) Section 1332.
- (7) Section 1333.
- (8) Section 1333.1.
- (9) Section 1333.2.
- (10) Section 1333.3.

(1327.3 added June 22, 2018, P.L.241, No.39)

Section 1328. Compulsory Education of Physical Defectives.--Every parent, guardian, or other person, having control or charge of any child of compulsory school age who is deaf or blind, or is so crippled, or whose hearing or vision is so defective as to make it impracticable to have such child educated in the public schools of the district in which he is a

resident, shall allow such child to be sent to some school where proper provision is made for the education of the deaf, or of the blind, or of crippled children, or shall provide for the tuition of such child by a legally certified private tutor.

Section 1329. Excuses from Attending School.--(a) The board of school directors of any school district may, upon certification by any licensed practitioner of the healing arts or upon any other satisfactory evidence being furnished to it, showing that any child or children are prevented from attending school, or from application to study, on account of any mental, physical, or other urgent reasons, excuse such child or children from attending school as required by the provisions of this act, but the term "urgent reasons" shall be strictly construed and shall not permit of irregular attendance. In every such case, such action by the board of school directors shall not be final until the approval of the Department of Education has been obtained. Every principal or teacher in any public, private, or other school may, for reasons enumerated above, excuse any child for non-attendance during temporary periods.

(a.1) A school district may excuse a student from school attendance to participate in an educational tour or trip not sponsored by the school district consistent with State Board of Education regulations.

(a.2) (1) A school district may excuse a student from school attendance to participate in a musical performance in conjunction with a national veterans' organization or incorporated unit for an event or funeral. 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. The student shall furnish the signed excuse to the school district prior to being excused from school.

(2) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph:

"Incorporated unit." An incorporated post, branch, camp, detachment, lodge or other subordinate unit of a national veterans' organization.

"National veterans' organization." A veterans' organization having a national charter.

((a.2) added June 22, 2018, P.L.241, No.39)

(b) Pursuant to the requirements of 22 Pa. Code § 11.41 (relating to school district policies and rules), the board of school directors shall formally adopt, as part of its written rules governing pupil absences and excusals, a policy permitting a student to be excused for participation in a project sponsored by an organization that is eligible to apply for a grant under section 5(3) of the act of July 8, 1986 (P.L.437, No.92), known as the "Pennsylvania Agricultural Fair Act."

(c) If a student is dismissed from school during school hours for health-related reasons by a certified school nurse, registered nurse, licensed practical nurse or a school administrator or designee employed by the school district, the student's absence from school shall be deemed excused. ((c) added Nov. 3, 2016, P.L.1061, No.138)

(d) Notwithstanding any provision of law to the contrary, a student shall be excused during school hours for the purpose of obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory. ((d) added Nov. 3, 2016, P.L.1061, No.138)

(e) The Department of Education shall provide guidance, resources and strategies for families, schools and students related to students with chronic health conditions which shall be posted on the department's publicly accessible Internet website. ((e) added Nov. 3, 2016, P.L.1061, No.138)

(1329 amended Apr. 18, 2014, P.L.634, No.40)

Compiler's Note: Section 10 of Act 138 of 2016, which added subsections (c), (d) and (e), provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1330. Exceptions to Compulsory Attendance.--The provisions of this act requiring regular attendance shall not apply to any child who--

(1) Has attained the age of sixteen (16) years, and who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law;

(2) Has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner, and has been found to be unable to profit from further public school attendance, and who has been reported to the board of school directors and excused, in accordance with regulations prescribed by the State Board of Education. ((2) amended Oct. 21, 1965, P.L.601, No.312)

(3) Has attained the age of fifteen (15) years and is engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence, in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe;

(4) Has attained the age of fourteen (14) years and is engaged in farm work or domestic service in a private home on a permit issued as provided in clause (3) of this section, and who has satisfactorily completed, either in public or private schools, the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides, if the issuance of such a permit has first been recommended by the district superintendent of schools having supervision of the schools of the district where such child resides, or by the principal of the private school where such child is enrolled, and the reason therefor has been approved by the Superintendent of Public Instruction; ((4) amended Jan. 14, 1970, 1969 P.L.468, No.192)

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township, or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile, resides two miles or more by the nearest public highways from any public school in session and no proper free transportation is furnished to such child to and from school. ((5) amended May 11, 1949, P.L.1195, No.361)

Section 1331. Free Transportation or Board and Lodging.--In case there is no public school with the proper grades in session within two miles by the shortest public highway of the residence of any child in a school district of the fourth class, or in a township which is a school district of the third class, or in a borough which has a population of less than five

hundred (500) inhabitants to the square mile and which is a school district of the third class, such child shall be furnished proper transportation at the expense of the school district to and from a school with the proper grades. When it is not feasible to provide such transportation, the board of school directors may, in lieu thereof, with the approval of the Department of Public Instruction, pay for suitable board and lodging for any such child.

(1331 amended May 11, 1949, P.L.1195, No.361)

Section 1332. Reports of Enrollments; Attendance and Withdrawals; Public and Private Schools.--Every principal or teacher in every public school, and every principal, teacher or tutor in every school other than a public school, and in every institution for children, and every private teacher in every school district, shall, immediately after their admission to such school or institution, or at the beginning of such private teaching, furnish to the district superintendents, attendance officers, home and school visitors, or secretaries of the boards of school directors of the districts wherein the parents or guardians of such children reside, lists of the names and residences of all children between six (6) and eighteen (18) years of age enrolled in such school or institution, or taught by such private teachers; and shall further report at once to such district superintendent, or secretary of the board of school directors, the name and date of withdrawal of any such pupil withdrawing from any such school or institution, or from such private instruction, if such withdrawal occurs during the period of compulsory attendance in said district. Every principal or teacher in a school other than a public school, and every private teacher, shall also report at once to the superintendent, attendance officer, home and school visitor, or secretary of the board of school directors of the district, any such child who has been absent three (3) days, or their equivalent, during the term of compulsory attendance, without lawful excuse.

(1332 amended Jan. 14, 1970, 1969 P.L.468, No.192)

Section 1333. Procedure When Child is Truant.--(a) When a child is truant, the school shall notify in writing the person in parental relation with the child who resides in the same household as the child of the child's violation of compulsory school attendance within ten (10) school days of the child's third unexcused absence. The notice:

(1) shall include a description of the consequences that will follow if the child becomes habitually truant;

(2) shall be in the mode and language of communication preferred by the person in parental relation;

(3) may include the offer of a school attendance improvement conference; or

(4) when transmitted to a person who is not the biological or adoptive parent, shall also be provided to the child'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.

(b) If the child continues to incur unexcused absences after the school has issued the notice under subsection (a), the school shall then offer by advance written notice a school attendance improvement conference to the child and the person in parental relation, unless a conference was

previously held following the notice provided under subsection (a). The following shall apply:

(1) This subsection does not place a legal requirement upon the child or person in parental relation to attend the conference. The conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference after advance written notice and attempts to communicate via telephone.

(2) The outcome of the conference shall be documented in a written school attendance improvement plan. The department shall develop a form to be used for this purpose, and each school shall use a form substantially similar to the form developed by the department.

(3) Further legal action may not be taken by the school to address unexcused absences by the child until after the date for the scheduled school attendance improvement conference has passed.

(c) Schools shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.

(d) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.

(1333 amended Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which amended section 1333, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

The Department of Public Welfare, referred to in this section, was redesignated as the Department of Human Services by Act 132 of 2014. Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1333.1. Procedure by School When Child Habitually Truant.--(a) When a child is habitually truant and under fifteen (15) years of age at the time of referral, the school:

(1) Shall refer the child to either of the following:

(i) A school-based or community-based attendance improvement program.

(ii) The county children and youth agency for services or for possible disposition as a dependent child under the provisions of 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

(2) May file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the child.

(b) When a child is habitually truant and fifteen (15) years of age or older at the time of referral, the school shall either:

(1) Refer the child to a school-based or community-based attendance improvement program or service.

(2) File a citation in the office of the appropriate judge against the child or the person in parental relation who resides in the same household as the child.

(c) If a child who is fifteen (15) years of age or older continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program or refuses to

participate in a school-based or community-based attendance improvement program as recommended through the school attendance improvement conference, the school may refer the child to the county children and youth agency for possible disposition as a dependent child under the provisions of 42 Pa.C.S. Ch. 63.

(d) When referring a habitually truant child to the county children and youth agency or filing a citation with the court because a child has been habitually truant, the school shall provide verification that a school attendance improvement conference was held.

(e) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.

(1333.1 added Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which added section 1333.1, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1333.2. Procedure Upon Filing of Citation.--(a) The venue for the filing of a citation under section 1333.1 shall be based on the location of the school in which the child is enrolled or shall be enrolled except where section 1327.2(b) applies.

(b) When a citation is filed against a child or a person in parental relation who resides in the same household as the child under the provisions of section 1333.1, the judge shall provide the following notices:

(1) Written notice of the hearing with respect to the citation to the school, the person in parental relation, the child and the county children and youth agency.

(2) Notice to the child or person in parental relation who resides in the same household as the child of the availability of a preconviction diversionary program authorized under 42 Pa.C.S. § 1520 (relating to adjudication alternative program).

(c) At the hearing with respect to the citation, the burden is on the school to prove beyond a reasonable doubt that, while subject to compulsory school attendance, the child was habitually and without justification truant from school.

(d) It shall be an affirmative defense to a citation filed under this subdivision of this article against a person in parental relation to the child who resides in the same household as the child if the person in parental relation to the child who resides in the same household as the child took every reasonable step to ensure attendance of the child at school.

(e) An affirmative defense under subsection (d) must be proven by a preponderance of the evidence.

(f) The court shall determine whether the evidence has established that a child or person in parental relation has violated the compulsory school attendance requirements of this article and shall enter that verdict on the record.

(g) The school shall, to the extent possible, inform the court of any prior conviction of the child or person in parental relation who resides

in the same household as the child for a violation of the compulsory school attendance requirement of this article.

(h) Before entering a sentence the judge shall permit the school, person in parental relation or child to present relevant information that will assist the judge in making an informed decision regarding the appropriate sentence. The child's school attendance after the citation has been filed and while the proceeding is pending may be considered for the purpose of imposing a sentence.

(1333.2 added Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which added section 1333.2, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1333.3. Penalties for Violating Compulsory School Attendance Requirements.--(a) A person convicted of an offense under this article may be:

(1) sentenced to pay a fine for the benefit of the school that is responsible for the truancy proceedings in an amount not exceeding three hundred dollars (\$300) together with court costs except that, in the case of a second offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding five hundred dollars (\$500) together with court costs and, in the case of a third or subsequent offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding seven hundred and fifty dollars (\$750) together with court costs;

(2) sentenced to perform community service; or

(3) required to complete an appropriate course or program designed to improve school attendance which has been approved by the president judge of the judicial district.

(b) The court may suspend the sentence of a person convicted of an offense and may remit or waive fines and costs if the child attends school in accordance with a plan devised by the court.

(c) A person convicted of an offense under this article shall have a right to appeal de novo to a court of common pleas of the proper county within thirty (30) days of the conviction. After thirty (30) days, the appeal shall proceed similar to other appeals of summary convictions.

(d) No citation may be filed against a child or a person in parental relation with the child who resides in the same household as the child for a subsequent violation of compulsory school attendance if any of the following circumstances apply:

(1) A proceeding is already pending under sections 1333.1 and 1333.2 against the child or a person in parental relation with the child who resides in the same household as the child and judgment in the first proceeding has not yet been entered, unless a warrant has been issued for failure of the child or person in parental relation to appear before the court and the warrant has not yet been served.

(2) A referral for services has been made to the county children and youth agency under this subdivision, the agency has not closed the case and the educational entity has not consulted with the county children and

youth agency prior to filing the petition. ((2) amended June 22, 2018, P.L.241, No.39)

(3) A petition has been filed alleging the child is dependent due to being habitually truant under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) and the case remains under the jurisdiction of the juvenile court.

(e) Upon a second or subsequent conviction of a child or a person in parental relation with the child who resides in the same household as the child for a violation of the requirements of compulsory school attendance in a court within this Commonwealth within a three-year period, the court shall refer the child for services or possible disposition as a dependent child under 42 Pa.C.S. Ch. 63.

(f) Upon failure of a person to satisfy the penalty imposed by the court under subsection (a), the person in parental relation may be found in contempt of court and, upon conviction, may be sentenced to the county jail for a period not to exceed three (3) days in any one case. The court shall make such a determination based on specific finding that the person in parental relation had reasonable ability to comply with the penalty imposed and that noncompliance was willful. The following shall apply:

(1) In the case of a child, the failure to satisfy a fine or costs imposed under this section shall not be considered a delinquent act.

(2) The president judge of a judicial district may adopt a local policy under 42 Pa.C.S. § 6304 (relating to powers and duties of probation officers) and the Pennsylvania Rules of Juvenile Court Procedure to provide that a juvenile probation officer may receive allegations that the child who fails to satisfy a fine or costs imposed under this section is dependent for the purpose of considering the commencement of proceedings under 42 Pa.C.S. Ch. 63.

(g) (1) If a child is convicted of a violation of the compulsory school attendance requirements of this article, the court may send the Department of Transportation a certified record of the conviction on a form prescribed by the department only if the child fails to comply with a lawful sentence entered for the violation and is not subject to an exception to compulsory attendance under section 1330.

(2) The Department of Transportation shall suspend for ninety (90) days the operating privilege of a child upon receiving a certified record that the child was convicted of a summary offense under the compulsory school attendance requirements of this article. If the Department of Transportation receives a certified record of a second or subsequent conviction of a child pursuant to this section, the department shall suspend the child's operating privilege for six (6) months.

(3) A child whose record is received by the Department of Transportation under this section and who does not have a driver's license shall be ineligible to apply for a driver's license under 75 Pa.C.S. §§ 1505 (relating to learners' permits) and 1507 (relating to application for driver's license or learner's permit by minor) for the time period specified in paragraph (2). If the child is under sixteen (16) years of age when convicted, suspension of operating privileges shall commence in accordance with 75 Pa.C.S. § 1541 (relating to period of disqualification, revocation or suspension of operating privilege) for the time specified in paragraph (2).

(4) A child whose driving privileges have been suspended or whose eligibility for a permit or license is delayed under this section may have that license or eligibility restored by providing the Department of Transportation with a form developed by the Department of Transportation containing the following information in the form of a certified record from the child's school that the child:

(i) has attended school for a period of at least two (2) months after the first conviction or four (4) months after the second conviction without an unexcused absence or unexcused tardy;

(ii) is subject to an exception to compulsory attendance under section 1330; or

(iii) graduates, withdraws from school pursuant to compulsory attendance requirements under section 1327, receives a general education diploma or enlists in the military.

(5) An insurer may not increase premiums, impose a surcharge or rate penalty, make a driver record point assignment for automobile insurance or cancel or refuse to renew an automobile insurance policy on account of a suspension under this section.

(6) Nothing in this section shall prohibit a child who is convicted of a violation of the compulsory school attendance requirements of this article from being eligible for an occupational limited license under 75 Pa.C.S. § 1553 (relating to occupational limited license).

(h) (1) Upon application from a child who has a conviction of a summary offense under section 1333.2, the court shall grant an expungement of the conviction from the child's record if all of the following apply:

(i) The child has earned a high school diploma, a Commonwealth secondary school diploma or another Department of Education-approved equivalent or is subject to an exception to compulsory attendance under section 1330.

(ii) The child has satisfied any sentence imposed by the court with respect to the conviction, including payment of fines and costs.

(2) If the court grants an expungement under paragraph (1), the court shall order the Department of Transportation to expunge all administrative records related to the convictions.

(i) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.

(ii) (Reserved)

(1333.3 added Nov. 3, 2016, P.L.1061, No.138)

Compiler's Note: Section 10 of Act 138 of 2016, which added section 1333.3, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1333.4. Study of Truancy Procedure.--(a) Five (5) years after commencement of the first school year to which section 1333 applies, the Joint State Government Commission shall undertake a study of the procedures for how a school handles children who are truant and habitually truant and evaluate the effectiveness of the procedures in improving school attendance and whether the procedures should be revised, including to require court involvement sooner in certain truancy cases.

(b) The Joint State Government Commission shall establish an advisory committee that may include representatives of the Department of Education, educational entities and organizations, the judiciary, district attorneys, law enforcement, public organizations involved in truancy issues, representatives of county children and youth agencies and juvenile justice agencies and other organizations selected by the Joint State Government Commission to consult with the Joint State Government Commission in conducting the study.

(c) The Joint State Government Commission shall hold informational meetings to receive testimony from professionals or organizations with expertise in truancy and truancy prevention.

(d) The Joint State Government Commission shall issue a report of its findings and recommendations to the Education Committee of the Senate and the Education Committee of the House of Representatives not later than twelve (12) months after undertaking the study.

(1333.4 added Nov. 3, 2016, P.L.1061, No.138)

**Compiler's Note:** Section 10 of Act 138 of 2016, which added section 1333.4, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

See section 21 of Act 55 of 2017 in the appendix to this act for special provisions relating to applicability.

Section 1334. Children Lacking Clothing or Food.--Whenever the board of school directors, or the attendance officer, home and school visitor, superintendent, or secretary of any board of school directors, ascertains that any child of compulsory school age, who is by the provisions of this act required to attend the public schools in the district over which such board of school directors has control, is unable to do so, on account of lack of necessary clothing or food, such case shall be promptly reported to any suitable relief agency operating in the school district, or, if there is no such suitable relief agency to which the case can be referred, it shall be reported to the proper county board of assistance for investigation and relief.

(1334 amended Jan. 14, 1970, 1969 P.L.468, No.192)

Section 1335. Furnishing Food, Including Milk, to School Children.--The directors in all school districts are hereby authorized and empowered to furnish food, including milk, to the under-nourished and poor school children attending the schools within their districts at the expense of the school district. The provisions of this section shall not be limited or affected by the acceptance and distribution by school directors of surplus commodities made available by the Federal Government.

Section 1336. Furnishing Vitamin Products to Pupils.--(1336 repealed May 9, 1949, P.L.939, No.263)

Section 1337. Nonprofit School Food Program.--(a) Definitions. For the purpose of this section--"school food program" means a program under which food is served by any school on a nonprofit basis to children in attendance, including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States.

(b) Expenditure of Federal Funds. The Department of Education is hereby authorized to accept and direct the disbursement of funds appropriated by any act of Congress, and apportioned to the State, for use in connection with school food programs. The Department of Education shall

deposit all such funds received from the Federal Government in a special account with the Treasurer of the State who shall make disbursements therefrom upon the direction of the Department of Education.

(c) Administration of Program. The Department of Education may enter into such agreements with any agency of the Federal Government, with any board of school directors, or with any other agency or person prescribe such regulations, employ such personnel, and take such other action as it may deem necessary to provide for the establishment, maintenance, operation and expansion of any school food program, and to direct the disbursement of Federal and State funds in accordance with any applicable provisions of Federal or State law. The Department of Education may give technical advice and assistance to any board of school directors in connection with the establishment and operation of any school food program, and may assist in training personnel engaged in the operation of such program. The Department of Education, and any board of school directors, may accept any gift for use in connection with any school food program.

(d) Boards of School Directors.

(1) Pursuant to any power of boards of school directors to operate or provide for the operation of school food programs in schools under their jurisdiction, boards of school directors may use therefore funds disbursed to them under the provisions of this section, gifts and other funds, received from sale of school food under such programs.

(2) (i) Pursuant to sub clause (ii), regardless of whether a student has money to pay for a school meal or owes money for school meals, each board of school directors shall establish a requirement for schools under its jurisdiction to provide a school food program meal to a student who requests one, unless the student's parent or guardian has specifically provided written directive to the school to withhold a school meal.

(ii) If a student is not eligible for participation in the school food program and owes greater than fifty dollars (\$50) in a school year for school meals, a school may provide the student with alternative meals instead of school food program meals until the student's unpaid balance for school meals is paid or a payment plan has been established with the school to reduce the unpaid balance.

(3) Each board of school directors shall require schools under its jurisdiction to comply with the following when a student owes money for five or more school meals:

(i) The school shall make at least two attempts to reach the student's parent or guardian and have the parent or guardian apply for participation in the school food program.

(ii) The school may offer assistance with applying for participation in the school food program.

(4) Each board of school directors shall:

(i) Require schools under its jurisdiction to direct communications regarding money owed by a student for school meals to the student's parent or guardian and not to the student if the student is enrolled in grades kindergarten through eight. For a student enrolled in grades nine through twelve, the board of school directors may require the schools to direct communications regarding a low balance or money owed by a student for

school meals to the student if the communications are made individually to the student by appropriate school personnel and are made discreetly.

(ii) Permit schools under its jurisdiction to contact the student's parent or guardian by means of a letter addressed to the parent or guardian that is delivered by the student.

(5) Each board of school directors shall prohibit schools under its jurisdiction from implementing the following:

(i) Publicly identifying or stigmatizing a student who cannot pay for a school meal or who owes money for school meals. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes. It shall not constitute public identification or stigmatization of a student for a school to provide a student with an alternative meal pursuant to clause (2)(ii).

(ii) Requiring a student who cannot pay for a school meal to perform chores or other work to pay for the school meal. This sub clause shall not apply if chores or other work are required of all students regardless of the student's inability to pay for the school meal.

(iii) Requiring a student to discard a school meal after it was served to the student due to the student's inability to pay for the school meal or the amount of money owed by the student for earlier school meals.

((d) amended June 28, 2019, P.L.117, No.16)

(e) Accounts, Records, Reports and Operations. The Department of Education shall prescribe regulations for the keeping of accounts and records, and the making of reports by, or under the supervision of boards of school directors. Such accounts and records shall at all times be available for inspection and audit by authorized officials, and shall be preserved for such period of time, not in excess of five years, as the Department of Education may lawfully prescribe. The Department of Education shall conduct or cause to be conducted such audits, inspections, and administrative reviews of accounts, records, and operations with respect to school food programs, as may be necessary to determine whether its agreements with boards of school directors, and regulations made pursuant to this section, are being complied with, and to insure that school food programs are effectively administered.

((f) repealed June 5, 2020, P.L.223, No.30)

(1337 amended Dec. 6, 1972, P.L.1430, No.314)

Section 1337.1. School Lunch and Breakfast Reimbursement.--

(a) Schools that participate in the school lunch program shall be reimbursed in the following manner:

(1) Subject to future adjustments under clause (2), each school which offers the school lunch program shall receive a reimbursement of no less than ten cents (10¢) per lunch served, exclusive of any reimbursements under subsection (c).

(2) For the 2000-2001 school year and each school year thereafter, reimbursements for the school lunch program shall be fixed by regulation of the Department of Education: Provided, That such reimbursements shall be no less than the amounts per lunch served established by clause (1).

(b) Schools that participate in the school breakfast program shall be reimbursed in the following manner:

(1) Subject to future adjustments under clause (2), each school which offers the school breakfast program shall receive a reimbursement of no less than ten cents (10¢) per breakfast served.

(2) For the 2000-2001 school year and each school year thereafter, reimbursements for the school breakfast program shall be fixed by regulation of the Department of Education: Provided, That such reimbursements shall be no less than the amounts per breakfast served established by clause (1).

(c) Schools that participate in both the school lunch program and the school breakfast program shall be provided with the following incentive reimbursements:

(1) Subject to future adjustments under clause (3), each school which offers both a school lunch program under subsection (a) and a school breakfast program under subsection (b) which serves less than or equal to twenty per centum (20%) of its student enrollment shall receive an additional reimbursement of two cents (2¢) per lunch served.

(2) Subject to future adjustments under clause (3), each school which offers a school lunch program under subsection (a) and a school breakfast program under subsection (b) which serves more than twenty per centum (20%) of its student enrollment shall receive an additional reimbursement of four cents (4¢) per lunch served.

(3) For the 2000-2001 school year and each school year thereafter, reimbursements for the school breakfast incentive program shall be fixed by regulation of the Department of Education: Provided, That such reimbursement shall be no less than the amounts per lunch served established by clauses (1) and (2).

(c.1) ((c.1) deleted by amendment)

(d) For the purposes of this section, the following terms shall have the following meanings:

"School" shall have the same meaning as given to that term in 7 CFR 210.2 (relating to definitions).

"School lunch program" shall have the same meaning as given to the term "National School Lunch Program" in 7 CFR 210.2 (relating to definitions).

"School breakfast program" shall have the same meaning as given to that term in 7 CFR Pt. 220 (relating to School Breakfast Program).

(1337.1 amended June 30, 2012, P.L.684, No.82)

Section 1338. Dependent Children.--In case any child of compulsory school age cannot be kept in school in compliance with the provisions of this act, on account of incorrigibility, truancy, insubordination, or other bad conduct, or if the presence of any child attending school is detrimental to the welfare of such school, on account of incorrigibility, truancy, insubordination, or other bad conduct, the board of school directors may, by its superintendent, secretary, attendance officer or State, municipal, port authority, transit authority or housing authority police officer, under such rules and regulations as the board may adopt, proceed against said child before the juvenile court, or otherwise, as is now or may hereafter be provided by law for incorrigible, truant, insubordinate, or dependent children.

(1338 amended Nov. 17, 1995, 1st Sp.Sess, P.L.1110, No.29)

Section 1338.1. Suspension of Operating Privilege.--(1338.1 repealed Nov. 3, 2016, P.L.1061, No.138)

**Compiler's Note:** Section 10 of Act 138 of 2016, which repealed section 1338.1, provided that Act 138 shall apply to the 2017-2018 school year and each school year thereafter.

Section 1338.2. Antitruancy Programs.--(1338.2 repealed June 5, 2020, P.L.223, No.30)

Section 1339. Reports to Superintendent of Public Instruction.--Every school district shall report to the Superintendent of Public Instruction upon the enforcement of the provisions for compulsory attendance and the cost thereof, in such detail as said Superintendent of Public Instruction shall request.

(c) Attendance Officers and Home and School  
Visitors.

((c) amended May 9, 1949, P.L.939, No.263)

Section 1341. Duty to Employ; Power of Arrest; Certification.--

(a) The board of school directors of every school district of the first, second, or third class, shall, and in any school district of the fourth class may, employ one or more persons to be known as attendance officers, or home and school visitors, whose duties shall be to enforce the provisions of this act regarding compulsory attendance. Such attendance officers, or home and school visitors, shall, in addition to the duties imposed upon them by the provisions of this act, have full police power without warrant, and may arrest or apprehend any child who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or from school. All home and school visitors shall be legally certified as such by the Department of Education, upon meeting such standards as shall be prescribed by the State Board of Education.

(b) Any two or more school districts may join in the appointment of an attendance officer on such terms as they may mutually agree upon.

(c) State, municipal, port authority, transit authority, housing authority and school police officers shall have the same arrest powers as attendance officers or home and school visitors.

(1341 amended Nov. 17, 1995, 1st Sp.Sess., P.L.1110, No.29)

Section 1342. Term of Employment; Compensation.--Attendance officers or home and school visitors may be employed for the full calendar year, and shall be paid such amounts and in such manner as the board of school directors appointing them may decide. They shall at all times perform the duties of their appointment under the direction of the board of school directors appointing them.

In districts of the first class the minimum salaries of attendance officers and home and school visitors in elementary schools shall be: Minimum annual salary, one thousand two hundred dollars (\$1200); minimum annual increment, one hundred dollars (\$100); minimum number of increments, ten (10). No school district of the first class shall, reduce the compensation of any attendance officer below that paid on the second day of July, one thousand nine hundred thirty-seven.

In order to view the Public School Code of 1949 in its entirety, the following link is provided:

<https://www.legis.state.pa.us/WU01/LI/LI/US/HTM/1949/0/0014.HTM>

**TARDINESS:**

Any student who reports to the Elementary Schools after 8:51 a.m. must report to the office and shall be considered tardy. Chronic unexcused tardiness disrupts the educational process and will be subject to disciplinary action herein stated. Any student who reports to the elementary school at or later than 8:51 am but or before 10:00 am shall be considered tardy. Any student who arrives to 10:00 am and before 11:05 am will be charged with a ¼ day am absence. Students arriving between 11:05 and 12:10 pm will be charged with a ½ day am absence. Students who arrive later than 12:10 will be charged with a full-day absence.

Exceptions:

- A. Late bus arrival
- B. Motor vehicle accident
- C. Late arrivals due to reasons listed under the “Excused Absence” section of the policy.
- D. Inclement weather

**TARDINESS PROCEDURES:**

- A. Parents and/or Guardians must accompany elementary student who tardy into school in order to sign student in. Students are not permitted to enter building without parent.
- B. Parent and or Guardian will be asked to provide the school with an excuse for tardiness
- C. Parental notification – After the principal has been notified of a chronic tardy or attendance problem and the principal or his/her designee has spoken to the affected student, the administration will contact the parents to notify them of the problem. If this does not bring results, a conference will occur between the student, parents, counselor, teacher and principal. School Attendance Improvement Plan will be developed.

**EARLY DISMISSAL PROCEDURES:**

Students may be legally dismissed from school for doctor, dental, or eye appointments, hearings, a family emergency (as determined by administration) or a Children and Youth appointment with a signed and dated note from the parent/guardian. A designee of the school district may contact the parent/guardian to verify requests received in writing.

Students who leave school prior to 12:10 and do not return to school will be charged with one full day of absence. If a student leaves between 12:10 am and 1:15 pm, he/she will be charged with a ½ day pm absence. However, any student who leaves after 1:15 pm but prior to 2:20 will be charged with a ¼ day absence. Students who leave after 2:20 will receive full credit for a full day present attendance.

**EMERGENCY/EARLY DISMISSAL PROCEDURE:**

The student will be dismissed through the office only. The student will not be dismissed by the classroom teacher. Parents or guardians will report to the office, wait for the child, signs the child out and state the reason for the early dismissal. Please adhere to this practice for the safety and welfare of your children. Proper identification will be required when signing a child out of the building. No child will be dismissed unless a parent or guardian is present to pick them up. Should an occasion which necessitates an early dismissal arise; a student may be dismissed from school in the following manner:

- A. A parent/guardian enters the school office and communicates request to Principal’s secretary.
- B. A parent/guardian sends a written request into school with child.
- C. A parent/guardian contacts the school via phone call and requests early dismissal of child.
- D. Student reports to the Health room when ill to be assessed by school nurse.
- E. Written requests may be followed by a call from school to corroborate.

#### **END OF DAY DISMISSAL:**

- A. Students are not permitted to ride another bus or go home with anyone except their parents/guardians, unless the office has received written communication from the parent/guardian giving such permission. For bus requests, the note must include: Child's full name, parents full name, a phone number so that the office may verify the request with the parent/guardian, as well as include the bus number and drop off location to where you would like your child to depart. *(Must be a current bus stop.)*
- B. Parents and/or Guardians who wish that their child(ren) are transported to an alternate location within the NASD must complete a "Request for Alternate Transportation Form." *(Form is on the district website-electronic submission)* \*\*This is not for daily requests.
- C. Changes in transportation must be authorized through the Director of Transportation: Adam Sorber at 570-542-4126, extension 5020.
- D. In order for a parent and/or guardian to change their child(ren)'s bus stop, they must provide no less than three documents which demonstrate a change in residency. This information must be processed by the Child Accounting office prior to a permanent change of bus stop and/or district transportation.
- E. When the district is functioning on an Act 80 schedule, Elementary dismissal will occur at 1:09 PM. On Act 80 days, parents and guardians who wish to transport their child(ren) from school must pick up child promptly at 1:09 PM.
- F. In the event that the Northwest Area School District is dismissing students from school early, the district will communicate dismissal times via a global phone message, district APP pushout notification, as well as utilize the local media outlets to broadcast any change to the regular dismissal schedule to parents, guardians, and community members.
- G. Parents and Guardians are expected to make arrangements for transportation and supervision of child(ren) when school operates on an early dismissal schedule.

#### **PARENT/GUARDIAN-SPONSORED EDUCATIONAL FIELD TRIPS:**

- Applications for Educational Field Trips are available in the Elementary Principal's office and/or on the NASD website; [www.nasdedu.com](http://www.nasdedu.com)
- Forms are to be turned in to the Principal at least one weeks in advance of departure in order for absence to be excused.
- An official letter will be sent to the parent/guardian with the guidelines for approved attendance on an educational field trip.
- **Students who are in grades 3-6 are required to write a grade-appropriate essay**, following the established guidelines included with the approval letter, describing their experience, as well as makeup all work missed while on the trip.
- Absences for approved Parent/Guardian Education Field Trips will be recorded as EXCUSED absences. However, if the student who has received approval does not submit his/her required essay upon return to school, the days of absence will be considered "unlawful" for students who are of compulsory school age.
  - Educational Field Trips WILL NOT be approved during PSSA testing windows. See *District Calendar*

### **ATTENDANCE REQUIREMENTS AND PARTICIPATION IN CO-CURRICULAR ACTIVITIES:**

- A. A student is required to be in school for one-half of the day on which he/she intends to participate in any after school activity. This rule covers sports, band, chorus, rehearsals, practices and performances. Exceptions to this rule may be granted by the Principal.
- B. Students violating these rules can expect the following penalties:
  - 1<sup>st</sup> Violation – No admittance to the activity, suspension for one day from the activity.
  - 2<sup>nd</sup> Violation – No admittance/ 3-day suspension from the activity.
  - 3<sup>rd</sup> Violation – Possible suspension from the activity for its duration.
- C. If a student missed school on a Friday and wished to participate in a co-curricular activity on a Saturday or Sunday, they must present an absence note to the supervising teacher, coach, etc.

### **ENFORCEMENT:**

- A. Any excused absences or chronic tardiness by any student may result in one or more of the following sanctions;
  - 1. Suspension from school activities
  - 2. After-School Detention(s)
  - 3. Suspension from school
- B. The homeroom teacher will notify the administration in writing when a student has missed excessive time. Thereafter, the administration will notify the parents/guardians of the excessive absences and the sanctions that will follow.

### **TRANSFER STUDENTS:**

Transfer students coming to Northwest Elementary Schools after the school year begins will have their number of allowable absences (number of absences allowed prior to being assigned truancy interventions/consequences) prorated by the number of days remaining for the school year.

### **REPEALER:**

Any policy, practice or procedure inconsistent herewith, is herewith repealed.

### **PENNSYLVANIA SCHOOL CODE:**

Student responsibilities include the following:

- Regular attendance
- Conscientious effort in classroom work
- Conformance to school rules and regulations
- Most of all, students share with the administration and faculty a responsibility to create a climate within the school that is conducive to wholesome learning and living.
- No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators, and all others who are involved in the educational process.
- Students should express their ideas and opinions in a respectful manner.
- Volunteer information in matters relating to health, safety, and welfare of the school community and the protection of school property.
- Dress and groom so as to meet fair standards of safety and health, and not to cause substantial disruption to the educational process.
- Assist the school staff in operating a safe school for all students enrolled therein.

- Comply with Commonwealth and local laws.
- Exercise proper care when using public facilities and equipment.
- Make-up work when absent from school.
- Pursue and attempt to complete satisfactorily the courses of study prescribed by Commonwealth and local school authorities.

### **Positive Behavior Intervention Supports**

#### **PBIS Definition**

In 1997, an amendment of the Individuals with Disabilities Education Act (IDEA) included the language, “Positive Behavior Interventions and Supports,” which described methods used to identify and support desired behaviors in the school setting.

The educational research community has been developing and studying Positive Behavior Interventions and Supports (PBIS) ever since. PBIS seeks to reduce or eliminate poor behavior school wide through the encouragement of positive behaviors.

#### ***Improving School Climate***

The goal of PBIS is to create a positive school climate, in which students learn and grow. However, school climate can vary widely from school to school. A number of factors affect school climate, including school location, neighborhood culture, instructional methods, student diversity, and school administration.

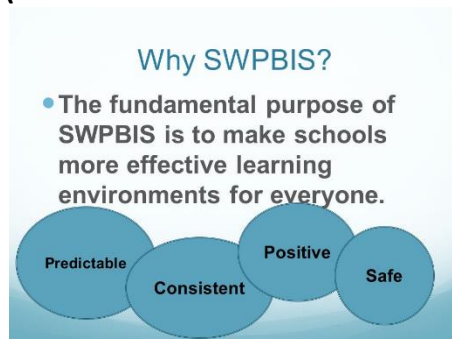
Changing school climate may seem like a daunting task. Employing the PBIS framework can make the task more manageable. The key to an effective PBIS implementation is an “all-in” mentality among teachers and administrators in a school. For PBIS to produce positive change in a school’s climate, it needs to be employed school wide and with consistency.

School climate has bearing on attendance rates, academic achievement, and graduation rates. Regardless of socioeconomic status, students in a positive school climate are more likely to have higher test scores and greater academic success. In addition, positive school climate helps students to develop the social and emotional skills they will need to become productive members of society.

In short, positive school climate includes:

- A feeling of safety
- Respect
- Engagement in learning
- Involvement in school life
- Shared vision
- Involvement of teachers, students, and families

## What is PBIS (Positive Behavior Interventions and Supports)?



Positive Behavior Interventions and Supports is an evidence-based, cost-effective, systems approach for establishing the social culture needed for schools to be effective learning environments for all students. It is a proactive approach that includes teaching expected behaviors and social skills, creating student behavioral health and academic support systems, and applying data-based decision-making to discipline, academics, and social/emotional learning.

### ***Characteristics of PBIS include:***

- Planned interventions that are positive and proactive rather than punitive and reactive
- Conditions and environments that contribute to inappropriate behavior are carefully managed or eliminated
- Multiple opportunities for positive, corrective feedback are created while negative critical feedback is limited or eliminated
- Prosocial behaviors are taught directly, practiced frequently, and routinized so students develop positive behavior habits.

The PBIS Model aligns with Pennsylvania's Multi-Tiered System of Supports (MTSS). MTSS is a broad set of evidence based practices implemented across a system which includes academic and behavioral supports within a systematic problem-solving process. It has become apparent that in order to support students, both academic and behavioral needs must be addressed.

### **CONDUCT IN CLASS:**

- Students are expected to show respect for themselves and others.
- Students are expected to come to class prepared and maintain active engagement in instructional activities.
- Students are expected to stay in assigned seats or workstations unless directed otherwise by the classroom teacher.
- Students are expected to keep their desks and/or work areas clean and neat.
- Chewing gum, candy, beverages, or other food are not permitted in classrooms.
- Water is allowed in clear, personal size plastic bottles. Access to water within the classroom may be limited by the teachers' discretion and relative to the classroom activities.
- Unless participating in authorized class discussion, students are expected to raise their hand for teacher permission before speaking.

- At the end of a class period, students will leave their seats only when dismissed by their teacher. The bell only indicates the end of the period.
- The “Bring Your Own Device Policy” affords students with the privilege to bring technological devices such as tablets, laptops, iPods, and phones to school. However, the use of personal technology may be limited by Northwest teachers and administration to times when its inclusion and/or use is instructionally purposeful. Students who utilize technology at times when it is not permitted and/or conducive to learning activities may have their devices absconded from them. Students who utilize their technology to create a disruption to the instructional process will be directed to the school principal for a disciplinary consequence.
- Violation of the aforementioned parameters of school conduct may result in referral to the school principal and progressive discipline.

#### **PROCEDURE FOR LEAVING CLASS:**

- Students must obtain permission from a teacher or other adult school authority before leaving classroom.
- Students leaving class to use the lavatory must use the lavatory nearest to their classroom or designated area. Lavatories are to be used for their intended purposes only.
- Students should request permission to leave class for reasons of necessity (consult in health room, restroom, and to meet with teacher/guidance/administration) and should make a sincere effort not to disrupt the learning environment.
- Students who, in the judgment of an administrator, have demonstrated a high frequency of emergency requests for leaving class may be required to present a note from a medical practitioner indicating a need for such frequent requests.

#### **SCHOOL DISMISSAL PROCEDURES:**

\_Student dismissal is at 3:18 pm. Dismissal of students who are transported on buses which transfer to alternative buses at the other elementary school will be given priority. All efforts will be made to dismiss transfer bus students prior to the other bus students

- Upon dismissal, all students will proceed immediately to their designated bus.
- Students scheduled for detention will report directly to the Library.
- Loitering in the bus loading area is not permitted. Students are required to proceed immediately to their buses.
- Parents wishing to pick their child up after school should not attempt to park between buses or attempt to load children while buses are traveling in the bus loading area in order to maintain the welfare and safety of students.
- Parents or legal guardians may pick-up their child from school by sending a note to school with their child and follow normal visitor sign-in procedures upon arrival. Parents/Guardians/ Authorized designee must sign out the child in the “Sign out book which is located in the vestibule of both elementary schools.
- Other adults or acquaintances may not pick up students unless the parents or guardians grant permission and this information is provided, in writing, to the main office. Students will not be dismissed to individuals other than those who have custodial rights unless directed to do so by the parent/guardian in writing.

### **CUSTODY AND/OR GUARDIANSHIP:**

- The Northwest Area School District is committed to protect the safety and welfare of all students.
- In order to protect the interests of students who attend the Northwest Area Primary and Intermediate Schools, the Northwest Area School District must maintain a partnership with the parents and guardians of its students.
- Parents and guardians are encouraged to provide current custodial and/or guardianship paperwork to the principal of the school in which the child attends.
- The principal and his designees will ensure that the parameters of custodial and/or guardianship documents govern the communication and access of the minor child.
- When changes to custodial and/or guardianship rights occur, the NASD encourages parents and guardians to forward updated documents and paperwork so that the district, its agents, and/or designees operate in a manner which is in accordance with court directives.
- In the event the updated paperwork is not submitted to the district, the school officials and his designees will maintain practices of the most updated paperwork on file.

### **VOLUNTEERS FOR ELEMENTARY SCHOOL FUNCTIONS:**

- On December 31st 2014, changes to the Child Protective Services Law became effective. These changes directly impact those who are responsible for children. The change to the law defines the term volunteer as:  
    *"An adult functioning in an unpaid position responsible for the welfare of a child or having direct contact with the child".*
- Volunteers play an important role in supporting the staff, students, and programs of the Northwest Area School District. It is for the safety and well-being of our students that all individuals who volunteer to work in our school district are in compliance with the latest legalities and mandates from the State. These new volunteer clearance requirements further support the Northwest Area School District commitment to providing a safe, secure learning environment for our students.
- The following Documents must be on file with the Northwest District prior to the first day of volunteer service.
  - Report of Criminal History from the Pennsylvania State Police
  - Completed Pennsylvania Child Abuse History Clearance
  - Either a Northwest Area School District FBI Clearance Exemption form or a Cogent registration ID (fingerprinting registration number. \**\*If you have been a resident of Pennsylvania for the past ten years and complete an affidavit you do not need to have the fingerprinting. \**
- Clearance Instructions:
  - Affidavit and Agreement-Needed if a quick start date for volunteering is necessary.
  - FBI Clearance Exemption Form: If you have been a resident of Pennsylvania during the entirety of the previous ten-year period AND you are not disqualified from service by reason of criminal history then you DO NOT need to process the FBI clearance.
  - FBI Clearance Registration Website: FBI fingerprinting registration website. Register using Pennsylvania Department of Education Option. Please note that FBI clearances completed through any other option cannot be accepted.
  - Once you have registered for you fingerprinting, you will receive a card. Contact the Luzerne Intermediate Unit 18 @ 570-287-9681 or the Bloomsburg University Book Store @ 570-389-4180. Remember, you must register through Cogent and have a registration card before you can go to the fingerprinting center.

- Pa Child Abuse History Report Application-Child abuse clearance application.
- State Police PATCH System- Preferred processing method for state police clearance  
State Police Clearance Form-Only needed if not using PATCH system.
- Instructions for returning the Clearances to the District
  - Once you have completed the Affidavit and Agreement (which allows you 30 days to apply for and obtain your clearances)
  - Present the completed Affidavit and Agreement to the Secretary of the Building for which you going to volunteer.
  - Complete the applications for the required clearances
  - When you receive the clearances, return the original to the Secretary of your Child's School.
  - A copy will be made, scanned, and emailed to the District office where a data base will be created and a list of "approved volunteers" will be generated and disseminated to all building in the Northwest Area School District.

### **LOUD, ABUSIVE AND/OR PROFANE LANGUAGE OR BEHAVIOR:**

It is the policy of the Northwest Area School District to prevent disruptions to school district operations, school sponsored functions, and the instructional process. Thus, all persons, including but not limited to, students, parents, employees, visitors, and members of the general public are prohibited from the use of loud, foul, profane, and abusive language, whether spoken or written, or for behavior portrayed in any manner in the school building or upon school grounds which is intended, or is reasonably viewed by school officials, as being disruptive or causing annoyance, harassment, or inconvenience to others.

All persons are therefore warned that violation of this policy may result in removal from school district property by appropriate school district authorities. Students and employees may be subject to disciplinary procedures in accordance with school district policies and the laws of Pennsylvania. Members of the public may be subject to removal from district property and may be charged with trespassing for failure to promptly vacate the property when directed to do so by school district official or his designee. In all cases, violators may be subject to appropriate laws of the Commonwealth of Pennsylvania.

### **SEARCH OF SCHOOL PROPERTY:**

The District prohibits the possession or use of illegal substances/devices. The Board wants to convey a strong message to the community, faculty, staff, and student body concerning the use or possession of illegal substances.

It shall be the policy of the school district to permit the administration to periodically invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances:

- The administration shall authorize the search and have a designee on hand while the search is taking place.
- Parents and students are notified of this policy through its inclusion in the student handbook which is accessible via the district website.
- All school property such as desks, classrooms, and storage areas constitute district property and therefore may be searched.
- Individual(s) shall not be subjected to a search by dogs.

Once this notification has been available to parents and students, the school district will have met its obligation to advertise the searches. Additional notices need not be given and actual times or dates of planned searches need not be released in advance.

## SEARCH OF STUDENT AND STUDENT BELONGINGS:

With reasonable suspicion, the administrator can require a student to present his/her belongings for the search of prohibited/contraband/illegal items, substances, and/or weapons.

### NORTHWEST AREA SCHOOL DISTRICT PROGRESSIVE DISCIPLINE MATRIX:

DISCIPLINE CODE LEVEL I		
Description	Examples	Consequence
Misbehavior on the part of the student, which impedes orderly classroom procedures or interferes with the orderly operation of the school.	<ul style="list-style-type: none"><li>Eating in unauthorized areas</li><li>Horseplay or scuffling</li><li>Loud boisterous noise</li><li>Showing disrespect to others in word and/or gesture</li><li>Use of obscene language</li><li>Ignoring class assignments</li><li>Minor defacing of school property (writing on school desks, walls, books, etc.)</li><li>Possession/use of non-instructional items (water guns, playing cards, etc.) (G &amp; other consequences)</li><li>Public display of emotion &amp; affection</li><li>Throwing objects (pencils, erasers, etc.)</li><li>Sleeping in class</li><li>Loitering in unauthorized areas of the school building or grounds</li><li>Violation of classroom conduct and guidelines established by the teacher</li><li>Out of assigned seat without teacher permission</li><li>Inappropriate use of technology resources</li><li>Failure to be prepared for class/ refusing to participate in instructional activities</li><li>Failure to wear appropriate apparel/dress. (A and B and H and or E)</li></ul>	<b>The responsibility for LEVEL 1 maintenance of discipline in the classroom and/or school facility shall rest with the instructional staff. The instructor will develop a sequence of actions based on level 1 consequences A- I.</b>  A. Personal talk  B. Verbal reprimand  C. Special classroom assignments  D. Loss or limit of privileges  E. Telephone call, email correspondence, and or written notice to parent  F. Confiscate disruptive item  G. SAP/Child Study Referral  H. Modify clothing to conform to dress code
<b>Procedures</b>  1. The teacher will discuss the misbehavior with the student making sure that he/she fully understands the nature of the problem and the type of behavior that is expected in the future. It is also recommended that the instructor provide positive reinforcement when improvement in conduct is noted. 2. The teacher will develop a system of consequences that can be used in the classroom to encourage change in student conduct. 3. The teacher will contact the student's parents and solicit their support and assistance. 4. A record of the offense(s) and disciplinary action will be maintained by the instructor. 5. If the student continues to use poor judgment and repeatedly displays unacceptable conduct, the instructor will notify the Principal. 6. <b>When a student repeats behavior or conduct which constitutes a level I infraction, subsequent to the implementation of teacher actions/ consequences, the student should be referred to school administration for redirection.</b>		

**DISCIPLINE CODE**

**LEVEL II**

Description	Examples	
<p>These infractions, which often result from the <b>continuation of Level 1 misbehavior(s)</b>, require the intervention of administrative personnel because the use of Level 1 disciplinary consequences <b>did not yield improved student conduct</b>.</p> <p>Also included in this level are misbehaviors, which tend to <b>disrupt the orderly climate of the school community and are serious enough to require corrective action on the part of administrative personnel</b>.</p>	<ul style="list-style-type: none"> <li>• Continuation of unmodified Level 1 misbehaviors (C &amp; B or C &amp; D or C &amp; G) (H-if non-instructional items or electronic devices)</li> <li>• Acting in an insubordinate manner (C &amp; B or G)</li> <li>• Inappropriate physical contact (B, C, D, &amp; G).</li> <li>• Vandalism of school/personal property (C &amp; D &amp; E)</li> <li>• Failure to complete class assignments or assigned detentions (C, B, D or G)</li> </ul>	<ul style="list-style-type: none"> <li>• Truancy (C &amp; D)</li> <li>• Inappropriate use of Information Technology resources (A &amp; C and/or B or D or G)</li> <li>• Possession of non-instructional items deemed hazardous to the educational process (C &amp; D or G)</li> <li>• Falsification of accusation or witness (C &amp; D or G)</li> </ul>
<b>PROCEDURES</b>		<b>CONSEQUENCES</b>
<ol style="list-style-type: none"> <li>1. The student is referred to the school administrator via the district approved discipline referral form. <b>The teacher must provide administrator with documentation of previous Level 1 interventions employed.</b></li> <li>2. The administrator communicates with the teacher and the student to establish the most appropriate response.</li> <li>3. Parents are notified of the student's conduct.</li> <li>4. The administrator and teacher will maintain a record of the offense and disciplinary action.</li> <li>5. <b>The district will send of copy of the disciplinary referral which provides a description of rule-violating behavior and the interventions employed to the parent/guardian of student.</b></li> </ol>	<ul style="list-style-type: none"> <li>• Throwing objects- extreme safety violation (snowballs, tools, projectiles) (C &amp; D)</li> <li>• Showing flagrant disrespect in word or gesture (C, B or D or G)</li> <li>• Failure to wear appropriate apparel/ dressing in such a manner as to cause disruption in the educational process (A, C, J and B or G) <b>See District Elementary Dress Code for parameters of acceptable dress.</b></li> <li>• Continual tardiness to school (C &amp; B or G) <b>Students who acquire 3 unexcused tardies are assigned progressive disciplinary consequences. Progressive disciplinary consequences are assigned for each successive three accumulated tardies.</b></li> <li>• Cafeteria disturbance (C &amp; B or G)</li> <li>• Misbehavior at a school sponsored activity (C &amp; D)</li> <li>• Possession of obscene/lewd</li> </ul>	<p><b>The responsibility for Level 2 maintenance of discipline in the classroom and/or school facility shall rest with the administrative staff.</b> The Principal will develop a sequence of actions based on level 1 consequences A- I.</p> <ol style="list-style-type: none"> <li>A. Personal talk or verbal reprimand</li> <li>B. In-school suspension/ optional contract</li> <li>C. Parental contact (telephone or written)</li> <li>D. Double detention / optional contract</li> <li>E. Restitution of property and damages</li> <li>F. Referral to one or more ofThe following: Guidance/ Student Assistance Program, (SAP), Child Study</li> <li>G. After-School detention / optional contract</li> <li>H. Confiscate item - (confiscated items will be</li> </ol>

	materials (C, B or D) <ul style="list-style-type: none"> <li>Leaving class or assigned area without explicit permission (C &amp; B) or (C &amp; G) or (C &amp; D)</li> <li>Cheating/Plagiarism/Academic Dishonesty (C &amp; B) or (C &amp; G) or (C &amp; D) and I</li> </ul>	returned to a parent/guardian <u>only</u> . <ul style="list-style-type: none"> <li>I. Zero credit and/or alternative assignment/assessment</li> <li>J. Modify Clothing to conform to dress code</li> </ul>
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### DISCIPLINE CODE

#### LEVEL III

DESCRIPTION	EXAMPLES	EXAMPLE
<p><b>Level III infractions may result from the continuation of Level I and/or Level II misbehaviors. Also included are acts against persons or property. Some of the infractions may endanger the health, safety, and welfare of others in the school community.</b></p> <p>Infractions listed in Level III may be considered criminal in nature, but frequently can be handled by the school's disciplinary system and parental involvement. <b>However, the corrective action undertaken will depend on the nature of the incident, prior record of the student involved, and the extent of the school's resources for correcting the situation in the best interest of the school community.</b></p>	<ul style="list-style-type: none"> <li>Continuation of unmodified Level I and II misbehaviors, (C &amp; B or C &amp; D)</li> <li>Continuation of disrespectful behavior (A &amp; C &amp; D)</li> <li>Refusal to complete class assignments or assigned detentions (C &amp; D)</li> <li>Leaving school ground/property without explicit permission</li> <li>Vandalism of school/personal property (repeated offenses) (C, D, F, or C, F, G, &amp; or E)</li> <li>Extortion (continual panhandling) (C &amp; B or C &amp; D and or E)</li> <li>Unauthorized Information Technology resources use/ access (C, D, or C, G &amp; or E)</li> <li>Engaging in behavior which is a danger to the health, safety and welfare of oneself and others (A &amp; C &amp; D)</li> <li>Smoking, use of or possession of tobacco</li> </ul>	<ul style="list-style-type: none"> <li>Leading or participation in a school boycott or walk out (A &amp; C &amp; C)</li> <li>Falsification of such records, excuses, and parental communication, etc. (C &amp; D and/or E)</li> <li>Engaging in or activities related to hazing (C &amp; D and/or E or G)</li> <li>Involvement in gang or gang related activity (C &amp; D and/or E or G)</li> <li>Flagrant disrespect in word or gestures or obscenities directed at an NWSD employee. The minimum consequence is five (5) days suspension from school (C, D)</li> </ul>
<b>PROCEDURES</b>		<b>CONSEQUENCE</b>
<ol style="list-style-type: none"> <li>The administrator investigates the infraction by conferring with all parties involved.</li> <li>The administrator confers with the student and informs the student</li> </ol>		<ol style="list-style-type: none"> <li>Temporary removal from class</li> <li>In-School Suspension</li> <li>Personal parent conference</li> <li>Out of school suspension</li> </ol>

<p>of the resulting disciplinary action.</p> <p>3. The administrator conducts a personal parental conference to review the action taken, solicit parent support/ assistance and to outline future student expectations.</p> <p>4. An individual student contract may be developed in order to provide everyone involved with a clear and concise understanding of future behavioral expectations and consequences.</p> <p>5. The administrator maintains an accurate record of offenses, disciplinary action taken, and future expectations.</p>	<p>products including ENDS and Vaping materials (see policy) (C &amp; D &amp; E &amp; H &amp; J)</p> <ul style="list-style-type: none"> <li>• Fighting (A &amp; C &amp; D, &amp; or E)</li> <li>• Minor Altercation (A&amp;C&amp;D, &amp; or E)</li> <li>• Assault and/or battery on another student (A&amp;C&amp;D &amp;/or E)</li> <li>• Taking unauthorized possession of another individual's personal property (C &amp;D&amp;F or C &amp; G &amp; F)</li> <li>• Dissemination of unauthorized materials (A &amp; C &amp; D)</li> <li>• Intimidation, using statements which threaten or harm another person (A &amp; C &amp; D)</li> <li>• Theft, the sale of and/or the possession of another's property (C&amp;D &amp;F or C&amp;G &amp;F &amp; or E)</li> </ul>	<p>E. Referral to law enforcement agency</p> <p>F. Restitution of property</p> <p>G. School community service project</p> <p>H. Possession of a tobacco product and/or vaping materials will results an automatic one (1) day OSS, citation filed, and two additional days will be added for subsequent offenses.</p> <p>I. Referral to SAP; Child Study.</p> <p>J. Referral to WYVAD.</p>
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**DISCIPLINE CODE**  
**LEVEL IV**

DESCRIPTION	EXAMPLES	EXAMPLES
<p>Disciplinary action Level IV could result from the continuation of lower level offenses. Also included are: acts of violence to another person(s) or property, acts that are clearly criminal in nature and are contrary to the criminal code or ordinances of the commonwealth and/or community.</p> <p>Level IV disciplinary action will result in the</p>	<ul style="list-style-type: none"> <li>• Continuation of unmodified Level I, II, III misbehaviors</li> <li>• <b>Engaging in disruptive conduct that interferes with the orderly operation of the school or which creates a clear and present danger to the health, safety, and welfare of school community</b></li> <li>• Continual intimidation or harassment of another student and/or school personnel</li> <li>• Continual vandalism of school property or the personal property of students or school personnel</li> <li>• Continuation of assault and/or battery activity on another student</li> </ul>	<ul style="list-style-type: none"> <li>• Unauthorized Information Technology resources use/access</li> </ul>
		<p><b>CONSEQUENCE</b></p> <p><b>All proven offenses in Level IV have a mandatory 10-day suspension at which time, the Administration will convene to consider one or more of the following options/responses. However, law enforcement officials will be contacted immediately when the</b></p>

<p><b>intervention of law enforcement authorities and potential removal of the student from the Northwest Area School District.</b></p>	<ul style="list-style-type: none"> <li>• Arson</li> <li>• Bomb threat</li> <li>• Indecent exposure</li> <li>• Leading or participating in a riot</li> <li>• Possession/use/sale/ transfer of controlled substance &amp; or illegal substance or substances representing a drug or equipment and devices used for preparing or taking drugs or narcotics</li> <li>• Possession/use/sale/transfer of alcohol or substances represented as alcohol</li> <li>• Possession/use/transfer of weapons or explosives</li> <li>• Setting off incendiary devices (firecrackers, smoke bombs, etc.)</li> <li>• Unwarranted pulling of a fire alarm</li> <li>• Engaging in conduct contrary to the criminal code or ordinances of the commonwealth /community on school grounds or at school activities</li> <li>• Theft-Burglary (crimes against property or person)</li> </ul>	<p><b>student's conduct is contrary to the criminal code of the Commonwealth of Pennsylvania.</b></p>
<p><b>PROCEDURES</b></p> <ol style="list-style-type: none"> <li>1. The administrator verifies the offense by conferring with all parties involved.</li> <li>2. The student is immediately suspended from school and parents are notified. Law enforcement officials may also be contacted.</li> <li>3. A complete and accurate report is submitted to the Superintendent.</li> <li>4. Recommendations may include a formal hearing by the school board.</li> </ol>		<ol style="list-style-type: none"> <li>A. Referral for psychological services/evaluation</li> <li>B. Referral for alcohol/drug rehabilitation</li> <li>C. Alternative placement</li> <li>D. Restitution which will include a prescribed school community service</li> <li>E. Informal Hearing with School Administration</li> <li>F. Functional Behavioral Assessment (FBA)</li> <li>G. Formal hearing with the Board of Education</li> </ol>

#### **DEFINITIONS OF STUDENT MISCONDUCT:**

- **Activating False Fire Alarm** - In addition to the school penalty imposed, students may also be prosecuted under Section 4905 of the Pennsylvania Penal Code.
- **Aggravated Assault** - exists when a person attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life. In addition to the school penalty imposed, the student may be liable for the payment of damages as well as referral to authorities.
- **Arson** - The malicious burning of another's property.
- **Assault with a Weapon** - Should a student commit an assault with a deadly weapon, the student will be referred immediately to civil authorities and the maximum school penalty will be imposed.
- **Defiance** - Willful failure or refusal to follow instructions or directions of an adult school district authority on school property or during school-sponsored activities.
- **Disorderly Conduct** - Exists when a person if, with intent to cause public inconvenience, annoyance alarm, or recklessly creating a risk thereof, he/she engages in fighting or threatening, or in violent or tumultuous behavior, uses obscene language, or makes an obscene gesture, or creates a hazardous or physically offensive condition.
- **Disrespect** - Willful behavior, which without reasonable cause attempts to lessen the reputation, honor, or public opinion of any individual.

- **Drugs/Alcohol** - The use, possession, sale, or distribution of drugs and/or alcohol or substances purported to be drugs and/or alcohol. In addition to the school penalty imposed, the student will be referred to the proper state or local authorities should the student behavior violate the laws of the Commonwealth of Pennsylvania. Students may also be referred to and/or required to obtain treatment from proper medical or health facilities before receiving permission to re-enter school. Students who have been determined to have violated the policies, rules and/or regulations of the District concerning the use, sale, possession or distribution of drugs, alcohol and/or substances purported to be drugs and/or alcohol shall be subject to random drug and/or alcohol testing upon their return to school. Students who fail or refuse to cooperate with such random testing shall be subject to further disciplinary action and/or placement in an alternate school setting. Any drug and/or alcohol products found on school property or during school-sponsored activities will be confiscated.
- **Extortion** - Willful behavior that causes any individual to relinquish a personal possession or individual right as a result of threat or fear of violence, personal injury, or other action.
- **Fight** – A student confrontation with another student in which the altercation is mutual, requiring physical restraint or resulting in injury or property damage. Note: Self-defense is limited to the deflection of physical contact.
- **Fraud** - Willfully providing false information to or about school personnel, deceit or trickery used for profit or to gain unfair or dishonest advantage or to avoid disciplinary action.
- **Institutional Vandalism/Destruction of School and/or Personal Property** - exists when a person knowingly desecrates, vandalizes, defaces, or otherwise damages:
  - The school facility
  - The grounds adjacent to and owned or occupied by the school facility
  - Any personal property located in the school facility
  - Willful behavior, which damages or destroys property belonging to the School District or to any students, employees, or visitors of the school(s). When it is determined that students are responsible for the destruction of school property, the full cost of materials and labor to repair or replace the damaged property will be responsibility of the student(s) responsible.
- **Insubordination** – Should a student disobey, or fail to submit to the directions or the request of an adult school district authority on school property or during school-sponsored activities, that student demonstrates insubordination.
- **Minor Altercation** – An incident which involves a single offender who commits a minor violent act against another individual and the other individual does not respond and the incident does not elevate to a more severe type of incident such as a fight or assault. (e.g., “Student A” strikes “Student B” resulting in little injury and “Student B” does not retaliate.)
- **Physical Assault of a District Employee/Volunteer** - Any behavior that purposely attempts to cause physical harm or injury to a District Employee/Volunteer. In addition to the school penalty imposed, the student may be liable for the payment of damages as well as referral to authorities.
- **Possession of a Weapon** - Possession of deadly weapons such as knives, firearms, fireworks, smoke bombs, explosives, live ammunition, chains, bracelets which are potential items of violence, certain rings, look-alike firearms (toy guns), and all items which, in the discretion of the Administration, could or would be a threat to the students, him/herself, or the school community, which have the potential to inflict serious injury is prohibited for students in school, attending school activities, or traveling to or from school. In addition to the school penalty imposed, the student will be referred to civil authorities. When knives or other sharp instruments are required for instructional purposes, the teacher will provide them and their use will be supervised closely.
- **Profanity/Obscenity** - Any behavior that visually and/or verbally presents ideas that are considered offensive to and/or inappropriate for maintaining an effective school environment.

- **Sexual Misconduct** - Inappropriate behavior of a sexual nature (by consenting individuals).
- **Simple Assault – Exists when a person:**
  - attempts to cause or intentionally, knowingly or recklessly causes bodily injury to another.
  - attempts by physical menace to put another in fear of imminent serious bodily injury.
- **Theft/Larceny** - The taking of property belonging to the school district, employees of the school district, students of the school district, or visitors to the school district without permission. In addition to the school penalty imposed, the student may be liable for restitutions as well as referral to civil authorities.
- **Threats/Harassment – Exists when a person with intent to harass, annoy or alarm another person:**
  - Strikes, shoves, kicks or otherwise subjects him /her to physical contact, or attempts or threatens to do the same.
  - Follows a person in or about the school.
  - Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose.
- **Tobacco** - School Board Policy prohibits smoking and use of tobacco products in any form. The use, possession, sale, or distribution of tobacco products or assisting in the use, possession, sale, or distribution of tobacco products on school property or school-sponsored activities is strictly forbidden. All tobacco products found on school property or during school-sponsored activities, in the possession of students, will be confiscated. In addition to the school penalty imposed, the Pennsylvania Consolidated Statutes, chapter 63, section 6306.1, states, “A pupil who possesses or uses tobacco in a school building, a school bus or on school property owned by, leased by or under the control of a school district commits a summary offense.” A pupil who commits an offense under this section may be subject to prosecution and if sentenced pay a fine of not more than \$50 and all court costs.
- **Trespassing** - Being on school grounds without permission.
- **Soliciting - To appeal for funds (selling illegally)**
- **Unauthorized Area** - An area which is unsupervised and off limits to students.
- **Law Enforcement Notification:** Includes the immediate contact by the principal or his/her designee of the local police department(s) for the town in which the school is located or in which the off-campus incident occurs. If the police department cannot be contacted or cannot respond, the principal shall immediately contact the Luzerne County District Attorney’s Office.
- **Personal Property:** Items that are in the actual or constructive possession of people enrolled in or employed by the school district. Personal property includes, but is not limited to, all backpacks, book bags, gym bags, purses, clothing or any other items that are used for the purpose of storing or transporting personal property.
- **Plain View:** The observance of any item which can be seen by a school official while on school property or any property under the jurisdiction and control of the school district. As an example, any item seen in an open locker by a teacher standing in a common area, such as a hallway, is in plain view.
- **Possession:** Holding, without any attempt to distribute, any alcohol, drug, or mood altering substance determined to be illegal or as defined by this policy.
- **Probable Cause:** Specific articulate facts and circumstances that would lead a reasonable person to believe that the item sought is at a particular location and will be found if that area is searched.
- **School Official:** A school employee or any person authorized by the School District to act under these provisions.
- **Reasonable Suspicion:** A belief, based on articulate circumstances, that a violation of the law or of school rules has occurred, and that a search will turn up evidence of that violation.

- **School Property:** Building facilities and grounds, school campus, school parking areas, and any facility being used for a school function or school sponsored trip. All lockers shall remain the property of the school district and may be entered at any time by District officials.
- **Violation of classroom rules** - discipline will first be dealt with by the classroom teacher according to the procedures previously outlined.
  - Student will be referred to an administrator when, in the view of the teacher, the student has developed a pattern of disruptive behavior.
  - Students will be referred to an administrator when, despite efforts of the teacher to change the student behavior, the student refuses or neglects to follow the directions of the teacher.
  - Any behavior within the classroom that meets the description of a Level II infraction must be referred to an administrator for proper action.

#### **REFERRAL PROCEDURE:**

- Only a faculty member who is in position to supervise a student can refer a student to administration for progressive disciplinary action once Level I interventions have failed to yield an improvement in student behavior. The faculty member who wishes to refer a student will complete a Discipline Referral Form subsequent to the student displaying rule-violating behavior. The disciplinary referral must include: a description of the observable behaviors which violate district policies and/or procedures, description of the Level I interventions employed to address similar behaviors, documentation of communication with guardian/parent of student. This referral must be submitted to the Principal's secretary promptly.
- All students are entitled to due process. Therefore, students referred for an alleged violation of the disciplinary policy will be informed of the alleged rule-violating behaviors communicated to administrator by staff member. Subsequently, students will be given an opportunity to communicate their perspective and/or view(s) of the event(s) which took place.
- If it is determined that the student has violated the discipline policy, appropriate disciplinary action will be taken by the administrator.
- Students who engage in rule-violating behavior will be assigned progressive disciplinary interventions proportional to the behavior demonstrated and frequency of the infraction.

#### **DISCIPLINE OF STUDENTS WITH DISABILITIES:**

The Board directs that the district shall comply with provisions of the *Individuals with Disabilities Education Act* (IDEA) and state and federal regulations when disciplining students with disabilities for violations of district policy and school rules and regulations.

- **Suspensions:**
  - A disabled student may be suspended without parental consent for no more than ten (10) consecutive days or an aggregate of fifteen (15) days of school per year, regardless of whether the student's behavior is a manifestation of his/her disability.
  - A disabled student may be suspended only to the extent that such suspensions are consistent with discipline that is applied to students without disabilities.
  - During any period of disciplinary action, that constitutes a change in placement for a student, the student shall continue to receive a *Free and Appropriate Education* (FAPE), in accordance with federal law.

- **Reporting Crimes to the Law Enforcement:**
  - School principals, when notifying or reporting crimes to local law enforcement officials, shall ensure that copies of the special education and discipline records of the eligible student(s) are transmitted to the appropriate authorities only to the extent such transmission is permitted by the *Family Educational Rights and Privacy Act (FERPA)*.
  
- **Manifestation Determination**
  - A student with a disability whose behavior is found not to be a manifestation of his/her disability may be suspended or expelled pursuant to district procedures. During the period of suspension or expulsion, the student shall continue to receive FAPE.
  - If the student's behavior is found to be a manifestation of a disability, the IEP team shall conduct a Functional Behavior Assessment (FBA) and implement a Behavior Support Plan (BSP), if the IEP team had not conducted one before the behavior, or review and consider revising the BSP as necessary to address the behavior. If the behavior is found to be a manifestation of the child's disability, the student shall return to his/her placement from which he/she was removed unless the IEP team, including the parent/guardian, agrees that a change in placement is appropriate for the student.
  
- **Request for a Hearing:**
  - The district may request that a hearing officer order removal of the disabled student to an alternative setting for forty-five (45) days where the district demonstrates in a hearing by substantial evidence that maintaining the disabled student's current placement is substantially likely to result in injury to the student or others.
  - Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.
  
- **Weapons, Drugs, or Serious Bodily Injury:**
  - A disabled student who carries a weapon to school or a school function may be removed from his/her current placement regardless of whether the weapons offense is a manifestation of a disability. The student may be placed in an appropriate interim alternative educational setting for no more than forty-five (45) school days.
  - Pol. 218.1 According to statute, a weapon shall be defined, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, instrument or implement capable of inflicting serious bodily injury, including but not limited to, sparklers, fireworks, smoke or stink bombs, explosives, live ammunition, chains, including wallet chains, bracelets, or other devices which are potential items of violence, certain rings, pipes or tubes, look-alike firearms and weapons (toy guns, knives), and any item which could or would be a threat to the student himself/herself or the school community.
  - A disabled student who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be removed from his/her current placement regardless of whether the drug offense is a manifestation of a disability. The student

may be placed in an appropriate interim alternative educational setting for no more than forty-five (45) school days.

- A disabled student who knowingly inflicts serious bodily injury upon another person while at school, on school premises, or at a school function may be removed from his/her current placement regardless of whether the offense is a manifestation of a disability. The student may be placed in an appropriate interim alternative educational setting for no more than forty-five (45) school days.

### **FIGHTING:**

The Northwest School District will maintain a safe and orderly learning environment. Fighting cannot be tolerated. Students who engage in fighting, instigate a fight, or engage in any act of violence while in school, on school property, will be punished in accordance with the school discipline policy. In addition, students who engage in fighting, instigate a fight, or engage in any act of violence, may be charged with violating the penal laws of Pennsylvania as follows:

- harassment
- disorderly conduct
- simple assault,
- aggravated assault
- or other appropriate charges may be filed in cases which involve any of the following conditions:
  1. a weapon or other potentially dangerous instrument is used in a fight or other act of violence;
  2. bodily injury is inflicted on another person in a fight or through an act of violence;
  3. the fighting or violent behavior is chronic as evidenced by a second or subsequent offense in the same school year or a history of inappropriate aggressive behavior.

### **GUIDELINES:**

- Students must make every effort to avoid fighting.
- When confronted and challenged to fight, students should seek help from the nearest adult.
- If assaulted, students have the right to self-defense through avoiding, blocking, or restraining the aggressor with reasonable physical force.
- Students who do not attempt to avoid physical confrontation and have ownership toward its escalation will be disciplined and charged appropriately regardless of who started the fight.
- At the discretion of the Administration, the law enforcement authorities may be contacted when physical violence results in bodily injury.
- Students involved in perpetrating physical violence shall receive the appropriate disciplinary action for a term designated at the discretion of the Administrator or designee.

### **HAZING:**

*For purposes of this policy hazing is defined as any activity that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or membership in or affiliation with any organization recognized by the Board of School Directors.*

- Endanger the physical health shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage, drug or controlled substance, or other forced physical activity that could adversely affect the physical health or safety of the individual.
- Endanger the mental health shall include any activity that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced

conduct, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

- Any hazing activity, whether by an individual or a group, shall be presumed to be a forced activity, even if a student willingly participates.

#### **WEAPONS/DANGEROUS ITEMS POLICY:**

- Any student found to be in possession of or harboring a weapon (as defined below) will immediately be suspended from school for ten (10) days and referred to the District Magistrate or the State Police. Expulsion proceedings will be initiated, and the student will be excluded from school until the disposition of the hearing.
- Except as otherwise stated in this policy, the district shall expel, for a period of not less than one (1) calendar year, any student who is determined to have brought a weapon onto or is in possession of a weapon on any school property, at any school activity, (whether on or off school property) or on any school bus or public conveyance providing transportation to or from a school or school sponsored activity.
- For the purpose of this policy, a weapon shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, and any other tool, instrument or implement capable of inflicting serious bodily injury, including but not limited to sparklers, fireworks, smoke or stink bombs, explosives, live ammunition, chains, including wallet chains, bracelets, or other devices that are potential items of violence, certain rings, pipes or tubes, look-alike firearms and weapons (toy guns, knives) and any item which could or would be a threat to the students, him/herself or the school community.
- The Superintendent may recommend modifications of these expulsion requirements on a case-by-case basis. In the case of an exceptional student, the Superintendent shall take all necessary steps to comply with the Individuals with Disabilities Education Act and any other applicable laws and regulations.
- For the purpose of this policy, the term “school property” shall mean any public school grounds, any school-sponsored activity, or any conveyance providing transportation to a school entity or school-sponsored activity.

#### **THE GUN-FREE SCHOOLS ACT:**

The Gun-Free School Act (GFSA) requires that local educational agencies “expel from school for a period of not less than one (1) year a student who is determined to have brought a weapon to school.” For the purposes of the GFSA, a “weapon” means a firearm as defined in Section 921 of Title 18 of the United States Code.

#### **ACT 26 OF 1995:**

Act 26 of 1995, which amends Pennsylvania School Code, was signed into law by Governor Ridge on June 30, 1995. Several sections of Act 26 impact upon the Safe and Drug-Free Schools and Communities program. Section 1317.2, Possession of Weapons Prohibited, implements the federal Gun Free legislative mandate. Section 1302-A requires the Department of Education to set up an Office of Safe Schools. Section 1303-A to Section 1308-A, requires the Office of Safe Schools to conduct a statewide data collection of the scope of violence problems in the schools. Section 1304-A to 1308-A set record keeping standards for the maintenance, retention and transfer of students’ disciplinary records. Only the relevant sections of the Act are included for your information.

The Act of March 10, 1949, (P.L. 30, No. 14), known as the Public School Code of 1949, amended July 1, 1981 (P.L. 200, No. 62) is amended to read:

#### **SECTION 1317.2 POSSESSION OF WEAPONS PROHIBITED**

- Except as otherwise provided in this section, a school district or area vocational-technical school shall expel, for a period of not less than one year, any student who is determined to have brought a weapon

onto any school property, any school sponsored activity or any public conveyance providing transportation to a school or school sponsored activity.

- Every school district and area vocational-technical school shall develop a written policy regarding expulsions for possession of a weapon as required under this section. Expulsions shall be conducted pursuant to all applicable regulations.
- The superintendent of a school district or an administrative director of an area vocational-technical school may recommend discipline short of expulsion on a case-by-case basis. The superintendent or other chief administrative officer of a school entity shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Act (Public Law 91-230-20 U.S.C. § 1400 et seq.)
- The provisions of this section shall not apply to the following:
  - A weapon being used as part of a program approved by an individual who is participating in the program; or
  - A weapon that is unloaded and is possessed by an individual while traversing school property for the purpose of obtaining access to public or private lands used for unlawful hunting, if the entry on school premises is authorized by school authorities.
- Nothing in this section shall be construed as limiting the authority or duty of school or area vocational-technical school to make an alternative assignment or provide alternative educational services during the period of expulsion.
- All school districts and area vocational-technical school shall report all incidents involving possession of a weapon prohibited by this section as follows:
  - The school superintendent or chief administrator shall report the discovery of any weapon prohibited by this section to local law enforcement officials.
  - The school superintendent or chief administrator shall report to the Department of Education all incidents relating to expulsions for possession of a weapon on school grounds, school sponsored activities or public conveyances providing transportation to a school or school-sponsored activity. Reports shall include all information as required under Section 1302-A.
  - As used in this section, the term “Weapon” shall include, but not limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.

#### **Referral Process for VAPE/JUUL/ETC. Violation-This is new**

- First time violation (nicotine only):
  - Citation
  - WyVad referral for prevention/education-5 sessions
  - Signed SAP permission form from parents
- Second time violation (nicotine only):
  - Citation-for repeat offense students will be given the opportunity to attend five cessations courses. If a series of course are completed successfully, the citation will be withdrawn.
  - WyVad referral – assessment (permission form should already be in place from prior violation)
- First time violation (anything other than - any other drug):
  - Follow discipline policy
  - Immediate referral to WyVad for assessment; signed SAP permission form from parents

## **TOBACCO USE/POSSESSION POLICY:**

### **PURPOSE:**

The purpose of this policy is to meet the statutory duty imposed upon the Northwest Area Board of Education by Act 1996-145 (Senate Bill 1315PN2426) School Smoking/Possession.

### **USE OF TOBACCO IN SCHOOLS PROHIBITED:**

- **Offense Defined** - A pupil who possesses or uses tobacco in a school building, a school bus, or on school property owned by, leased by or under the control of a school district commits a summary offense.
- **Enforcement:** District students who violate the district tobacco policy by possessing or using tobacco on school grounds, at school-sponsored activities, or in areas under school jurisdiction will be subjected to consequences at the discretion of building administrators. These consequences may include parental notification, detentions, in and out of school suspensions, smoke cessation programs, and legal action. Staff and faculty violations should be considered, after the first offense, as insubordination and subject to disciplinary action, including referral to the district magistrate.
- **Grading** - A pupil who commits an offense under this prosecution initiated by the local school district and shall, upon conviction, be sentenced to pay a fine of not more than \$50.00 for the benefit of the school district in which such offending pupil resides, and to pay court costs. When a pupil is charged with violating subsection (A), the court may admit the offender to an adjudication alternative as authorized under 42. PA. C.S. & 1520 (relating to adjudication alternative program) in lieu of imposing the fine.
- **Nature of Offense** - A summary of offense under this section shall not be a criminal offense of record, shall not be reportable as a criminal act and shall not be placed on the criminal record of the offending school-age person if any such record exists.
- **Definitions** - As used in this section, the following words and phrases shall have the meanings given to them in this subsection:
  - **"Pupil"** - A person between the ages of 6 and 21 years that is enrolled in school.
  - **"School"** - A school operated by a joint board, board of directors or school board where pupils are enrolled in compliance with Article XIII of the Act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, including area intermediate units.
  - **"Tobacco"** - A lighted or unlit cigarette, cigar, pipe or smokeless tobacco
  - **"School buses"** - Mass transit vehicles owned, leased, or independently contracted for by the Northwest Area School District that are used to transport pupils to and from any of the aforementioned schools.
  - **"Tobacco Use"** - Smoking a tobacco or tobaccoless cigarette or the use of smokeless tobacco in any form.
  - **"Smoking"** - Possession of any cigarette, cigar, pipe, E-cigarette, Vape, Juul or other smoking product, lighted or otherwise.

### **PUPIL TOBACCO USE PROHIBITED:**

- As required by Section 3.5 of Act 168 or 1988, tobacco use by pupils is prohibited at all times in all of the schools, on all school grounds, and on all school buses.
- **Secondhand Smoke:** Because of the concerns for the safety of our school staff, students, visitors and faculty, the district prohibits the use and/or possession of tobacco products. Because of the risks associated with smoking and the effects of secondhand smoke, all use of tobacco products is prohibited on school grounds.

- **Prevention Education:** In an attempt to help students, realize the negative effects of tobacco products, all students in the district are educated on the dangerous effects of tobacco through K-12 health classes.
- **Advertising/Sponsorship Prohibition:** The advertising or sponsorship of tobacco in any form is strictly prohibited on school grounds, school-related property, or at school-sponsored activities. Students, staff, faculty, and student visitors are prohibited from wearing attire that publicizes the use or possession of tobacco in any form. Faculty, staff, or students failing to comply with this requirement will be subjected to the appropriate discipline measures contained within the Student Discipline Policy.

#### **PENALTIES:**

- Violation of Section 3 hereof shall result in referral to a district justice where a civil fine of not more than \$50.00 may be imposed.
- Violation of Section 4 hereof shall result in referral of the matter to a district justice where a civil fine of not more than \$50.00 may be imposed.

#### **REPEALER:**

All policies inconsistent herewith are hereby repealed.

#### **EFFECTIVE DATE:**

This policy shall take effect immediately after its adoption by the Northwest Area Board of Education and notice is given hereof in accordance with Section 3.5 (b) (2) of Act 168 of 1988.

#### **DRUG & ALCOHOL POLICY:**

##### **Introduction:**

The Northwest Area School District is committed to insuring that every student is provided a safe environment in which to learn. Therefore, the District has enacted a strict drug and alcohol policy. Students are reminded that the District will not tolerate the use of drugs or alcohol at any time. In addition to the development of a stringent drug and alcohol policy, the District maintains a strong working relationship with the Wyoming Valley Alcohol and Drug Services, Inc. to insure that students have the opportunity to access help at any time.

##### **Policy Statement**

These policies have been designed so that the Northwest Area School District can respond effectively and appropriately to drug and alcohol situations. Furthermore, these policies have been developed through guidelines from Wyoming Valley Alcohol and Drug Services, Inc., in conjunction with school board, administration, faculty, parents, and students through committee efforts. The intention of these policies is to provide a drug-free school environment and work place. These policies will be clearly articulated, consistently and uniformly enforced, and broadly communicated providing clear guidelines for students, teachers, parents, and administrators.

The Student Assistance Planning team known as STAR (Student-Teacher Assistance to Resources) team will be an integral part of policy enforcement and follow-up of drug and alcohol situations.

##### **Definition of Terms:**

**DRUGS** - shall include alcohol or any malt beverage inclusive of wine coolers; designer drug/s, any over-the-counter drug not authorized by parent and school nurse, anabolic steroids; any drug from any of the four (4) classes of drugs, hallucinogens, narcotics, amphetamines, barbiturates; any volatile solvents or inhalants such

as, but not limited to, glue, varnish remover lighter fluid, etc., any chemical manufactured in a clandestine laboratory such as, but not limited to, amyl and butyl nitrate, and any drug covered by the Pennsylvania Drug Device and Cosmetic Act and Controlled Substance Act of 1970.

*NOTE: The above-defined drugs and drug use, in particular, is prohibited on school grounds, at school sponsored functions, and while students are representing the school.*

### **THE FOLLOWING ARE EXAMPLES OF DRUGS COVERED UNDER THIS POLICY:**

#### **INHALANTS:**

- Nitrous Oxide - Laughing Gas, Whippets, CO2 Cartridge
- Amyl Nitrate - Locker Room, Rash, Poppers, Snappers
- Butyl Nitrate - Bullet, Climax
- Chlorohydrocarbons – Aerosol propellants, gasoline, glue, other chemicals containing petroleum distillates such as benzene, acetone, toluene, xylene, carbon tetrachloride, etc...

#### **STIMULANTS:**

- Cocaine
- Crack Cocaine
- Amphetamines - capsules, pills, tablets Methamphetamines
- Additional Stimulants - Preludin, Didrex, Tenuate, etc.
- DEPRESSANTS:
- Barbiturates    Alcohol
- Tranquilizers    Rohypnol

#### **HALLUCINOGENS:**

- Marijuana        Mescaline
- PCP                Peyote
- LSD                Psilocybin

#### **NARCOTICS:**

- Heroin Methadone
- Codeine
- Morphine
- Meperidine
- Opium

#### **OTHER NARCOTICS:**

- Percodan
- Darvon
- Percocet
- Talwin
- Lomotil
- Fentanyl

#### **DISTRIBUTION:**

To deliver, sell, pass, share, or give any drug, including alcohol, from one student to another.

**POSSESSION:**

To possess or hold or have within immediate control alcohol or drugs defined by this policy. It should be noted that students found with alcohol/drugs in desks, back packs, school bus, lavatories or any other school property, are in direct violation of this drug policy and will be charged with possession.

Additionally, possession by students at any school-sponsored function shall be considered in violation.

**DRUG PARAPHERNALIA:**

Any equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, re-packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the body a controlled substance in violation of the Controlled Substance Act, Drug paraphernalia items include, but are not limited to:

- Roach Clips
- Rolling Papers
- Amyl Nitrate (Rush, Locker Room, Jock)
- Butyl Nitrate (Bullet, Toilet Water)
- Hypodermic Syringes
- Cocaine Spoons - Tooters
- Water Pipes, Marijuana Pipes, Crack Pipes
- Drug Conversion Kits
- Medicine Dropper
- Razor Blade

**SCHOOL JURISDICTION:**

The school property including, but not limited to, school bus, desk, lavatory, playground, etc., to/from school, its surroundings and all school-related events such as dances, class trips, athletic and school events, etc.

**ASSESSMENT TREATMENT:**

The Northwest Area School District has a signed "Affiliation Agreement" with Wyoming Valley Alcohol and Drug Services, Inc. for purposes of providing assessment services to students and their families when a violation of the drug and alcohol policy has occurred. Additionally, students and families can access the services of the agency at any time.

**TERRORISTIC THREATS AND ACTS:****Purpose**

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

**Definition**

***Terroristic Threat:*** shall mean a threat to commit violence communicated with the intent to terrorize another, cause evacuation of a building, place of assembly or facility or public transportation, or to otherwise cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience.

***Terroristic Act:*** shall mean an offense against property or involving danger to another person committed for the purpose of achieving the above result(s).

- The Board prohibits any district student from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or school building.
- The Board directs that the Superintendent react promptly and appropriately to information and knowledge concerning a possible or actual terroristic act.
- The Superintendent shall be responsible for developing administrative regulations to implement this policy.
- Staff members and students shall be responsible for informing the building principal regarding any information or knowledge relevant to a possible or actual terroristic threat or act.
- The building principal shall immediately inform the Superintendent after receiving a report of such a threat or act.

#### **Guidelines:**

When an administrator has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

1. The building principal shall promptly report the incident to the Superintendent.
2. The building administrator shall immediately suspend the student.
3. The building administrator shall report the student to law enforcement officials.
4. The Superintendent may recommend expulsion of the student to the Board.
5. If a student is expelled for making terroristic threats or committing terroristic acts, the Board shall require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to him/herself or to others.
6. Additionally, if a student is expelled for making terroristic threats or committing terroristic acts, upon return to school, the student shall be subject to random searches.
7. In the event that a student makes a threatening statement which is corroborated through an investigative process, the said student will receive a disciplinary consequence which is proportional to the level of threat/intimidation in accordance with the Northwest Discipline policies and matrix.

**\*\*In the case of an exceptional student, the district will take all steps necessary to comply with the Individuals with Disabilities Education Act. \*\***

#### **DETENTION POLICY:**

- Detention(s) will be assigned as a disciplinary consequence/intervention for engaging in rule-violating behavior which conflicts with school policies and procedures.
- After school detention will be held on Wednesdays. Single detention will run from 3:20 – 4:20.
- Detentions will be held within the school library. Students will be supervised by District designee during the detention.
- The NASD will NOT provide transportation for students who are assigned after-school detention. Rather, transportation from detention will be the responsibility of the parent/guardian.
- Students will receive 24-hour notice of all after-school detentions to be served. It is the responsibility of the student to inform parents or guardians of the date(s) of their scheduled detention(s).
- The NASD provides students with a copy of disciplinary referrals which clearly articulates the rule-violating behavior and the assigned disciplinary consequences so that parents/guardians are notified of disciplinary consequences.
- Only the Principal or Head Teacher may excuse a student from detention.
- Parents must call the Principal's office at 542-4126, ext. 3000 (PS)/ 2000 (IS), ONE DAY PRIOR to detention, to reschedule detention pending extenuating circumstances.
- Students will be excused for medical or dental appointments. However, the student or parent/guardian but must provide verification from a doctor to the Principal the next day.

- Serving a detention takes precedence over all school activities.
- Students must serve detention before being able to participate in extra-curricular activities the day following the detention.
- Students excused from detention must report for detention on the next day detention is held, unless other plans are made with an administrator.
- Students, who, without permission, do not report for a scheduled detention, will be considered guilty of defiance and are subject to further disciplinary action.
- Unexcused lateness for detention will result in further disciplinary action.
- Students must report to detention with sufficient school related work for the entire time of detention.
- Students who report without sufficient work will be assigned work to do by the detention monitor. The amount of work assigned is the sole decision of the detention monitor.
- Any student who is disruptive in detention or who fails to follow the specific instructions of the detention monitor will be considered guilty of defiance and will receive no credit for detention. The student may be referred to an administrator.
- Detentions missed because of absence from school are served immediately upon return to school by attending the next scheduled detention(s).

### **Detention Rules**

- Students who are reporting to detention should bring all the items they need to take home.
- Students will not be permitted to go to other school locations after detention.
- The atmosphere of detention will be one of individual study.
- Students are not permitted to sleep.
- Parents are required to come into the building to sign-out their student. Students must provide the district with a written/signed parental/guardian consent to be transported by an individual other than their parent/guardian.
- The above written consent must be provided to the Principal's office no later than the homeroom on the day of detention, preferably the day before detention.
- A district designee may contact the parent/guardian to confirm the written consent.

### **EXCLUSION FROM SCHOOL - SUSPENSIONS AND EXPULSIONS:**

- Exclusion from school may be based on a single incident or accumulation of several incidents.
- Chronic, habitual behavior could result in the exclusion of a student from school in the form of suspension or expulsion.
- Exclusion of school can occur in the following forms:
  - Suspension - exclusion from school for a period of up to ten (10) school days.
  - Expulsion - exclusion from school by School Board action for a period of over ten (10) days.
- Students who are suspended or expelled will be informed of the reason(s) for the action and will be given an opportunity to discuss the behavior causing the action before the action becomes effective.
- A hearing is not required prior to a suspension of up to three (3) days.
- Whenever possible, any student being suspended will be directed, in the presence of an administrator, to telephone a parent or guardian to inform or supply information requested by the parent or guardian.
- The parent(s) or guardian(s) will also be notified by letter of the suspension. A copy of the disciplinary action will also be issued to the student for immediate delivery to a parent or guardian.
- A parent conference may be requested before the student is readmitted to the regular school program following a suspension.

- Students who are suspended are not permitted to attend any school functions during or after school hours during period of the suspension. Any suspended student who is on school property without permission of the administration is subject to prosecution under trespass laws.
- All student privileges are revoked when a student is suspended from school.
- A suspension does not relieve a student from responsibility for any penalties previously incurred unless arranged by an administrator.
- Before being readmitted to class the student may be expected to complete a behavioral contract.
- The contract will be reviewed at time intervals specified in the plan.
- If a student, for any given reason, must be excluded from school for more than ten (10) days he/she will be provided with alternative instruction.
- A student will be excluded from school for more than ten (10) days pending a board hearing when, in the opinion of an administrator, the continued presence of the student represents a threat to the health, safety, morals, or welfare of others.
- Students who are less than seventeen (17) years of age are still subject to the compulsory school attendance law even though expelled and must attend another school.
- The responsibility for placing the student in school rests with the student's parent(s) or guardian(s).
- If the student is unable to be accepted at a private school, the Northwest Area School District will make provision for some form of education through alternative instruction at the discretion of the school district.

**PUBLIC NOTICE – EDUCATION RIGHTS OF HOMELESS CHILDREN & YOUTH:**

- The Northwest School District is actively seeking to enroll children and youth who are homeless. If you are homeless or know of a child or youth that is homeless and not attending school, please contact the building principal who will provide information and assistance during the enrollment process.
- Who is considered homeless? Any child or youth not attending school who lacks a fixed, regular, and adequate nighttime residence is considered homeless and includes those who are sharing housing with others due to loss of housing or economic hardship. It also includes children and youth who are living in hotels, camp grounds, emergency shelters, cars, bus stations, or other similar settings.
- What are the education rights of homeless children and youth? Our schools provide equal and comparable access to all students regardless of their home living situation. Homeless children and youth have specific rights that include:
  - Immediate enrollment in school and, when desired or feasible, at the school of origin.
  - Prompt provision of necessary services such as transportation and meal programs.
  - Appropriate support services and programs for which they are eligible such as programs for gifted, children with disabilities, vocational education, preschool, etc.
  - Academic assistance through the district's federally funded Title I program.
  - Parent or guardian involvement in school activities.

## **MCKINNEY-VENTO HOMELESS EDUCATION PROGRAM**

### **MCKINNEY-VENTO HOMELESS ASSISTANCE ACT:**

The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act was originally authorized in 1987 and most recently re-authorized in December 2015 by the Every Student Succeeds Act (ESSA).<sup>1</sup> The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school.

Under the McKinney-Vento Act, educational agencies must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. Local Educational Agencies are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. The law indicates that the LEA liaison shall ensure that all homeless children, youth and families are identified through coordinated activities with other entities.

### **DEFINITION OF HOMELESS (MCKINNEY-VENTO ACT SEC. 725(2); 42 U.S.C 11435(2)): CHILDREN WHO LACK A FIXED, REGULAR, AND ADEQUATE NIGHT TIME RESIDENCE:**

- "Doubled up" - Sharing the housing of others due to the loss of housing, economic hardship, or similar reasons.
- Living in motels, hotels, trailer parks, camping grounds, due to lack of adequate alternative accommodations.
- Living in emergency or transitional shelters.
- Living in a public or private place not designed for humans to live.
- Migratory children living in above circumstances
- Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings
- Unaccompanied Youth - Children or youth who meets the definition of homeless and not in the physical custody of a parent or guardian.

### **Residency and Educational Rights:**

**Students who are in temporary, inadequate and homeless living situations have the following rights:**

- Immediate enrollment in the school they last attended or the school in whose attendance area they are currently staying even if they do not have all of the documents normally required at the time of enrollment;
- Access to free meals and textbooks, Title I and other educational programs and other comparable services including transportation;

- Attendance in the same classes and activities that students in other living situations also participate in without fear of being separated or treated differently due to their housing situations.

**When a student is identified as being McKinney-Vento eligible, staff will:**

- Assist with enrollment, monitor school attendance and arrange transportation (preK-8 students)
- Provide school supplies and other school related materials as needed
- Advocate for and support students and families through school and home visits
- Set clear expectations for student behavior, attendance and academic performance
- Assist students/families access with community services
- Assist students/families with access to tutoring, special education, and English language learner resources
- Assist students so they can participate in sports, field trips, and school activities regardless of their ability to pay or to provide their own transportation.

**For additional information, contact LEA Homeless Liaison at 000-000-0000.**

**PROGRESS REPORTS:**

Progress Reports are mailed home four (4) times per school year at the halfway mark of each quarter. The reports are generated to provide parents the opportunity to monitor their student's progress. The Northwest Area School District also maintains up to date student grades which can be accessed via the Parent Portal System in Progress Book. Parent conferences may be scheduled to discuss student progress through the Guidance Department.

**GRADING:**

The Northwest Area School District believes that every student should be provided as many opportunities as possible to demonstrate achievement each marking period both through formal and informal assessments. These assessments are what collectively contribute to the formation of a grade for each individual student.

Assessments should be ongoing within the context of instruction. Teachers will utilize summative, formative, benchmarking, diagnostic and project-based assessments which reflect a variety of learning modalities. Teachers will evaluate students' mastery of skills and standards-aligned standards by administering a variety of assessments which may include traditional summative tests and quizzes; class work, center work, lab work, final exams, project completion, paper and pencil activities, notebooks, portfolios, participation, and verbal presentations.

**HOMEBOUND INSTRUCTION:**

Homebound instruction is designed to assist students in remaining current with their course requirements by providing them with teacher assistance in their homes. Homebound Instruction is designed for periods of short duration, and for students who expect to return to school in no more than 30 (thirty) days.

The Northwest Area School District will provide homebound instruction for those students who qualify for such services. **Students who are unable to attend school for a period of two (2) weeks or more because of a physical or psychological illness as determined by a physician, CRNP, Physician's Assistant, or Psychiatrist, qualify for services.** Pregnancy, in the absence of medically certified complications, is not a handicap. **The committee has the option of requiring a second medical or psychiatric evaluation as deemed necessary. The cost of all examinations is the responsibility of the parent/guardian of the student requesting homebound services.**

### **HOMEBOUND PROCEDURES:**

- Applications for homebound services may be obtained from the Guidance Office.
- These forms must be completed and returned to the Elementary Principal's office for review.
- When the application is completed, the Homebound Instruction Review Committee, consisting of the Principal, school nurse, school counselor and superintendent shall make a determination if the student is eligible for homebound instruction for a specific period of time.
- **Homebound Instruction may be granted for a period of 30 days. Parents/Guardians who wish to extend this instructional placement must provide the district with documentation from a certified medical practitioner which substantiates the medical necessity for continuation of homebound instruction.**
- If the applicant requests to extend this period of time, the application must be re-submitted for approval by the medical provider assessing changes in the student's condition and a re-evaluation of the anticipated time of recovery.
- The Homebound Instruction Review Committee will determine if homebound instruction is to be continued.
- Documentation from the medical provider approving the student's return to school is to be presented to the Guidance Department at the conclusion of the specified homebound term.
- Students whose homebound instruction has expired and who do not provide the medical provider's documented approval to return to school are **considered illegally unexcused/absent until such paperwork is completed.**

### **GENERAL HOMEBOUND INFORMATION:**

- The Superintendent or his/her designee will assign a homebound instructor. **The school district will provide up to five (5) hours per week of instruction.**
- The building principal, guidance team, and classroom teachers will meet to inform the homebound instructor of the student's academic status. The Special Education Supervisor or designee will attend the initial meeting when special education students are involved.
- As of the first day of homebound instruction, and throughout the approved term, the classroom teacher will not mark the student absent. The classroom teacher will be responsible to supply the homebound instructor with all class materials and grade the student's work when a student is on homebound instruction. All completed work will be returned to the appropriate classroom instructor on or before due dates assigned by the classroom instructor. The classroom instructor will evaluate all coursework and record the appropriate grade.
- Any tests developed will be received from the classroom instructor. **The homebound instructor will administer the tests and return them to the classroom instructor for evaluation.**
- Time sheets completed by the instructor are required to have a signature from the parent or guardian for each visit.
- Instructors will be chosen by the Superintendent or his/her designee sequentially according to the following criteria:
  - Area of certification
  - Seniority
  - Status as a full-time teacher
  - A part-time teacher for the district
  - Any other certified teacher

- The teacher, subject availability, must be contracted by the school district as a full or part-time teacher, or board approved substitute teacher. **If instructors who are qualified to provide this service cannot be found via the usual channels, the Northwest Area School District will be unable to provide homebound instruction.** In this instance, classroom assignments will be sent home and are to be returned by mail at specified dates. Tests will be administered when appropriate supervision is available.

## **SPECIAL EDUCATION**

### **What is Special Education?**

Special Education is governed by Federal Law, Individuals with Disabilities Education Act (IDEA), and Chapter 14 of the Pennsylvania School Code. The term “special education” refers to “Specially Designed Instruction (SDI)” intended to meet the individual needs of exceptional students at no cost to the parents in the least restrictive environment (LRE) deemed appropriate by an IEP team.

### **What is an exceptional student?**

An exceptional student is one who has undergone categorical testing for a comprehensive evaluation and has one of the thirteen designated disabilities by IDEA: Autism, Deaf or Blindness, Development Delays, Emotional Disturbance, Hearing Impairments, Mental Retardation, Multiple Disabilities, Orthopedic Impairments, Other Health Impairments, Specific Learning Disabilities, Speech and Language Impairments, Traumatic Brain Injury, Visual Impairments.

### **What happens if a student is thought to be exceptional?**

A child suspected of needing special education supports and services will be referred to the special education department. The law requires a series of procedures to be followed by a school district when assessing potential special education students. Parents have the right to be partners with the school staff in all aspects of that process from the evaluation to the decision over which program, services, and placement are appropriate to meet their child’s needs. The procedure involves screening, a multidisciplinary evaluation (MDE), an Individualized Education Plan (IEP), and Notice of Recommended Educational Placement (NOREP). Students who exhibit a pattern of inappropriate behaviors for the school environment and/or those which have yielded multiple disciplinary actions may be referred for a Functional Behavioral Assessment (FBA).

### **What programs or services are available to exceptional students?**

Special education services are available to children who qualify. The Northwest Area School District in conjunction with the Luzerne Intermediate Unit #18 or other local private schools offers a full continuum of services in compliance with federal and state regulations to insure that students receive a free and appropriate public education (FAPE). An appropriate program is comprised of “specially designed instruction,” and the “related services” needed for the student to benefit based upon his/her individual needs.

### **Whom should I contact with questions or concerns?**

Parents who suspect that their child has an exceptionality or has concerns regarding their child’s educational program should contact the school directly and schedule a conference with the classroom or special education teacher to discuss any concerns or questions. Additionally, the Special Education Director, Principal and/or Guidance Counselor at each school are available to assist with the educational planning for their child.

**CONFIDENTIALITY OF RECORDS:**

Confidentiality is maintained on all personally identifiable information regarding students. Parents have the right to see and obtain a copy of their child's records. Personally identifiable information relative to an exceptional student will only be released with the permission of the parent and/or in accordance with the Family Educational Rights and Privacy Act and the Pennsylvania Rules, Regulations, and Standards.

**HEALTH CARE AND CONFIDENTIALITY OF STUDENT HEALTH INFORMATION****AN OVERVIEW:**

The Northwest Area School District offers health services through the school Nursing Department. The nursing department includes the district School Nurse (Certified School Nurse) and Licensed Practical Nurses (LPNs) at the elementary buildings, supervised by the School Nurse (CSN). Some of these services offered are mandated by the Department of Health and include vision, hearing, height, weight, BMI calculations, and scoliosis screenings. These mandated screenings do not require parental consent. Parents/Guardians will be notified in writing of any noted screening abnormalities as defined by the Pennsylvania Department of Health. This written referral will be sent to the parent/guardian for further physician evaluation. The district also provides a licensed nurse on duty during the regular school day to address cases of first aid, illness, injury, treatment/management of acute and chronic conditions, health education/promotion, as well as administration of medications. All problems are dealt with individually, professionally, and in a confidential manner in an effort to provide the best possible school nursing service to the students. In an effort to achieve these aims, it is necessary to employ certain regulations governing the use of the health facilities for all students.

The Public School Code requires a physical examination for students entering Kindergarten, 6th and 11th grades and a dental examination for students entering Kindergarten, 3rd, and 7th grade. With written parental consent, the school physician/school dentist will provide examinations at the school at no cost to families. Students may also obtain dental and physical examinations through their private health care providers at their own expense. A copy of a recent physical and/or dental exam completed one year prior to the start of the school year is also acceptable.

The majority of illnesses are not of sudden onset. It is the responsibility of the parent to be aware of a child's health prior to the start of the school day. If fever, vomiting, cold with continued cough, or other obvious illnesses should occur within 24 hours prior to school time, the child should not be sent to school for his well-being as well as that of his classmates. If a child has a fever, the child should be fever free (without the use of fever-reducing medications for 24 hours) prior to returning to school.

In certain situations, such as allergic or anaphylactic reactions, medications may be administered by a licensed nurse or those trained following the standing orders and protocols approved by the school physician. The Pennsylvania Public School Code, Section 1414.2(g) allows parents/guardians to request an exemption to the administration of an epinephrine auto-injector for their student. In order to request this exemption, contact the school nurse to make an appointment to discuss this decision, review and sign the opt-out form. The "NASD Protocol for Treatment of Symptoms of Anaphylaxis - Epinephrine Auto-injector Administration by School Health Professionals and Trained Personnel" is available for review on the district website under "Departments" ---- "Health Services". Certain staff have also been trained to assist the student with rescue inhaler administration.

While providing care to students for injuries and illnesses, the nurse adheres to the procedures for the treatment of illnesses and injuries approved by the school physician. These approved standing orders and treatment of illnesses and injuries are posted in the health room. Additional helpful resources and health forms are available on the website.

### **School Insurance**

Each year our school offers a reasonable insurance plan to students that will protect them for the duration of the school day or for a 24-hour period, depending on family choice. It is suggested that you take advantage of this insurance to protect your family from financial burdens that could occur in case of injury to your student, as the school cannot assume liability for accidents resulting in injury. Should an accident occur in school, or on school property, and the injured carries school insurance, please take the following steps.

- Report to the school nurse
- The nurse will provide an approved insurance form to be filled out in detail and signed by the parent/guardian
- The form is to be returned to the Principal for a signature
- The parent/guardian will submit the form to the insurance company for reimbursement

### **Health Information**

1. In order to request this epinephrine administrations exemption as well as exemptions to any of the other health services (Narcan administration, Standing physician orders, etc.), contact the school nurse.....
2. Additional health information and required forms could also be found on the district website under DEPARTMENTS—Health Services
3. Staff members will be notified of students' health conditions to the extent necessary to support the student's health, safety and welfare during the school day.

### **IMMUNIZATION REQUIREMENTS**

The Northwest Area School District abides by the Pennsylvania state mandated immunization guidelines. As per the PA Department of Health Division of Immunizations, students without the current, required immunizations may be excluded from school.



### **HEALTH ROOM VISITS**

- Illnesses or injuries that occur during the school day should be immediately reported, by the student, to his teacher or the school nurse. For non-emergencies, students must secure a written pass from their teacher before visiting the nurse.
- In the event of a student being seriously injured, every effort will be made to contact the parent by phone. If the parent/guardian cannot be reached, authorized persons may make whatever arrangements might be deemed necessary for transportation of the student to a hospital as per the instructions on the student emergency card.
- Other than administrators (or designee), the school nurse is the only member of the school staff who can excuse a student from school during the day because of illness or injury. The student may be

excluded from school if the nursing assessment determines fever, vomiting, lethargy, sudden onset of illness, or emergency situation. In compliance with the PA School Code, the nurse may exclude a child from school for any undiagnosed and/or possibly contagious health concerns such as rashes, infectious pink eye, head lice/nits, and skin lesions of unknown cause. For re-entry into school, a nursing assessment or certification of recovery may be requested by the school nurse. Parents are responsible for obtaining this medical release from their health care provider if requested. When dismissed by the nurse for an illness and if the nurse deems the student is safe, high school students with driving privileges will be allowed to drive home with administration approval and parent/guardian verbal telephone permission.

- On-going health care for student illness or injury is the responsibility of the student's personal physician and follow-up by the student's parent. Injuries that occur at home should be addressed by the parent/guardian whenever possible.
- The school nurse maintains health records and addresses state mandated immunization compliance for each student. Parents or guardians are responsible for notifying the school nurse, in writing, of medical needs that may affect a student while in school. Parents or guardians are expected to update this information annually or notify the nurse of changes that might occur during the school year. In accordance with the Pennsylvania School Code, staff members will be notified of students' health conditions only to the extent necessary when the health and safety of a student is compromised. Staff members will be notified by the school nurse of health conditions that may adversely affect a student's learning with parent permission as outlined in an IHP, IEP, or 504.
- Accurate emergency contact information must be submitted to the school and kept current.  
**Emergency cards must include alternate phone numbers for use in case a parent is unable to be reached.** It is the responsibility of the student, parent, or guardian to notify the school if and when this information changes during the school year.

### USE OF MEDICATIONS

- It is recommended that prescription and non-prescription medicines be administered at home whenever possible. However, the district recognizes that some students would be unable to attend school without receiving medication during the school day. Therefore, the district will permit the administration of prescription and non-prescription medication only under the following conditions.
- If a student needs to take any medication (prescription or non-prescription) during school hours, it must be delivered to the nurse's office by a parent/guardian or other responsible adult designee, in its original packaging and properly labeled by the pharmacy or physician's office or the manufacturer's original container for over the counter medications. Upon delivery of certain prescription medications, the medication must be counted with the parent and nurse and the initial quantity documented. Medications must be left in and dispensed from the properly labeled container and maintained with the proper forms and instructions in the health office. No medications, prescription or nonprescription, shall be administered to the student during the school day without the school nurse's approval and the written and dated consent of the student's parent/guardian and legally authorized prescriber.
- By providing parent/guardian authorization for medications to be administered during school hours, the school district, its agents and employees, are released from all liability and claims whatsoever for any side effects when this medication is administered as prescribed by the physician.
- Parent/Guardian and physician's permission must be documented on the school district's **Medication Authorization Form**, prescription form, or electronic faxed physician order. Medication orders must contain all of the required information. These written consents and/or prescriptions must be on file in the nurse's office of the school building that the child attends. Copies of the Medication Authorization

Form may be obtained from the health room and are available on the district website. The district's medication policy is also available for viewing on the district website.

- The consent of the parent/guardian and physician will be valid only for the period specified on the consent form and in no case longer than the current school year. All medications will be administered in accordance with the physician's order and must be taken in the health room in the presence of the nurse. All information regarding medication administration is confidential.
- Parents/Guardians are responsible for informing the school nurse of any change in the medication needs of a student. When any change occurs, the parent/guardian must provide documentation from the prescribing physician to the nurse's office.
- By requiring written authorization and physician's orders, the school district hereby asserts that it will incur no liability for the use of unauthorized drugs. Students in possession of prescription or nonprescription drugs that have not been registered with the school nurse will be considered to be in violation of the district's drug and alcohol policy and will be subject to any disciplinary action appropriate under the district's discipline code.
- Nurses will keep records of all medications administered. These documentation records will include the student's name and grade, the name of the medication, the dosage, the date, and the time of administration.
- Medications will be stored in a locked, secure cabinet, refrigeration if necessary, with keys secured from general access. Access to medications will be limited to the school nurse or designee in emergency situations.
- Students may be allowed to self-administer and self-carry medications, such as an asthma inhaler/epinephrine auto-injector/insulin pumps, if the procedure is followed according to the self-administration policy. Please contact the school nurse to make these arrangements.
- All medications must be picked up in the nurse's office at the end of the school year or they will be disposed of.

### **MEDICATIONS ON FIELD TRIPS**

In the case of field trips, a variety of options could be considered: a parent/guardian attend the field trip so he/she can administer the medication, the medication time may be altered or omitted for that day with parent permission and/or physician permission if necessary, or the nurse attends the field trip. Please refer to the Medication Policy available on the district website. Parents/guardians may delegate medication administration to another adult for the field trip for their child and must inform the building nurse.

### **NALOXONE**

In an effort to be proactive and prepare our response in case of a drug-related emergency, NASD has recently adopted a Naloxone (Narcan) policy. Please see the district website to review the entire Naloxone policy. Naloxone is a medication that can temporarily reverse an overdose that is caused by an opioid drug (prescription pain medication or heroin). When given during an overdose, Naloxone blocks the effects of opioids on the brain and restores breathing within two to eight minutes. Naloxone does not work to reverse overdoses from other types of substances. Naloxone is available as a nasal spray and is accessible at each of our school buildings. Those individuals trained to administer the medication, including all district nurses, have completed the required Pennsylvania Department of Health training. While it is important to have Naloxone available for such emergencies, the focus of the district is the utilization of prevention materials through education on the dangers of drug misuse. Our efforts also include providing resources to those individuals and families who might be in need of this information.

### **SCHOOL SAFETY:**

The Northwest Area School District recognizes that the safety of students, faculty, and staff is its first priority. Consequently, the district employs operating procedures and protocols which protect its students, faculty, and staff and minimizes vulnerability to external threats. The Northwest Area School Districts recognizes that the support and cooperation of community stakeholders is paramount in maintaining the safety of ALL individuals within its school buildings.

### **SCHOOL VISITOR GUIDELINES:**

- 1.) All visitors are highly encouraged to call ahead to your respective school when planning to visit or when you are in need of an appointment.
- 2.) Any visitor coming into the building, but not needing access to the hallways, i.e., dropping off/picking up students, books, and/or student lunches, etc. will be held in the school's vestibule and asked to sign in to the visitor booklet.
- 3.) Any visitor needing access to other parts of the school building, i.e., dropping off medications at the nurse, parent-teacher meetings, etc. will be asked to present a photo ID and held in the school's vestibule until further directions are provided.
- 4.) Any visitor wishing to gain entry to the building that does not have a photo ID will need to have their identity confirmed by a district employee.
- 5.) Due to building differences, processes may vary across district buildings.

The aforementioned guidelines for school visitation have been implemented to maintain the safety and welfare of students, staff, and faculty members of the Northwest Area School District. Your cooperation and commitment to this initiative is paramount to its success.

### **SCHOOL EVENTS:**

The Northwest Area School District supports and encourages parental and community involvement within its schools. However, within the current climate, the district must employ reasonable measures to safeguard its students' welfare and safety. Consequently, the Principal may employ limitations and constraints with regards to the admittance and access to school activities.

- Individuals who are interested in volunteering and/or serving as chaperones for school activities should contact the Elementary Principal's office for guidelines and directions.
- Individuals who are serving as volunteer chaperones for school activities (including but not limited to: school dances, field trips, book fairs, etc...) are not permitted to be accompanied by other children while serving in this capacity. When accompanied by unauthorized individuals, parents/guardians who are seeking entrance into school building may be denied access. Moreover, parents/guardians who arrive for field trips and/or school/PTO functions accompanied with unauthorized individuals WILL NOT be permitted to participate in the event/field trip.
- Individuals who attempt to compromise these provisions are in violation of building procedures.
- *All volunteers for school functions must adhere to the volunteer clearance guidelines. The school will have two-clearance turn in deadlines: September 30 and January 31. Anyone who wishes to participate in an event must have their clearances in by the deadlines.*

- *Any individual whose name is not on the volunteer list 24 hours prior to an event may not be admitted into the school.*
- All classroom celebrations will be scheduled between 2pm and 3pm when they occur on a school day where the district is operating on a normal schedule. Any deviations from this require authorization from the school principal. Classroom volunteers will be allowed in the building no earlier than 15 minutes prior to start of the classroom activity.
- Any volunteer who wishes transport their respective child(ren) home immediately after the conclusion of the school activity and/or event must submit a written note to office with their child earlier that day. All students who leave with parents will adhere to the typical “parent-pickup” dismissal procedures. Last minute requests should be avoided for it may impact the dismissal of students from school.
- The maximum number of volunteers for a classroom celebration at the Northwest Primary School is 5.
- The maximum number of volunteers for a classroom celebration at the Northwest Intermediate School is 2.
- The numbers of volunteers necessitated for a school-sponsored field trip will vary. The allowable number of volunteers will be determined by the school and will be relative to the event, location, and other variables which impact student safety and supervision.

#### **APPROPRIATE DRESS:**

It is expected that our students will dress in a manner that conforms to the current fashions but does not accentuate the extreme. It is assumed that this includes a reasonable concern for neatness, cleanliness, and modesty both in person and in dress. Certainly, students should dress in a manner that protects their safety and health, that conforms to the rudiments of decency, and in a manner that forgoes material and substantial disruption. Dress, which in the principal’s determination is immodest, distracting, or in opposition to appropriate school values, may not be worn. In order to reduce disruption of the educational process, and the risk of potential health and safety hazards, the Northwest Area administration and staff will enforce the following student dress guidelines:

1. Students may not wear attire that depicts the following:
  - Clothing which displays profanity, obscenity, violence or is symbolic of ethnic or racial intolerance
  - Clothing having pictures, symbols, or words associated with alcoholic beverages, tobacco products, chemical/drugs or items associated with chemical/drug use.
  - Clothing, buttons or other insignia judged by an administrator to be obscene intending to mock, ridicule, provoke, demean cultural heritage and/or ethnic background, or associated with beverages that contain alcohol or chemicals/drugs or items associated with drug/chemical abuse or violence.
  - Clothing that depicts or implies a sexual message are not permitted
  - Costume clothing will not be wore, except for at approved school’s party or other school sponsored events. Examples include: animal ears, tails, and capes
  - No hats are permitted to be worn in the building
2. NASD recognizes the students’ right to wear jewelry and other adornments, however, the manner in which they are worn may not be appropriate under certain circumstances, for they may compromise the safety and welfare of students or staff, and/or interrupt the educational process. Consistent with our current weapons policy, students may not wear or carry chains, other than those designed as jewelry. Administration may request students to remove jewelry and other adornments that compromise students’ safety and/or compromise the educational process.

3. All student attire must conform to the following criteria:

- Students may wear shorts from the first day of school through October 31<sup>st</sup> and from April 1<sup>st</sup> through the last day of school.
- Students may not wear see-through or mesh clothing.
- Students may not wear low-cut tops.
- Students may not wear tank tops.
- Students may not wear upper body attire that exposes the abdomen or back.
- Students' underclothing/underwear may not be seen or exposed at any time.
- Students' lower body attire (pants, shorts, skirts, dresses, skorts, etc) should be worn at the natural waistline and extend to a reasonable length—Short shorts and skirts may not be permitted.
- Students' lower body attire may not extend past their footwear or drag on the floor.
- Students may not wear excessively baggy pants (which are deemed to be a safety hazard) or pajama type pants.
- Students may not wear attire that is torn, tattered or frayed in such a manner that does not conform to the above criteria. (displaying parts of body which is prohibited)
- Students may not wear hats or bandanas during school hours unless administrative permission is granted.
- Student may not wear sunglasses, unless prescribed by a physician
- Students must wear appropriate footwear. Students are cautioned when wearing sandals, flip flops, and/or other open toed shoes for such footwear may increase student injury.
- Students have the responsibility to keep themselves, their hair and attire clean. School administrators may impose limitations upon the students' participation in school programs where there is evidence of that the lack of cleanliness constitutes a health hazard or an impediment to the educational process.

Students, Parents and/or Guardians must be mindful that dress, which may be distractive or disruptive to the learning process, will not be tolerated. Any student violating the NASD Student Dress Code will be considered insubordinate and will incur disciplinary consequences consistent with the NASD Discipline Policy.

School administrators have the final responsibility for the interpretation and enforcement of the NASD Student Dress Policy.

In case of questionable attire parents will be called to bring in appropriate attire for their child. In the event that parents and/or guardians cannot provide students with attire which conforms to the district dress code and parameters of appropriate dress set forth in this handbook, the respective student may be limited from returning to the learning environment.

## **BULLYING:**

### **Purpose**

The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain a proactive educational environment in which bullying and cyberbullying in any form are not tolerated.

## **Definitions**

**Bullying** means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, carried out repeatedly and over time, 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. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

**Bullying** includes but is not limited to: physical intimidation or assault; verbal or written threats; teasing; putdowns; name calling; threatening looks, gestures or actions; psychological cruelty, such as spreading rumors or false accusations; and shunning the individual.

**Bullying**, as defined in this policy, includes cyberbullying, which is inclusive of all facets of social media. Examples of cyberbullying include but are not limited to: sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs, Facebook, Instagram, Snapchat, etc.).[2]

**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 Board prohibits all forms of bullying by district students.[1]

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

## **Delegation of Responsibility**

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

Each staff member shall be responsible to maintain an educational environment free from bullying.

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

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[1]

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.<sup>[1]</sup>

District administration shall annually provide the following information with the Safe School Report:<sup>[1]</sup>

1. Board'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 Student Conduct/Discipline Code, which shall contain this policy, shall be disseminated annually to students.<sup>[1][3][4]</sup>

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website, if available.<sup>[1]</sup>

### **Complaint Procedure**

The district shall review annually with the students, methods by which a complaint for bullying or cyber bullying can be followed.

1. A student shall report a complaint of bullying, orally or in writing, to the building principal.
2. The employee shall make a determination regarding the nature of the complaint and refer it to the appropriate administrator.
3. The building principal shall investigate the alleged conduct that occurred.
4. The building principal may ask assistance from other district employees in the investigation process.
5. After the investigation, the building principal shall prepare a written report of the complaint and the results of the investigation, and shall take corrective action to ensure that the conduct ceases.

The building principal or his/her designee shall inform parents/guardians of the victim and person accused.

## **Education**

The district may develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][5][6][7]

## **Consequences for Violations**

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Student Conduct/Discipline Code, which may include:[1][4][8]

1. Counseling within the school.
2. Parental conference.
3. Loss of school privileges.
4. Transfer to another school building, classroom or school bus.
5. Exclusion from school-sponsored activities.
6. Detention.
7. Suspension.
8. Expulsion.
9. Counseling/Therapy outside of school.
10. Referral to law enforcement officials.

## **CONFIDENTIALITY:**

The Board recognizes that both the complaining student and the alleged bully/extorter have strong interests in maintaining the confidentiality of the allegations and related information. The privacy of the complaining student, the individual(s) against whom the complaint is filed, and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with Family Education Privacy Rights Act ("FERPA") and any discovery or disclosure obligations. As limited by FERPA protections, the principal or his/her designee may inform the complaining student/parents/guardians of the outcome of the investigation.

## **PUPIL SERVICES:**

- The Northwest Area Elementary School's Guidance services consist formally of one counselor, who services both elementary schools. The counselor is available for individual counseling for students, parents and staff upon request or referral.

- The Northwest Area Elementary Schools maintain the Child Study Practice whereby students who are displaying and /or experiencing academic, social, and/or behavioral difficulties are referred by school personnel to the Child Study Team. The Child Study Team which is comprised of teachers, principal, guidance counselor, and school psychologist attempts to identify the barriers to student success and interventions necessary for the student to meet and/or exceed his/her potential and/or demonstrate growth.
- The Guidance Counselor works collaboratively with district personnel as well as students and their families to yield improved student outcomes. The Guidance Counselor aligns district, agency, and family resources to remove impediments to students' success and well-being.
- In conjunction with PDE and the Northwest Area School District, the elementary guidance counselor oversees the administration of schoolwide standardized testing administered each year to obtain information on student performance. The testing programs used are:
  1. Pennsylvania School Assessment (PSSA) – Grades 3, 4, 5, 6
  2. Dibels – Grades K, 1, 2, 3
  3. Kbit 2 Testing –2<sup>nd</sup> Grade
  4. Freckle Benchmarking – Grades 3-6
- Please direct concerns to Elementary Counselor, Michael Nardelli at 570-542-4126 extension 3002.

#### **INSTRUCTION:**

All NASD instructional practices are aligned to the PA Core Standards, PA Core Eligible Content, and PA Academic Standards in order to ensure that students cultivate standards-aligned, developmentally appropriate skills and competencies necessary to succeed in competitive global marketplace.

- Academic standards describe the knowledge and skills that students should know and be able to demonstrate throughout their public school careers. The Northwest Area School District provides for attainment of academic standards as per Chapter 4, Section 4.12. The Pennsylvania Academic Standards guide the educational program in these areas in the district:
  - **Science and Technology:** study of the natural world and facts, principles, theories, and laws in the areas of biology, chemistry, physics, and earth sciences. Technology is the application of science to enable societal development including food and fiber production, manufacturing, building, transportation, and communication. Science and technology share the use of the senses, science processes, inquiry, investigation, analysis, and problem solving strategies. Hands-On Science approach is emphasized in Elementary Science class. Students utilize FOSS and STC science kits to not only develop their understanding of the scientific process, but also to incorporate grade level PA CC ELA and Mathematics competencies.
  - **Mathematics:** study of number system and number relationships, computation and estimation, measurement, mathematical reasoning and connections, mathematical problem solving and communication, statistics, data analysis, probability, predictions, algebra, functions, geometry, trigonometry, and concepts of calculus.
  - **English Language Arts:** study of communication in all its respective forms: written and spoken. Within the context of English Language Arts, students hone their Reading, Writing, Speaking, and Listening Skills. In ELA, students engage in a contextual examination of the English

Language whereby decoding, encoding, fluency, comprehension, vocabulary skills are taught within the context of grammar, mechanics, and conventions. Wilson FOUNDATIONS Reading Program is implemented in grades K-3. While Text Dependent Analysis, Informational Text, Analysis of Fiction and Non-Fiction as well as Narrative, Informational, Persuasive Exposition, and Research Writing are emphasized in grades 4-6.

- **Social Studies:**
  - **History:** study of the record of human experience including important events; interactions of culture, race and ideas; the nature of prejudice; change and continuity in political systems; effects of technology; importance of global – international perspectives; and the integration of geography, economics, and civics studies of major developments in the history of Pennsylvania, the United States, and the World.
  - **Geography:** study of relationships among people, places, and environments, of geographic tools and methods, characteristics of place, concept of region and physical processes.
  - **Civics and Government:** study of the United States constitutional democracy, its values and principles, study of the Pennsylvania Constitution and government including the study of principles, operations, and documents of governments, rights and responsibilities of citizens, how governments work and international relations.
  - **Economics:** study of how individuals and societies choose to use resources to produce, and distribute consumer goods and services; knowledge of economics reasoning and basic economics concepts, economic decision making, economic systems, Pennsylvania and the US economy, and international trade.
- **Related Arts:** study of Music, Library Science, and Computer Technology.
- **Career Education and Work:** understanding career options in relationship to individual interests, aptitudes and skills including the relationship between changes in society, technology, government, and economy and their effects on individuals and careers.
- **Health, Safety, Physical Education:** study of concepts and skills which affect personal, family and community, health and safety, nutrition, physical fitness, movement concepts and strategies, safety in physical activity setting, and leadership and cooperation in physical activities.

#### **AWARDS:**

In order to recognize the talents of our students, awards will be given annually to all students meeting specific criteria.

- **Presidential Award for Educational Excellence:** At the conclusion of each school year, the Presidential Award of Educational Excellence, sponsored by the President of the United States, will be presented to students in 6<sup>th</sup> grade meeting the following criteria:
  - a. Achievement of 85% or better on an achievement test.

- b. Achievement of a 90% average or better for grades 4, 5 and the first semester of grade 6.

Also, the President's Award for Educational improvement is awarded to those sixth grade students who show tremendous growth and improvement but do not meet the criteria for the President's Award for Educational Excellence. Such students will be selected by the faculty and counselor.

- **Honor Roll:** Students in grades 4 – 6 are eligible to achieve the status of having their names appear on the Honor Roll. Honor Roll eligibility is determined solely on numeric grades given in core academic areas. Letter grades, U and I cannot be used to determine Honor Roll eligibility. The Elementary Honor Roll will consist of two subcategories: The 95 Honor Roll and the 90 Honor Roll. A student's overall yearly average determines the year-end honor roll award for both categories.

### **Perfect Attendance Award**

#### **CONFERENCES:**

Any person wishing to meet with school personnel is requested to make an appointment at a time of mutual convenience and to register at the office prior to the conference being held.

#### **HOMEWORK:**

Homework is a very important part of the learning process and an integral component of the school's curriculum. Evaluation of student progress at all levels of instruction includes performance in homework assignments as well as class work. Homework has the following objectives:

- To reinforce concepts and skills in the classroom
- To develop solid thinking and study skills
- To develop student responsibility
- To help parents become aware of course content and teacher expectation
- All homework will receive credit based on completion. Please see the teacher's syllabus for details regarding scoring of homework.
- No homework will be assigned on weekends or holidays, unless it is a project or to prepare for an assessment.
- The general guideline for homework per night is 10 minutes per grade level. Please keep in mind that this is a guideline. Please reference the table below.

Homework Guidelines	
Kindergarten – 10 minutes	3 <sup>rd</sup> Grade – 30 minutes
1 <sup>st</sup> Grade – 10 minutes	4 <sup>th</sup> Grade – 40 minutes
2 <sup>nd</sup> Grade – 20 minutes	5 <sup>th</sup> Grade – 50 minutes
	6 <sup>th</sup> Grade – 60 minutes

#### **HOMEWORK RESPONSIBILITIES:**

**Student:** To know what homework has been assigned and to make sure they understand the assignment; take home the necessary books or materials to complete the assignment.

**Parent:** Provide a quiet and suitable study area for your child; encourage independence in the completion of the assignment and offer assistance to reinforce basic skills. Contact your child's teacher to answer any questions or concerns about homework.

**Teacher:** Assign homework that will reinforce or enrich academic skills and concepts taught in the classroom; make sure the students fully understand the assignment and what is expected of them. Inform the guidance department and parents when a student continually fails to complete homework assignments.

### **PROMOTION AND RETENTION POLICY:**

The District believes the placement and grouping of students, as well as promotion policies in all grades, should be guided by the academic progress of the student and his/her instructional needs.

Promotion from grade to grade is based on examinations and student performance in classroom activities.

Promotion and retention decisions are based on successful completion of course outcomes, student academic performance, and the potential positive or negative effects of promotion or retention on the student. Before retention is considered, every effort must be made to help the student meet the appropriate standards for academic performance. These efforts will include parent contacts and may include, but are not limited to: tutoring, summer school, Title I instruction, targeted academic interventions, and special education supports and services where these options are available.

The Board establishes that each student shall be moved forward in a continuous pattern of achievement and growth that corresponds with his/her own development, within the system of grade levels, and attainment of the academic standards established for each grade.

A student shall be promoted when s/he has successfully completed the curriculum requirements and has achieved the academic standards established for the present level, based on the professional judgment of the classroom teachers and the results of classroom performance. A student shall earn the right to advance to the next grade by demonstrating mastery of the required skills and knowledge.

The educational team, which will include the classroom teachers, guidance counselor, and the building principal, and may include the superintendent, shall make the final determination concerning promotion and retention issues. Staff will make every effort to help all students succeed.

The educational team, which will include the classroom teachers, guidance counselor, and the building principal, and may include the superintendent, shall develop procedures for promotion and retention of students, which will include the recommendation of the classroom teacher for promotion or retention and require that parents are informed in advance of the possibility of retention of a student at a grade level. Every effort will be made to remedy the student's difficulties before s/he is retained.

### **ELEMENTARY PROMOTION AND RETENTION:**

#### **Promotion Grades 1 – 4:**

1. In 1<sup>st</sup> and 2<sup>nd</sup> Grades: Promotion is based on successfully meeting grade level expectations in both Reading and Mathematics.
2. In 3<sup>rd</sup> and 4<sup>th</sup> Grades: Promotion is based on passing the major subjects: Reading, ELA, Mathematics, Social Studies, and Science with a grade of seventy percent (70%) or better.
3. In all cases, social, emotional, and cognitive development may be considered.

4. The exceptional student has met or exceeded identified IEP goals.
5. Elementary Principal may promote student based upon extenuating circumstances.

**Retention Grades 1 – 4:**

1. In 1st and 2nd Grades: Students who do not meet grade level expectations in both Reading and Mathematics may be retained.
2. In 3rd and 4th Grades: Students who do not pass Reading, English, or Mathematics with a grade of seventy percent (70%) or better may be retained.
3. Additionally, in 3rd and 4th Grades: Students who do not pass four major subjects: Reading, ELA, Mathematics, Social Studies, and Science with a grade of seventy percent (70%) or better may be retained.
4. In all cases, social, emotional, and cognitive development may be considered for retention.
5. A student who is absent for more than twenty-five school days may be considered for retention as well.

**Promotion Grades 5 – 6:**

1. In 5<sup>th</sup> and 6<sup>th</sup> Grades: Promotion is earned by the successful completion of the course with a grade of seventy percent (70%) or better in each of the major subject areas: Mathematics, ELA, Social Studies, and Science.
2. In all cases, social, emotional, and cognitive development may be considered.
3. The exceptional student has met or exceeded identified IEP goals.
4. Elementary Principal may promote student based upon extenuating circumstances.

**Retention grade 5 – 6:**

1. In 5<sup>th</sup> and 6<sup>th</sup> Grades: Students who do not pass four subjects: ELA, Mathematics, Social Studies, and Science with a grade of seventy percent (70%) or better will be retained.
2. In all cases social, emotional, and cognitive development may be considered for retention.
3. A student who is absent for more than twenty-five school days may be considered for retention.

**CAFETERIA**

The Northwest Elementary Schools serves breakfast and a hot lunch daily, meeting all requirements established for a government meal program. Cafeteria personnel should immediately be made aware of any student concerns about lunches received. Efforts will be made to insure that all food received is nutritious and properly prepared. Students choosing to do so may bring their own lunches to school.

Free and reduced price breakfasts/lunches are available for student who meet federal government requirements. Applications for free or reduced price meals will be distributed to all student on the first day of

school. Students who received free or reduced price breakfasts/lunches during the last school year will be eligible to do so for the first ten (10) school days in session. As of the eleventh school day, only student who have submitted an approved application for the current school year will continue to receive a free or reduced price breakfast/lunch.

All applications for free and reduced priced meals must be submitted to the office of which your child attends with all the required information. The applications will be reviewed to determine eligibility for free or reduced price lunch. Students who qualify for free breakfast/lunches receive their lunches by identifying themselves to the cashier. Only one free lunch per day will be provided. Additional lunches must be secured at the full price rate.

### **Cafeteria Payment Procedures**

Full price lunches for elementary students are available for \$2.30. Breakfast is available for \$1.10. Students also have the ability to purchase food “a ‘la Carte.” The elementary school uses a computerized point of sales system where students enter their personal PIN number and the computer records the student purchase. Although daily payments can still be made, the most efficient way to utilize the system is to place money into the student’s account via cash, check, or the online account system at <https://parentonline.net> on a weekly or monthly basis. When the student purchases lunch, the money is simply deducted from the account. This “cashless” method moves the lunch lines more efficiently, is easier for everyone and automatically identifies and adjusts for student receiving free or reduced priced meals. **Students with negative balances will not be denied lunch, however they will be limited to the standard lunch entrees.**

### **No Change Policy**

The Northwest Area School District adopted a **No Change Policy** beginning with the 2007/2008 school year. All cash given to the cashier will be applied directly to the students account. **No change will be handed back to the student.** This credit can be used for future purchases in the cafeteria.

### **CAFETERIA PROCEDURES**

- Students will report to the cafeteria with their class for their designated lunch time.
- Students will be directed to form a single file serving line by the cafeteria supervisor.
- Students should properly discard trash and return trays to the appropriate cafeteria area.
- All food must be consumed within the cafeteria. Food is not permitted to be taken from the cafeteria.
- Student conversation is appropriate in the cafeteria. However, screaming, yelling or other loud noises **will not be tolerated.**
- Students are expected to inspect their eating area upon arrival and immediately report any condition in need of attention to a cafeteria supervisor. Conditions not reported at the beginning of the lunch period become the responsibility of the students eating that period. When it is impossible to determine the specific individual responsible for a condition in need of attention, all student seated in the area will share the responsibility.
- Students are not permitted to bring glass containers into the cafeteria.
- Students are to abide by the guidelines and regulations of the cafeteria.
- A student may is not permitted to leave the cafeteria unless they ask permission for the cafeteria supervisor.

## **NORTHWEST AREA SCHOOL DISTRICT'S WELLNESS POLICY ON NUTRITION:**

- The Northwest Area School District will strive to increase participation in Federal Child Nutrition Programs including the National School Lunch and School Breakfast programs. Meals served through the National School Lunch and Breakfast Programs will:
  - be appealing and attractive to children; be served in clean and pleasant settings; meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations; offer a variety of fruits and vegetables; serve only lower-fat (2%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (to be defined by USDA); and promote whole grains
- Schools should engage students and parents, through taste-tests of new entrees and surveys, in selecting foods sold through the school meal programs in order to identify new, healthful, and appealing food choices. In addition, schools should share information about the nutritional content of meals with parents and students. Such information could be made available on menus, a website, on cafeteria menu boards, placards, or other point-of-purchase materials.
- Breakfast. To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:
  - NASD Elementary schools will operate the School Breakfast Program.
  - Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.
- Free and Reduced-Priced Meals. Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals. Toward this end, schools will utilize electronic identification and payment systems in all district campuses.
- The Northwest Area School District contracts with outside vendor, The Nutrition Group to manage food preparation and delivery in all district campuses.
- Consistent with the Northwest Area School District Wellness Policy which promotes healthy nutritional and dietary choices and lifestyles, NASD elementary school will only allow students to disseminate items for consumption when they conform to the following:
  - *Consumables must be individually wrapped.*
  - *Consumables include packaging which provides nutritional facts and ingredients*
  - *Consumables may not list sugar as the first ingredient.*
  - *In order to maintain the welfare of students with food allergies, homemade food products will not be permitted in the school setting under any circumstance.*

## **REWARDS:**

Schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages (above), as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

## **CELEBRATIONS:**

Schools should encourage parties that include foods or beverages that meet nutritional standards for foods and beverages

## **SCHOOL-SPONSORED EVENTS (such as, but not limited to, athletic events, dances, or performances):**

Foods and beverages offered or sold at school-sponsored events outside the school day will meet the nutrition standards for meals or for foods and beverages.

### **FUNDRAISING ACTIVITIES:**

To support children's health and school nutrition-education efforts, school fundraising activities will:

- Will limit those during the school day involving food or will use only foods that meet the above nutrition standards for foods and beverages sold individually.
- Will not allow foods of minimal nutritional value (as defined by the National School Lunch guidelines) to be sold during the school day, i.e. candy.
- Will only allow any food items sold as part of a fund raising activity not meeting the nutritional standards for foods and beverages to be available at the end of the school day.
- Will encourage fundraising activities that promote physical activity.
- Will encourage that foods sold as fundraisers are available for sale outside of the school day and will support healthy eating habits by limiting high sugar and high fat foods

### **RULES AND REGULATIONS:**

In order to guarantee the best possible learning climate for all students, it is important to follow basic rules of order. Students are expected to cooperate and obey any adult member of our elementary staff.

This includes all teachers, aides and other staff and school personnel. Parents should constantly remind children of their responsibilities as students to conduct themselves properly while they are in school as well as on their way to and from school.

The following basic rules and regulations have been established by the staff and administration. They are listed so you know how the students are expected to conduct themselves in each area of the school building.

### **SCHOOL BUS RULES:**

School bus transportation is a PRIVILEGE! District students riding school buses must adhere to district busing regulations, which are established to ensure student safety. The school bus driver has a responsibility for your safety and conduct from the time you board the bus until the time you are transported to your regular bus stop at the close of the school day. Therefore, the rules which apply to your conduct at school are similarly applicable to your behavior while traveling to school and returning home.

1. Stay seated at all times while bus is in motion.
2. Keep hands and feet to self. Use a classroom voice at all times.
3. Wait for your stop.

Violation of these rules may result in parents having to drive students to and from school. The bus driver will be responsible for the discipline and standard of conduct on the vehicle. Behavior by any student that infringes upon the safety and privileges of others on the bus will not be tolerated. A student who cannot maintain self-discipline while riding the bus or at the bus stop will lose the privilege of being transported. If any of the rules set forth by the district or driver are broken (unless they be of a serious nature) the following will result:

1. First Offense – Warning – Call to parent/guardian - Referral sent home
2. Second Offense – Call to parent/guardian - Referral sent home- One-week bus suspension
3. Third Offense - Call to parent/guardian – Referral sent home -Two-week bus suspension
4. Fourth Offense – Parental/guardian meeting – Referral given to parent/guardian - Possible bus suspension for remainder of school year

**With any suspension of bus privileges, the parents/guardians are responsible for having the student transported to and from school.**

**CLASSROOM RULES:**

1. Be in your classroom on time. Students should be seated upon returning from recess, lunch, or special classes.
2. Practice good manners – always be polite to others. Listen politely when others are speaking and wait to be called on before speaking out.
3. Never take someone else's property. Stealing will not be tolerated and will be treated accordingly.
4. Keep your school clean. Always pick up any paper or waste material.
5. Do not disrupt the educational process of the other students and show respect to your fellow students, teachers, and all staff members.
6. Children will follow all rules established by the classroom teacher.

**HALL RULES:**

1. Students will at all times – WALK.
2. Use a quiet voice while moving from one location to the next.

**PLAYGROUND RULES:**

1. Obey the playground supervisor at all times.
2. Play safely without pulling, shoving, and chasing other children.
3. Share all playground equipment.
4. Only balls or other game items should be thrown. Stones, snowballs or other harmful objects are not to be thrown at any time.
5. Never leave the playground or enter the building without teacher permission.
6. Fighting will not be tolerated!
7. Line up at the correct time and come back into the building in a quiet, orderly fashion.

**RESTROOM RULES:**

1. Students will not congregate in the restrooms.
2. Keep the restrooms clean for yourself and others.
3. Wash your hands before leaving the restroom.

**SCHOOL FUNCTION RULES:**

1. Enter and leave the function in a quiet and orderly fashion.
2. During a program, students will adhere to the following behavior:
  - A. No talking
  - B. Clap at appropriate times
  - C. Shouting is not acceptable
  - D. Remain seated until dismissed

**SCHOOL CLOSINGS:**

Should it be necessary to close school, start late, or dismiss early because of inclement weather or other emergency conditions, an announcement will be made over the following radio and T.V. stations:

T.V. Stations  
WNEP CHANNEL 16  
WBRE CHANNEL 28  
WYOU CHANNEL 22

Radio  
WILK WHLM  
WKRZ WEJL  
WCNR WIOQ WGGY

Moreover, when it is deemed appropriate to delay the start of school or to dismiss early, the NASD will contact parents/guardians at the emergency number provided to the district to inform stakeholders of deviations from our regular schedule.

#### **SCHOOL INSURANCE:**

Each year our school offers a reasonable insurance plan to students, which will protect them for the duration of the school day or for a 24-hour period, depending on family choice. Therefore, it is suggested that you take advantage of this insurance in order to protect your family from financial burdens that could occur in case of an injury to your child. The school cannot assume liability in and of itself for accidents resulting in injury. Should an accident occur in school and the injured carries school insurance, the student should report all details on an approved insurance form obtained from the school nurse. This form is then to be submitted to the appropriate insurance carrier, from which the injured will obtain reimbursement due to medical costs according to the prescribed policy.

#### **SCHOOL PICTURES:**

Individual pictures will be taken during the school year. Information will be sent home explaining the specific options and dates so that you can prepare your child for the pictures.

#### **STUDENT RECORDS:**

Recognizing the need for a clearly defined and systematically implemented policy concerning the collection, maintenance, security and dissemination of information relative to the student, the Northwest Area School District has set forth the policy below in an attempt to establish a reasonable balance between the school's need to obtain educationally relevant information and the individual's basic right to privacy.

#### **TEXTBOOKS:**

All textbooks should be covered and may be checked by the classroom teacher throughout the year. When texts are collected at the close of the school year, the student must pay for any damage done to the book, the cost of a rebinding fee for the book, and if the book has been lost or deliberately lost, the replacement cost. It is important that the students realize that he/she is responsible for their books.

