

Policy Committee Meeting

Wednesday, September 16, 2026 5:30 PM

High School Audion, 35 Church Hill Road, Kintnersville, PA 18930

1. **COMMITTEE MEMBERS**

2. **MEETING OPENING**

3. **PUBLIC PARTICIPATION**

4. **TOPICS**

4.A. **TITLE IX POLICY REVIEW**

4.A.1. Policy 103-Harassment and Discrimination
Prohibited-Students

4.A.2. Policy 104- Harassment and Discrimination
Prohibited-Non-students

4.A.3. Policy 247- Hazing

4.A.4. Policy 249-Bullying/Cyberbullying

4.A.5. Policy 824- Maintaining Professional
Adult/Student Boundaries

4.B. **OTHER POLICIES**

4.C. Policy 103.1- Nondiscrimination-Qualified
Students with Disabilities

4.D. Policy 234-Pregnant/Parenting/Married Students

4.E. Policy 339-Uncompensated Leave

5. **DISCUSSION**

6. **INFORMATIONAL**

7. **NEXT SCHEDULED MEETING DATE**

8. **ADJOURNMENT**



BOARD POLICY

103 (2026) Harassment and Discrimination Prohibited-Students

POLICY NUMBER	ADOPTED	REVISED	LAST REVIEWED
103 (2026)	3/19/2014	9/16/2026	9/16/2026
VERSION	DOCUMENT STATUS	PRINTED	
v1.1	DRAFT	9/2/2026	

1. Purpose

The District is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the District and is prohibited at or, in the course of, District-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

The District will promptly and equitably respond to, investigate, and resolve all allegations of discrimination, including harassment and retaliation, with the internal Grievance Processes outlined in this Policy and its administrative regulations.

- For the Title IX Sexual Harassment Grievance Process, **Administrative Regulation-Title IX Grievance Process** shall apply to this Policy.
- For Grievance Procedures for all other forms of prohibited discrimination or harassment, **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** shall apply to this Policy.

Nothing in this Policy prevents an individual affected by discrimination or harassment from exercising their rights under federal or state law to make a complaint to the appropriate authority, such as the U.S. Department of Education - Office for Civil Rights or the Pennsylvania Human Relations Commission.

Nevertheless, this Policy creates an internal process by which discriminatory conduct can be or, in some cases must be, identified, investigated, and resolved in a way that attempts to prevent its recurrence.

In addition to initiating the procedures described in this Policy, the designated employee or building principal shall ensure that reported conduct which meets the definition of other laws regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations, or Board policies, including but not limited to, incidents under the Safe Schools Act, reports of educator misconduct, threats, or reports of suspected child abuse.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

2. Authority

The Board strictly prohibits discrimination and harassment on the basis of race, color, national origin, ancestry, religion, religious creed, sex, marital status, pregnancy/parenting status, disability, age, or any other characteristic protected by Board Policy, local, state, or federal law in its education programs or activities.

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy be posted to the district's website.

Discrimination on the basis of race, color, and national origin is prohibited by Title VI of the Civil Rights Act of 1964. Discrimination against persons with disabilities is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance). Discrimination on the basis of sex is prohibited by Title IX of the Education Amendments of 1972. The Pennsylvania Human Relations Act defines categories that are protected under Pennsylvania law from discrimination and harassment.

3. Delegation of Responsibility

The Superintendent shall designate one or more people to be the Compliance Officer/Title IX Coordinator. These individuals shall process discrimination complaints, including complaints under this Policy as well as Policy 104, and facilitate recordkeeping requirements.

Responsibilities of Title IX Coordinator

The Title IX Coordinator may delegate responsibilities to other trained individuals pursuant to this Policy and its administrative regulations. The Title IX Coordinator shall have the authority to appoint building level or department level Deputy Title IX Coordinators to facilitate the District's response at the building or department level. For example, a building principal, human resources administrator, or an athletic director may be appointed as a Deputy Title IX Coordinator. The Deputy Title IX Coordinator shall perform the duties of Title IX Coordinator for their building during implementation of the grievance process and will report directly and promptly to the Title IX Coordinator upon a report that implicates this Policy. Upon recommendation by the Title IX Coordinator, a third-party, such as a law firm or trained individual, may be appointed as interim Title IX Coordinator if the Title IX Coordinator is unable to serve based on an appearance of impropriety, bias, conflict of interest, or if the Title IX Coordinator is named as a party or witness.

The Title IX Coordinator is responsible for:

1. Identifying in advance a pool of trained investigators, informal resolution facilitators, determination makers, and appeal authorities in order to facilitate a prompt and equitable Grievance Process pursuant to the administrative regulations that are associated with this Policy.
2. Ensuring that the training obligations under this Policy are met.
3. Identifying patterns in order to address discriminatory conduct or barriers to reporting it.
4. Overseeing District-wide initiatives to combat unlawful discrimination and harassment, including training for all employees or raising awareness through student-based initiatives.
5. Keeping records for seven years of all reports naming or implicating Title IX and how they were resolved.

Personnel and Training Requirements

Training materials must be posted on the District's website.

The Title IX Coordinator will appoint a trained individual to fulfill the roles of Investigator; Decision-maker; Appeals Decision-maker; and, if applicable, Informal Resolution Facilitator. These individuals must be trained pursuant to regulatory requirements as articulated in administrative regulations associated with this policy.

4. Definitions

Bullying means an intentional electronic, written, verbal, or physical act, or series of acts, that (1) is directed at another student or students; (2) occurs in a school setting; (3) is severe, persistent, or pervasive; and (4) has the effect of doing any of the following (i) substantially interfering with a student's education; (ii) creating a threatening environment; or (iii) substantially disrupting the orderly operation of the school.

Complaint means a written or oral, formal or informal, notification to an individual identified in the relevant policy, requesting an investigation and determination regarding specific allegations. Please see the definition of "Formal Complaint" for Title IX Sexual Harassment.

Complainant means the person who has been negatively impacted by the alleged conduct that could constitute discrimination. The rights of a Complainant may be exercised by a minor's parents or guardians. At the time of filing a Formal Complaint under Title IX, a Complainant must be participating in or attempting to participate in District programs or activities.

Discrimination includes, but is not limited to, excluding from participation, denying the benefits of, or otherwise discriminating against individuals on the basis of a protected class, or any other category protected by state or federal law, in the administration of educational and employment policies, or in District programs and activities, or in failing to provide equal access to designated youth groups.

Harassment, other than Title IX Sexual Harassment as defined below, is a form of discrimination based on a characteristic that is protected by this Policy, consisting of unwelcome and uninvited conduct such as, but not limited to, graphic, written, electronic, verbal or nonverbal acts such as offensive jokes, slurs, epithets, name calling, ridicule, mockery, insults, put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe or persistent or pervasive; and
2. A reasonable person in the Complainant's position would find that it creates an intimidating, threatening, or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities, or opportunities offered by the District.

If conduct is sexual in nature or is sex-based but does not meet the definition of "Sexual Harassment" under Title IX (because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct

shall be processed under **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** which applies to this Policy.

Formal Complaint means a document filed and signed by the Complainant (or their parent/guardian) or signed by the Title IX Coordinator that contains allegations of sexual harassment against a Respondent(s) and requests resolution via the regulatory procedures described in **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** which applies to this Policy.

Preponderance of the Evidence means an amount of evidence that is enough to persuade a reasonable person that a fact is more likely true than not true, meaning more than 50% proof. It refers to the quality and persuasiveness of the evidence, not to the number of witnesses or documents.

Respondent shall mean an individual who has been reported to be the perpetrator of the alleged discriminatory conduct. A parent may act on behalf of a minor Respondent. In the event of a complaint relating to a generally discriminatory program or activity, there shall be no individual Respondent.

Retaliation shall mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate or refuse to participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an informal resolution process, in Grievance Procedures, and in any other actions taken by a District in executing its responsibilities under this Policy. Retaliation shall constitute another allegation of an infraction of this Policy. Retaliation may require modification to supportive measures.

Sexual Harassment under Title IX means conduct on the basis of sex that falls under one or more of the following descriptions:

1. A District staff member, administrator, board member, or other person under the District's control with authority over the individual conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's program or activity;

3. The following types of conduct, as defined in federal law: sexual assault, dating violence, domestic violence, or stalking.

Conduct that satisfies at least one of the types of Title IX Sexual Harassment will be resolved pursuant to **Administrative Regulation-Title IX Grievance Process**.

If conduct is sexual in nature or is sex-based but does not meet the definition of “Sexual Harassment” under Title IX (because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct shall be processed under **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** which applies to this Policy.

Student with a disability means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 705(9)(B), (20)(B), or a child with a disability as defined in the Individuals with Disabilities Education Act, 20 U.S.C. § 1401(3).

Supportive Measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party’s access to the District’s education program or activity, including measures that are designed to protect the safety of the parties or the District’s educational environment; or (2) provide support during the District’s Grievance Procedures or during the informal resolution process.

5. Guidelines

This Policy and its administrative regulations establish the internal procedure that the District uses to resolve complaints made under this Policy.

Discipline Prohibited Until Conclusion of Grievance Process

If the allegations include sexual harassment, discipline is prohibited prior to a finding that the Respondent violated the Title IX Policy. This is regulatory requirement from the U.S. Department of Education.

A narrow exception exists for (1) emergency situations as described in **Administrative Regulation-Title IX Grievance Process**, and (2) administrative leave for an employee who is a Respondent.

For conduct covered by this Policy *other than sexual harassment*, discipline may be applied prior to the completion of the entire internal grievance process. In the event of a finding that the Respondent did not violate this Policy, the discipline record shall be expunged.

Presumption of Non-responsibility

To prevent unintentional bias, each Respondent shall be presumed to be not responsible for alleged Title IX Sexual Harassment unless and until a determination has been made pursuant to the full grievance process or informal resolution.

Supportive Measures

The Title IX Coordinator must offer supportive measures to the Complainant at the time of first contact after a report. If the Grievance Process or an Informal Resolution Process is initiated, then the Title IX Coordinator must offer and coordinate supportive measures to the Respondent, as appropriate.

The Title IX Coordinator or Deputy Title IX Coordinator is responsible for implementing supportive measures.

Major Steps of the Title IX Grievance Process

Major steps of the Title IX Grievance Process are (1) Evaluation of initial report and determination regarding adequacy of formal complaint; (2) Investigation; (3) Determination; (4) Appeal. The Board may appoint a third-party, including a law firm, to conduct any or all of the steps of this Grievance Procedure.

The timeframes for the major steps of the internal grievance procedures described in **Administrative Regulation-Title IX Grievance Process** and **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the procedure.

Holding a Manifestation Determination Review meeting for a Respondent student with a disability shall not be considered good cause to delay the major steps of the Grievance Procedure.

Written notice of the delay or extension and the reason for such action shall be provided to the Complainant and Respondent. Written documentation describing the underlying good cause and the length of the modified timeframe shall be included in the records of the complaint.

Range of Available Disciplinary Sanctions

A wide range of conduct could constitute discrimination or harassment. The severity, pervasiveness, and offensiveness of the conduct shall be considered when assigning a disciplinary sanction.

Discipline for a violation of this Policy shall be in accordance with other Board policies and the Student Code of Conduct up to and including expulsion.

Removal of Students Adjudicated Delinquent or Found Guilty

Under Act 110 of 2020, students who are criminally convicted of sexual assault or adjudicated delinquent of sexual assault may not be educated in the same school building, transported in the same school vehicle, or permitted to participate in the same school-sponsored activities at the same time as the victim to the crime.

Procedural protections under the IDEA for students with disabilities apply prior to removal.

Parental Rights

Parents, guardians, or other authorized legal representatives may act on behalf of a Complainant, Respondent, or other person, including but not limited to making a complaint through the District's Grievance Process for complaints of sex discrimination.

Off-campus Conduct

In order to protect the integrity of the educational environment and guarantee uninterrupted District operations, the District has an obligation to address a hostile environment under its education program or activity, even when some or all conduct alleged to be contributing to the hostile environment occurred outside of the District's education program. Off-campus conduct must have a sufficient nexus to school operations or activities.

Under the 2020 Title IX Regulations, the definition of “Sexual Harassment” only extends to conduct that occurs in the District’s educational programs or activities, so the District is prohibited from applying **Administrative Regulation-Title IX Grievance Process** to complaints solely alleging off-campus sexual harassment. The 2020 Regulations also require that the conduct must have taken place in the United States.

Off-campus sexual harassment may cause a hostile environment in school. Therefore, where off-campus conduct has a sufficient nexus to the District’s programs or activities and would otherwise constitute sexual harassment, the District shall apply **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** to process the complaint of a hostile educational environment.

Students with Disabilities and Manifestation Determination Review

Students with disabilities are entitled to certain disciplinary protections as further described in other Board policies and under the law. Administrative regulations shall contain guidelines for students with disabilities and Manifestation Determination Reviews.

The Manifestation Determination Review shall not be considered good cause to delay the applicable timeframes. The Grievance Procedure shall occur concurrently with the Manifestation Determination Review process.

Retaliation Prohibited

Retaliation, as defined above, is prohibited. Anyone who feels as though they have been retaliated against in violation of this Policy should report the retaliation to the Compliance Officer/Title IX Coordinator. In the event that the person accused of retaliation is the Compliance Officer/Title IX Coordinator, the report should be made to the **Superintendent**.

For retaliation as a consequence of Title IX participation, retaliation complaints shall be addressed according to the Grievance Procedures described in **Administrative Regulation-Title IX Grievance Process**, which applies to this Policy. Each allegation of retaliation shall be its own additional potential policy violation. Supportive measures may be modified to address retaliation.

Reporting

The Board encourages students, employees, and third parties who believe they or others have been subject to discrimination that affects them in school to promptly report such incidents to the Title IX Coordinator, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.

Every employee shall report any instance of suspected discrimination or harassment to a building principal and/or the Title IX Coordinator, unless the Respondent is alleged to be the building principal or Title IX Coordinator in which case a report shall be made to the Superintendent.

Students who witness suspected discrimination or harassment are strongly encouraged to report any instance of discrimination or harassment to an employee, a building principal and/or the Title IX Coordinator.

Written reports may be submitted to the Title IX Coordinator by anyone, including third parties, on the reporting form. In the event that a written report is made without the reporting form, the Title IX Coordinator shall document the report on the reporting form.

Verbal reports of discrimination or harassment shall be documented on the reporting form that is created pursuant to this Policy by the Title IX Coordinator. In the event of Title IX Sexual Harassment, the Complainant (or their parent/guardian) or the Title IX Coordinator must sign a Formal Complaint, which officially requests resolution of the allegations through the Grievance Process in **Administrative Regulation-Title IX Grievance Process**.

Under the District's Memorandum of Understanding ("MOU") with law enforcement, certain conduct will be referred to law enforcement.

Mandated Reporters must immediately report suspected child abuse to ChildLine.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this Policy and the District's legal and investigative obligations. In the event that FERPA and Title IX conflict, the Department of Education states that Title IX obligations take priority over FERPA obligations.

The District will take reasonable steps to protect the privacy of the parties and witnesses during the Grievance Procedures, provided that the steps taken to protect privacy do not restrict the abilities of the parties to: (1) obtain and present evidence, including by speaking to witnesses; (2) consult with their family members, confidential resources, or advisors; or (3) otherwise prepare for or participate in the Grievance Procedures.

Based on the context of what is reported to the district, all incidents that are required by law to be reported to law enforcement and/or ChildLine will be made accordingly.

Recordkeeping

All records described in this Policy must be maintained for no less than seven (7) years.

Legal References

No additional references listed.

Administrative Regulation to Policy 103 and 104
Non-Title IX Harassment and Discrimination Grievance Procedures

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Contact Information
Title IX Coordinator

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Scope of Covered Conduct

The District is required by law to respond promptly and equitably when it knows about conduct that could constitute discrimination or harassment, as defined in Policy 103 and Policy 104, to attempt to prevent recurrence, and to document the District's response under the law.

Timeframes

From the day that the Compliance Officer/Title IX Coordinator receives notice of conduct prohibited by Policy 103 or Policy 104 that does not constitute Title IX Sexual Harassment, the District shall complete an investigation and determination about the conduct within sixty (60) calendar days.

This timeframe may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the process.

Appeals shall not be provided except where required by law.

Internal Resolution Process (Grievance Procedures)

Actual notice to the Compliance Officer/Title IX Coordinator constitutes a report, whether in writing or verbal. The Compliance Officer/Title IX Coordinator must document the report on the Report Form for Policy 103 and 104 or using an internal report tracking system.

The Compliance Officer/Title IX Coordinator shall analyze the report to determine if resolution should proceed through the Administrative Regulation Title IX Grievance Process, which applies

to Policy 103 or Policy 104, Administrative Regulation Non-title Harassment and Discrimination Grievance Procedures, which applies to Policy 103 or Policy 104, or some other complaint resolution process.

Upon making the decision to resolve the report through this policy, the Compliance Officer/Title IX Coordinator shall issue written notice to all parties informing them about the report and disclosing the existence of an investigation under this policy. Policy 103 and Policy 104 and their administrative regulations must be provided to the parties along with the written notice.

Ordinarily, a building principal shall investigate a report of harassment or discrimination under this policy. The Compliance Officer/Title IX Coordinator may delegate that responsibility to another competent person, such as a Human Resources administrator.

Ordinarily, the person who conducted the investigation shall make disciplinary recommendations within a written decision report. The Compliance Officer/Title IX Coordinator may delegate that responsibility to another competent person, such as a Human Resources administrator.

The written decision report must contain:

- I. Allegations
- II. Applicable Policies & Conduct Violations
- III. Procedural Steps
- IV. Evidence Considered
 - a. List of Relevant Evidence
 - b. Explanation About Weight of Evidence (if there is any reason to afford certain evidence more weight)
 - c. Credibility Determination (if credibility is at issue)
- V. Factual Findings
 - a. Undisputed Facts
 - b. Factual Conclusions Regarding Disputed Facts
- VI. Analysis
 - a. Factual Application to Elements of Alleged Violation
 - b. Conclusion as to Responsibility for Policy Violation
- VII. Recommendations/Educational Consequences/ Disciplinary Sanctions

Discipline

For conduct covered by this Policy *other than sexual harassment*, discipline may be applied prior to the completion of the entire internal grievance process. In the event of a finding that an individual did not violate this Policy, the discipline record shall be expunged.

Informal Resolution

The Compliance Officer/Title IX Coordinator may implement the Informal Resolution procedure as a substitute for the formal investigation procedure at any time prior to a written determination. This decision is a case-by-case decision depending on the nature of the allegations.

Upon initiation of the Informal Resolution procedure, the timeframes for the Grievance Procedure shall be paused until the timeframe for the Informal Resolution has lapsed without a resolution.

Informal Resolution can result in any of the educational or disciplinary consequences that are available under the Grievance Procedure. Informal Resolution could consist of a facilitated discussion with families and students (Parties in the same room), shuttle negotiations (Parties in separate rooms), peer mediations, restorative circles, or any other restorative or educational practice.

In order to engage in Informal Resolution, the Parties must provide voluntary, written consent to the Informal Resolution process.

If deemed appropriate, the Compliance Officer/Title IX Coordinator shall provide the Parties a written notice, including a description of the allegations subject to Informal Resolution, of the contents of this section.

The outcome of the Informal Resolution shall be shared in writing with the Parties.

Students with Disabilities

If the Complainant or Respondent is identified as a student with a disability or is suspected of having a disability, the Director of Student Services must be promptly consulted and provided with the opportunity to provide input.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review, except as permitted by law.

While the Decision-maker can recommend an IEP Meeting or Section 504 Team Meeting to consider placement or services as a consequence of a policy violation, the Decision-maker does not have the authority to unilaterally change a student's IEP.

Changes to the student's IEP may not be made without a recommendation from the IEP Team.

Retaliation

Retaliation is strictly prohibited. Anyone who feels that they have experienced retaliation is encouraged to report it immediately to the Title IX Coordinator.

Retaliation means actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by law or policy, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an Informal Resolution process, in

Grievance Procedures, and in any other actions taken by a District in executing its responsibilities under this Policy.

Retaliation shall constitute another allegation of an infraction of this Policy.

Administrative Regulation to Policy 103 and 104
Title IX Grievance Process

*This Policy and its attachments comply with the
2020 U.S. Department of Education Title IX Regulations, effective January 2025.*

Created: 9/1/2026

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Contact Information
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Scope of Covered Conduct

The District is required by law to respond promptly, equitably, and without deliberate indifference to actual knowledge of sexual harassment in a District program or activity.

Discipline shall not be implemented until after the Title IX Coordinator performs an initial evaluation and determines that there is no Title IX allegation or until the Title IX Grievance Process has concluded. A student may only be prohibited from regular, physical in-school attendance prior to the conclusion of the Grievance Process if the conditions for Emergency Removal, as defined in this Administrative Regulation, are met.

Sexual Harassment under Title IX means conduct on the basis of sex that falls under one or more of the following descriptions:

- (1) *Quid pro quo*: A District staff member, administrator, School Board member, or other person under the District's control with authority over the individual conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- (2) *Hostile environment*: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's program or activity;
- (3) *Specific criminal conduct*: The following types of conduct, as defined in federal law:
 - a. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform reporting system of the Federal Bureau of Investigation, including but not limited to rape (penetration to vagina or anus

no matter how slight), attempted rape, sexual battery, fondling, indecent assault, voyeurism, exposure to exhibitionism, unwanted exposure to pornography, public display of sensitive images that were taken in a private context when the victim was unaware, or any other conduct recognized by federal law as sexual assault.

- a. Dating violence, meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 1. The length of the relationship; and
 - 2. The type of relationship; and
 - 3. The frequency of interaction between the persons involved in the relationship.
- b. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Pennsylvania, or a person similarly situated to a spouse of the victim; or
 - ii. Is cohabiting, or has cohabitated, with the victim as a spouse or intimate partner; or
 - iii. Shares a child in common with the victim; or
 - iv. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Pennsylvania.
- c. Stalking meaning engaging in a course of conduct, in-person or through technology, directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

Conduct that satisfies at least one of the types of Title IX Sexual Harassment will be resolved pursuant to this Administrative Regulation.

If conduct is sexual in nature or is sex-based but does not meet the definition of "Sexual Harassment" under Title IX (for example, because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct shall be processed under Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures or another policy.

Additional Definitions

Appeal Decision-maker means the trained person appointed by the Title IX Coordinator to process an appeal of the written determination. The Appeals Decision-maker must not be the Title IX Coordinator, Investigator, Decision-maker, or Informal Resolution Facilitator.

Bullying means an intentional electronic, written, verbal, or physical act, or series of acts, that (1) is directed at another student or students; (2) occurs in a school setting; (3) is severe,

persistent, or pervasive; and (4) has the effect of doing any of the following (i) substantially interfering with a student's education; (ii) creating a threatening environment; or (iii) substantially disrupting the orderly operation of the school.

Consent means an agreement between individuals with capacity to engage in sexual conduct, which is affirmative, conscious, voluntary, and revocable.

Consent must be analyzed by the Decision-maker when it is at issue.

Informal Resolution Facilitator means the trained person appointed by the Title IX Coordinator to facilitate an informal resolution, such as peer mediation or family dialogue. The Informal Resolution Facilitator must not be the Decision-maker or Appeals Decision-maker. The Title IX Coordinator may, but is not required to, serve as the Informal Resolution Facilitator.

Investigator means the trained person appointed by the Title IX Coordinator to complete the investigation and draft the investigation report. This person must not be the Decision-maker or the Appeals Decision-maker. The Title IX Coordinator may, but is not required to, serve as the Investigator.

Decision-maker means the trained person appointed by the Title IX Coordinator to analyze the investigative report and make a written determination. The Decision-maker must not be the Title IX Coordinator, Investigator, Appeals Decision-maker, or Informal Resolution Facilitator.

Timeframes

From the initiation of the Investigation through final completion, the Grievance Process takes a minimum of twenty-three (23) days to complete but may take up to seventy-seven (77) days. The timeframes shall be paused in the event of an Informal Resolution Process. If the Informal Resolution Process does not result in resolution of the Formal Complaint, the timeframes resume.

These timeframes may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the process.

The chart on the next page meets the regulatory requirement to adopt reasonably prompt timeframes for all of the major steps of the Grievance Process in addition to the regulatory timeframes.

Step of Process	Time for Completion
Report	A report can be made at any time after the discovery of conduct that may violate this policy. The fact that time may have passed since the alleged conduct does not invalidate a report. Anyone can make a report. If an employee receives a report, they shall communicate it to the Title IX Coordinator as soon as practicable. Employees who do not uphold this part of their job duties may be subject to discipline. The Title IX Coordinator shall ensure that the report is properly documented and that a record of all reports is kept for 7 years.
Initial Fact Gathering	A principal may conduct initial fact gathering upon receipt of a report of misconduct. Initial fact gathering shall not be considered the Investigation for purposes of this Grievance Process. As soon as the principal has enough information to raise the possibility of a Title IX violation, the principal must immediately cease fact gathering and involve the Title IX Coordinator without delay.
Making A Formal Complaint After A Report	Upon receipt of a report, the Title IX Coordinator shall determine whether a Formal Complaint is appropriate and shall cause the Formal Complaint form to be completed within three (3) school days if appropriate under the circumstances. When the Formal Complaint is signed and received by the Title IX Coordinator, the Title IX regulatory process officially begins.
Evaluation	Evaluation of the Formal Complaint should take no longer than three (3) school days. The Title IX Coordinator must determine whether the Formal Complaint triggers the Grievance Process. In the event of a report over an extended break over five (5) school days (such as, winter break, spring break, summer break), evaluation should take no longer than seven (7) calendar days.
Investigation	Investigation should take no longer than forty-five (45) school days and no fewer than eleven (11) school days. The Investigation period includes the <i>Evidence Review and Written Response to Evidence</i>, as further described below.
Determination	Determination should take no longer than twenty (20) school days and no fewer than ten (10) school days. The Determination period includes the <i>Investigation Report Review, Written Cross-Examination, and Written Response Opportunity</i>, as further described below.
Appeal	If a party chooses to take an appeal, the appeal must be lodged in writing on one of the bases described below and directed to the Title IX Coordinator within two (2) school days of a Party's receipt of the written determination. The appeal authority will resolve the appeal within ten (10) school days of the Title IX Coordinator's appointment of an appeal authority.

Grievance Process

Formal Complaints

A report is different than a Formal Complaint. A report puts the District on notice of possible misconduct.

A Formal Complaint is a written request for District action under Title IX. A Title IX Coordinator may obtain a Formal Complaint by providing the Formal Complaint form to the alleged victim or their parent/guardian and providing guidance on completion of the form, or the Title IX Coordinator may complete the form for the Complainant based on the report and initial fact gathering.

After the Formal Complaint is complete, the Title IX Coordinator must obtain a signature in order to initiate the Grievance Process. The only individuals who may initiate the Grievance Process by signing a Formal Complaint are (1) the Complainant (or their guardian), or (2) the Title IX Coordinator.

Dismissal of Formal Complaint

During the evaluation period, the Title IX Coordinator must determine whether the conduct alleged in the Formal Complaint triggers the Title IX Grievance Process or whether the Formal Complaint must be dismissed for processing under a different policy.

The Title IX Coordinator *must* dismiss the Formal Complaint if:

- (1) The conduct alleged in the Formal Complaint would not constitute sexual harassment under Title IX, even if proven by a preponderance of the evidence; or
- (2) The conduct alleged in the Formal Complaint occurred outside of the District's programs or activities (i.e., off-campus conduct as described in Policy 103 and Policy 104); or
- (3) The conduct alleged in the Formal Complaint occurred outside of the United States.

The Title IX Coordinator *may* dismiss the Formal Complaint if:

- (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or any of the allegations. The Title IX Coordinator may override this request; or
- (2) The Respondent is no longer enrolled or employed by the District. The Title IX Coordinator may continue the Grievance Process even if the Respondent is no longer enrolled or employed if doing so would provide a remedy to the Complainant; or
- (3) Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or its allegations.

Upon dismissing a Formal Complaint, the Title IX Coordinator must send written notice of the reason for the dismissal and notice of the opportunity for an appeal to the Parties.

Notice of Allegations

The Title IX Coordinator shall provide both parties with written notification of the initiation of the Grievance Process. The written notice shall contain sufficient details known at the time of drafting the Formal Complaint. Details are sufficient when the notice includes the identities of known Parties, a description of the conduct alleged to constitute sexual harassment, and the date and location of the alleged incident, if known.

The written notice should also include:

- A statement that the Respondent is presumed not responsible for the alleged conduct and that responsibility for policy violations is determined at the end of the Grievance Process.
- A statement informing the Parties that they may have an advisor of their choice consistent with this administrative regulation.
- A statement that making false statements or knowingly submitting false information during the Grievance Process may result in code of conduct violations.

In the event that additional allegations are discovered or reported during the Grievance Process (including retaliation allegations), the Title IX Coordinator shall re-issue the written notice with the updated allegations.

Evidence Review and Written Response to Evidence

Parties are permitted to review the evidence collected in the Title IX investigation prior to the issuance of an Investigation Report so that the Parties can meaningfully respond. The Investigator must provide access to *all* evidence, inculpatory and exculpatory, that is directly related to the allegations in the Formal Complaint, whether or not the Decision-maker will rely on that evidence and whether or not that evidence is relevant.

The Parties must be afforded ten (10) or more school days, as determined by the Investigator in consultation with the Title IX Coordinator, to submit a written response to the evidence. The response may, for example, identify additional evidence or witnesses or request designation of evidence as relevant or irrelevant as defined in this policy.

The Investigator must consider the Parties' responses prior to the completion of the Investigative Report.

Investigative Report

The Investigative Report must fairly summarize the relevant evidence. If credibility is at issue, the Investigator must conduct an analysis regarding credibility of Parties and/or witnesses.

The Investigation Report should contain, at a minimum:

- I. Allegations/Title IX Formal Complaint Contents
- II. Applicable Policies & Conduct Violations
- III. Procedural Steps
- IV. Evidence Considered
 - A. List of Relevant Evidence

- B. Explanation About Weight of Evidence (if there is any reason to afford certain evidence more weight)
- C. Credibility Determination (if credibility is at issue)

Investigation Report Review, Written Cross-Examination, and Written Response Opportunity

Upon completion, the Investigator shall simultaneously send the Investigative Report to the Parties, the Title IX Coordinator, and the Decision-maker.

The Decision-maker shall provide the Parties with ten (10) or more school days, as determined by the Decision-maker in consultation with the Title IX Coordinator, to review the Investigation Report and provide a written response to the Investigation Report that the Parties desire the Decision-maker to consider.

During that ten (10) school day timeframe, the Decision-maker shall facilitate written cross-examination. Written cross-examination allows the Parties to submit written, *relevant* questions that a Party wants asked of any Party or witness, and also allows for additional, limited follow-up questions from each Party. Relevance is defined below.

The Decision-maker *may* use the following timeframe, but can extend timeframes as appropriate and in the final discretion of the Title IX Coordinator:

- Three (3) school days for each Party to submit written cross-examination questions;
- Three (3) school days for each Party or witness to provide written answers;
- Two (2) school days for each Party to submit additional, limited follow-up questions;
- Two (2) school days for each party to respond to the additional follow-up questions.

Written Determination

The Decision-maker shall produce a Written Determination report that objectively evaluates the evidence and comes to a conclusion regarding the Respondent's responsibility for violating the policy prohibiting sexual harassment.

The Written Determination must include parts I through IV of the Investigation Report as well as the following:

- V. Factual Findings
 - A. Undisputed Facts
 - B. Factual Conclusions Regarding Disputed Facts
- VI. Analysis
 - A. Factual Application to Elements of Alleged Violation
 - B. Conclusion as to Responsibility for Policy Violation
- VII. Recommendations/Educational Consequences/ Disciplinary Sanctions

Upon completion of the Written Determination, the Decision-maker shall simultaneously send the Written Determination to the Parties and the Title IX Coordinator. The Title IX Coordinator shall provide the Parties with notice of the optional appeal process if there has been a finding that the Respondent is responsible for a policy violation.

Optional Appeal

The Title IX Coordinator shall inform the Parties about appeal procedures upon dismissal of a Formal Complaint and upon a determination finding that the Respondent is responsible for violating the prohibition against sexual harassment. No disciplinary sanctions can be implemented until after the period for taking an appeal has passed, and no Party appealed.

The Parties may take an appeal only on one or more of the following bases:

1. A procedural irregularity that affected the outcome of the matter; or
2. New evidence that was not reasonably available at the time the determination regarding responsibility or the dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a Party appeals, then the Title IX Coordinator must (1) notify the other Party in writing that an appeal is taking place and the basis or bases for the appeal; (2) implement the appeal procedure equally for both Parties, including by appointing an Appeal Decision-maker.

The Appeal Decision-maker shall give the Parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. After providing that opportunity, the Appeal Decision-maker shall issue a written decision describing the appeal's outcome and the rationale for the result.

Burden of Proof

While the Parties are encouraged to submit evidence to assist in the investigation, the burden of proof remains on the District. This means that the Investigator has the responsibility to conduct a thorough and reliable investigation by uncovering relevant evidence.

Relevance

Relevant evidence is defined as evidence that tends to prove or disprove a fact that is necessary to evaluate the allegations of sexual harassment. The Investigator and Decision-maker must objectively evaluate the evidence.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent, as defined above.

Unless requested to do so by the person implicated by the records, District cannot access, consider, disclose, or otherwise use a Party's records that are (1) made and maintained in connection with the provision of treatment to the Party; and (2) made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional.

Educational records such as special education documents may be considered.

Standard of Evidence

In determining whether to sustain the allegations and make a finding of responsibility for Title IX Sexual Harassment, the Decision-maker shall apply the preponderance of the evidence standard.

The preponderance of the evidence standard means a fact is “more likely than not” to be true or to constitute sexual harassment. It has been described at “50% plus a feather”. This is a much lower standard than “beyond a reasonable doubt” as applied in criminal proceedings.

Advisors

Parties are entitled to Advisors of choice, who may be an attorney but is not required to be one. The District shall not be responsible for paying for an Advisor. Even if a student who is a Party has the benefit of parental involvement on their behalf, that Party is still entitled to an Advisor.

The role of the Advisor is to assist a Respondent or Complainant during the Grievance Process. Unless determined appropriate under the circumstances, the Investigator, Decision-maker, and Appeal Decision-maker shall not correspond with Advisors. The Parties have the responsibility of involving their Advisor in each step of the Grievance Process.

The Advisor may accompany a Party to any investigatory interview, but is not permitted to act on behalf of the Party. The Advisor may have reasonable opportunities to pause the investigative interview to counsel the Party about the Parties’ response. The Advisor may not pause the interview after every question.

The Advisor may draft the written response to the evidence, the written response to the Investigative Report, and the written-cross examination questions and responses. However, the Advisor may not email or correspond directly with the Investigator, Decision-maker, and Appeal Decision-maker.

Supportive Measures

Supportive measures are defined in Policy 103 and Policy 104. Supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services/adult supervision, mutual restrictions on contact between the Parties, changes in activity locations, increased security and monitoring of certain areas of the campus, and other similar measures.

When implementing Supportive Measures for students with disabilities, consult the Director of Special Education. Changes to the student’s IEP may not be made without a recommendation from the IEP Team.

Emergency Removal

Emergency removal permits the District to remove a student from the school setting prior to the completion of the Grievance Process but only under limited circumstances. This is because, in some circumstances, the removal of a Respondent may be appropriate in order for the District to

avoid a deliberately indifferent response to a report of conduct that could constitute sexual harassment or could or does lead to a Formal Complaint.

Emergency removal can be used to immediately remove a Respondent from a District program or activity, including athletics, clubs, transportation, or other District programs or activities. For emergency removal to be appropriate, the student must (a) pose an immediate threat to the physical health or safety of any other individual, and (b) the conduct must arise from the allegations of sexual harassment. If that threat is significant enough to justify removal, then the District may immediately remove the student. Directly after an emergency removal, the District must provide the Respondent with notice and an opportunity to challenge the decision.

To remove a student under emergency circumstances, the District must promptly conduct an individualized safety and risk analysis. The risk assessment cannot be based on generalized, hypothetical, or speculative beliefs or assumptions that a Respondent could potentially pose a risk to someone's physical health or safety. The risk assessment team must include the Title IX Coordinator, a school psychologist, a school social worker, and a special education administrator. Parents must be invited to the risk assessment meeting; however, the District may hold the meeting without parents if necessary to avoid a delay in completing the risk assessment. The risk assessment must be documented in writing.

An emergency removal must not effectuate, in any way, a pre-judging of the allegations against the Respondent, who is entitled to a presumption of non-responsibility pending the completion of a Grievance Process.

If the respondent's actions pose an immediate and identified threat, but do not "arise from" allegations of "sexual harassment" (for example, where a student has brought a weapon to school unrelated to any sexual harassment allegations), then the District is free to respond under its code of conduct or in accordance with applicable laws. The District shall not implement discipline under other sections of the code of conduct or another policy in retaliation for involvement in a Title IX Grievance Process.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review except as otherwise provided by law.

All procedures for suspensions and expulsions apply to Emergency Removal.

Administrative Leave

In the event that a school employee is a Respondent, the District may put that person on administrative leave during the pendency of a Title IX Grievance Process.

Collective bargaining agreement provisions and employment laws apply prior to effectuating administrative leave.

Informal Resolution

The Title IX Coordinator may implement the Informal Resolution procedure as a substitute for the formal Grievance Process after a Formal Complaint is filed and at any time prior to a written

determination. This decision is a case-by-case decision depending on the nature of the allegations. Under no circumstances can Informal Resolution be used in cases involving an adult and a child. The Title IX Coordinator shall create an administrative implementation procedure for Informal Resolution.

The Parties cannot be required to participate in the Informal Resolution process as it is voluntary. The District cannot condition enrollment, employment, or enjoyment of any right or privilege upon agreement to the Informal Resolution process. A Party has the right to withdraw from the Informal Resolution process and resume the Grievance Process at any time. If a resolution is accomplished through Informal Resolution, the Parties are precluded from resuming a Formal Complaint arising from the same allegations as contained in the Formal Complaint.

Upon initiation of the Informal Resolution procedure, the timeframes for the Grievance Process shall be paused until the timeframe for the Informal Resolution has lapsed without a resolution.

Informal Resolution can result in any of the educational or disciplinary consequences that are available under the Grievance Process. Informal Resolution could consist of a facilitated discussion with families and students (Parties in the same room), shuttle negotiations (Parties in separate rooms), peer mediations, restorative circles, or any other restorative or educational practice.

In order to engage in Informal Resolution, the Parties must provide voluntary, written consent to the Informal Resolution process.

If deemed appropriate, the Title IX Coordinator shall provide the Parties a written notice, including a description of the allegations subject to Informal Resolution, of the contents of this section.

The outcome of the Informal Resolution shall be shared in writing with the Parties. The Title IX Coordinator shall keep a record of the Informal Resolution for seven (7) years.

Students with Disabilities

If the Complainant or Respondent is identified as a student with a disability or is suspected of having a disability, the Director of Student Services must be promptly consulted prior to implementation of supportive measures, during the course of the Investigation, and prior to issuance of a Written Determination.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review.

While the Decision-maker can recommend an IEP Meeting or Section 504 Team Meeting to consider placement or services as a consequence of a policy violation, the Decision-maker does not have the authority to unilaterally change a student's IEP.

Changes to the student's IEP may not be made without a recommendation from the IEP Team.

Recordkeeping

The Title IX Coordinator shall ensure that every report of sexual harassment is properly documented and shall ensure that a record of all reports is kept for a minimum of seven (7) years. The record must be maintained with an indication of whether or not the respondent was found responsible for a policy violation and what consequences and supportive measures were in place.

Retaliation

Retaliation is strictly prohibited. Anyone who feels that they have experienced retaliation is encouraged to report it immediately to the Title IX Coordinator.

Retaliation means actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an Informal Resolution process, in Grievance Process, and in any other actions taken by a District in executing its responsibilities under this Policy.

Retaliation shall constitute another allegation of an infraction of this Policy.



BOARD POLICY

104 (2026)

Harassment and Discrimination
Prohibited- Non-Students

POLICY NUMBER	ADOPTED	REVISED	LAST REVIEWED
104 (2026)	3/19/2014	9/16/2026	9/16/2026
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v1.1	DRAFT	9/2/2026	

1. Purpose

The District is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the District and is prohibited at or, in the course of, District-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

The District will promptly and equitably respond to, investigate, and resolve all allegations of discrimination, including harassment and retaliation, with the internal Grievance Processes outlined in this Policy and its administrative regulations.

- For the Title IX Sexual Harassment Grievance Process, **Administrative Regulation-Title IX Grievance Process** shall apply to this Policy.
- For Grievance Procedures for all other forms of prohibited discrimination or harassment, **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** shall apply to this Policy.

Nothing in this Policy prevents an individual affected by discrimination or harassment from exercising their rights under federal or state law to make a complaint to the U.S. Department of Education - Office for Civil Rights.



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Nevertheless, this Policy creates an internal process by which discriminatory conduct can be or, in some cases must be, identified, investigated, and resolved in a way that attempts to prevent its recurrence.

In addition to initiating the procedures described in this Policy, the designated employee or building principal shall ensure that reported conduct which meets the definition of other laws regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations, or Board policies, including but not limited to, incidents under the Safe Schools Act, reports of educator misconduct, threats, or reports of suspected child abuse.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

2. Authority

The Board strictly prohibits discrimination and harassment on the basis of race, color, national origin, ancestry, religion, religious creed, sex, marital status, pregnancy/parenting status, disability, age, or any other characteristic protected by Board Policy, local, state, or federal law in its education programs or activities.

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy be posted to the district's website.

Discrimination on the basis of race, color, and national origin is prohibited by Title VI of the Civil Rights Act of 1964. Discrimination against persons with disabilities is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance). Discrimination on the basis of sex is prohibited by Title IX of the Education Amendments of 1972. Employment protections are afforded by Title VII of the Civil Rights Act of 1964 and the PUMP Act. The Pennsylvania Human Relations Act defines categories that are protected under Pennsylvania law from discrimination and harassment.

3. Delegation of Responsibility



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The Superintendent shall designate one or more people to be the Compliance Officer/Title IX Coordinator. These individuals shall process discrimination complaints, including complaints under this Policy as well as Policy 103, and facilitate recordkeeping requirements.

Responsibilities of Title IX Coordinator

The Title IX Coordinator may delegate responsibilities to other trained individuals pursuant to this Policy and its administrative regulations. The Title IX Coordinator shall have the authority to appoint building level or department level Deputy Title IX Coordinators to facilitate the District's response at the building or department level. For example, a building principal, human resources administrator, or an athletic director may be appointed as a Deputy Title IX Coordinator. The Deputy Title IX Coordinator shall perform the duties of Title IX Coordinator for their building during implementation of the grievance process and will report directly and promptly to the Title IX Coordinator upon a report that implicates this Policy. Upon recommendation by the Title IX Coordinator, a third-party, such as a law firm or trained individual, may be appointed as interim Title IX Coordinator if the Title IX Coordinator is unable to serve based on an appearance of impropriety, bias, conflict of interest, or if the Title IX Coordinator is named as a party or witness.

The Title IX Coordinator is responsible for:

1. Identifying in advance a pool of trained investigators, informal resolution facilitators, determination makers, and appeal authorities in order to facilitate a prompt and equitable Grievance Process pursuant to the administrative regulations that are associated with this Policy.
2. Ensuring that the training obligations under this Policy are met.
3. Identifying patterns in order to address discriminatory conduct or barriers to reporting it.
4. Overseeing District-wide initiatives to combat unlawful discrimination and harassment, including training for all employees or raising awareness through student-based initiatives.
5. Keeping records for seven years of all reports naming or implicating Title IX and how they were resolved.

Personnel and Training Requirements

Training materials must be posted on the District's website.

The Title IX Coordinator will appoint a trained maker; Appeals Decision-maker; and, if applicable, must be trained pursuant to regulatory requirements associated with this policy.



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4. Definitions

Complaint means a written or oral, formal or informal, notification to an individual identified in the relevant policy, requesting an investigation and determination regarding specific allegations. Please see the definition of “Formal Complaint” for Title IX Sexual Harassment.

Complainant means the person who has been negatively impacted by the alleged conduct that could constitute discrimination. The rights of a Complainant may be exercised by a minor’s parents or guardians. At the time of filing a Formal Complaint under Title IX, a Complainant must be participating in or attempting to participate in District programs or activities.

Discrimination includes, but is not limited to, excluding from participation, denying the benefits of, or otherwise discriminating against individuals on the basis of a protected class, or any other category protected by state or federal law, in the administration of its educational and employment policies, or in its programs and activities, or in failing to provide equal access to designated youth groups.

Harassment, other than Title IX Sexual Harassment as defined below, is a form of discrimination based on a characteristic that is protected by this Policy, consisting of unwelcome and uninvited conduct such as, but not limited to, graphic, written, electronic, verbal or nonverbal acts such as offensive jokes, slurs, epithets, name calling, ridicule, mockery, insults, put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person’s school or school-related performance when such conduct is:

1. Sufficiently severe or persistent or pervasive; and
2. A reasonable person in the Complainant’s position would find that it creates an intimidating, threatening, or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities, or opportunities offered by the District.

If conduct is sexual in nature or is sex-based but does not meet the definition of “Sexual Harassment” under Title IX (because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct shall be processed under **Administrative Regulation Non-Title IX Harassment and Discrimination Grievance Procedures** which applies to this Po



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Formal Complaint means a document filed by the Complainant (or their parent/guardian) or signed by the Title IX Coordinator that contains allegations of sexual harassment against a Respondent(s) and requesting resolution via the regulatory procedures described in **Administrative Regulation-Title IX Grievance Process**, which applies to this Policy.

Preponderance of the Evidence means an amount of evidence that is enough to persuade a reasonable person that a fact is more likely true than not true, meaning more than 50% proof. It refers to the quality and persuasiveness of the evidence, not to the number of witnesses or documents.

Respondent shall mean an individual who has been reported to be the perpetrator of the alleged conduct. A parent may act on behalf of a minor Respondent. In the event of a complaint relating to a generally discriminatory program or activity, there shall be no individual Respondent.

Retaliation shall mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate or refuse to participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an informal resolution process, in Grievance Procedures, and in any other actions taken by a District in executing its responsibilities under this Policy. Retaliation shall constitute another allegation of an infraction of this Policy. Retaliation may require modification to supportive measures.

Sexual Harassment under Title IX means conduct on the basis of sex that falls under one or more of the following descriptions:

1. A District staff member, administrator, board member, or other person under the District's control with authority over the individual conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's program or activity;
3. The following types of conduct, as defined in federal law: sexual assault, dating violence, domestic violence, or stalking.



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Conduct that satisfies at least one of the types of Title IX Sexual Harassment will be resolved pursuant to **Administrative Regulation-Title IX Grievance Process**.

If conduct is sexual in nature or is sex-based but does not meet the definition of “Sexual Harassment” under Title IX (because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct shall be processed under **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** which applies to this Policy.

Student with a disability means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 705(9)(B), (20)(B), or a child with a disability as defined in the Individuals with Disabilities Education Act, 20 U.S.C. § 1401(3).

Supportive Measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to: (1) restore or preserve that Party’s access to the District’s education program or activity, including measures that are designed to protect the safety of the parties or the District’s educational environment; or (2) provide support during the District’s Grievance Procedures or during the informal resolution process.

5. Guidelines

This Policy and its administrative regulations establish the internal procedure that the District uses to resolve complaints made under this Policy.

Discipline Prohibited Until Conclusion of Grievance Process

If the allegations include sexual harassment, discipline is prohibited prior to a finding that the Respondent violated the Title IX Policy. This is regulatory requirement from the U.S. Department of Education.

A narrow exception exists for (1) emergency situations as described in **Administrative Regulation-Title IX Grievance Process**, and (2) administrative leave for an employee who is a Respondent.



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For conduct covered by this Policy other than sexual harassment, discipline may be applied prior to the completion of the entire internal grievance process. In the event of a finding that the Respondent did not violate this Policy, the discipline record shall be expunged.

Presumption of Non-responsibility

To prevent unintentional bias, each Respondent shall be presumed to be not responsible for alleged Title IX Sexual Harassment unless and until a determination has been made pursuant to the full grievance process or informal resolution.

Supportive Measures

The Title IX Coordinator must offer supportive measures to the Complainant at the time of first contact after a report. If the Grievance Process or an Informal Resolution Process is initiated, then the Title IX Coordinator must offer and coordinate supportive measures to the Respondent, as appropriate.

The Title IX Coordinator or Deputy Title IX Coordinator is responsible for implementing supportive measures.

Major Steps of the Grievance Process

Major steps of the Grievance Procedure are (1) Evaluation of initial report and determination regarding adequacy of formal complaint; (2) Investigation; (3) Determination; (4) Appeal. The Board may appoint a third-party, including a law firm, to conduct any or all of the steps of this Grievance Procedure.

The timeframes described in **Administrative Regulation-Title IX Grievance Process** and **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the procedure.

Holding a Manifestation Determination Review meeting for a Respondent student with a disability shall not be considered good cause to delay the process.



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Written notice of the delay or extension and the reason for such action shall be provided to the Complainant and Respondent. Written documentation describing the underlying good cause and the length of the modified timeframe shall be included in the records of the complaint.

Range of Available Disciplinary Sanctions

A wide range of conduct could constitute discrimination or harassment. The severity, pervasiveness, and offensiveness of the conduct shall be considered when assigning a disciplinary sanction.

Discipline for a violation of this Policy shall be in accordance with other Board policies and the Student Code of Conduct up to and including expulsion.

Off-campus Conduct

In order to protect the integrity of the educational environment and guarantee uninterrupted District operations, the District has an obligation to address a hostile environment under its education program or activity, even when some or all conduct alleged to be contributing to the hostile environment occurred outside of the District's education program. Off-campus conduct must have a sufficient nexus to school operations or activities.

Under the 2020 Title IX Regulations, the definition of "Sexual Harassment" only extends to conduct that occurs in the District's educational programs or activities, so the District is prohibited from applying **Administrative Regulation-Title IX Grievance Process** to complaints solely alleging off-campus sexual harassment. The 2020 Regulations also require that the conduct must have taken place in the United States.

Off-campus sexual harassment may cause a hostile environment in school. Therefore, where off-campus conduct has a sufficient nexus to the District's programs or activities and would otherwise constitute sexual harassment, the District shall apply **Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures** to process the complaint of a hostile educational environment.

Students with Disabilities and Manifestation Determination Review

Students with disabilities are entitled to certain Board policies and under the law.



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The Manifestation Determination Review shall not be considered good cause to delay the applicable timeframes. The Grievance Procedure shall occur concurrently with the Manifestation Determination Review process.

Retaliation Prohibited

Retaliation, as defined above, is prohibited. Anyone who feels as though they have been retaliated against in violation of this Policy should report the retaliation to the Compliance Officer/Title IX Coordinator. In the event that the person accused of retaliation is the Compliance Officer/Title IX Coordinator, the report should be made to the **Superintendent**.

For retaliation as a consequence of Title IX participation, retaliation complaints shall be addressed according to the Grievance Procedures described in **Administrative Regulation-Title IX Grievance Process**, which applies to this Policy. Each allegation of retaliation shall be its own additional potential policy violation. Supportive measures may be modified to address retaliation.

Reporting

The Board encourages students, employees, and third parties who believe they or others have been subject to discrimination that affects them in school to promptly report such incidents to the Title IX Coordinator, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.

Every employee shall report any instance of suspected discrimination or harassment to a building principal and/or the Title IX Coordinator, unless the Respondent is alleged to be the building principal in which case a report shall be made to the Superintendent.

Students who witness suspected discrimination or harassment are strongly encouraged to report any instance of discrimination or harassment to an employee, a building principal and/or the Title IX Coordinator.

Written reports may be submitted to the Title IX reporting form. In the event that a written report Coordinator shall document the report on the re



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Verbal reports of discrimination or harassment shall be documented on the reporting form that is created pursuant to this Policy by the Title IX Coordinator. In the event of Title IX Sexual Harassment, the Complainant (or their parent/guardian) or the Title IX Coordinator must sign a Formal Complaint, which officially requests resolution of the allegations through the Grievance Process in **Administrative Regulation-Title IX Grievance Process**.

Under the District's Memorandum of Understanding ("MOU") with law enforcement, certain conduct will be referred to law enforcement.

Mandated Reporters must immediately report suspected child abuse to ChildLine.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this Policy and the District's legal and investigative obligations. In the event that FERPA and Title IX conflict, the Department of Education states that Title IX obligations take priority over FERPA obligations.

The District will take reasonable steps to protect the privacy of the parties and witnesses during the Grievance Procedures, provided that the steps taken to protect privacy do not restrict the abilities of the parties to: (1) obtain and present evidence, including by speaking to witnesses; (2) consult with their family members, confidential resources, or advisors; or (3) otherwise prepare for or participate in the Grievance Procedures.

Based on the context of what is reported to the district, all incidents that are required by law to be reported to law enforcement and/or ChildLine will be made accordingly.

Recordkeeping

All records described in this Policy must be maintained for no less than seven (7) years.

Legal References

No additional references listed.



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comments

Administrative Regulation to Policy 103 and 104
Non-Title IX Harassment and Discrimination Grievance Procedures

Created: 9/1/2026

Last updated: 9/1/2026

Contact Information
Title IX Coordinator

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39 Thomas Free Drive
Kintnersville, PA 18960

Scope of Covered Conduct

The District is required by law to respond promptly and equitably when it knows about conduct that could constitute discrimination or harassment, as defined in Policy 103 and Policy 104, to attempt to prevent recurrence, and to document the District's response under the law.

Timeframes

From the day that the Compliance Officer/Title IX Coordinator receives notice of conduct prohibited by Policy 103 or Policy 104 that does not constitute Title IX Sexual Harassment, the District shall complete an investigation and determination about the conduct within sixty (60) calendar days.

This timeframe may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the process.

Appeals shall not be provided except where required by law.

Internal Resolution Process (Grievance Procedures)

Actual notice to the Compliance Officer/Title IX Coordinator constitutes a report, whether in writing or verbal. The Compliance Officer/Title IX Coordinator must document the report on the Report Form for Policy 103 and 104 or using an internal report tracking system.

The Compliance Officer/Title IX Coordinator shall analyze the report to determine if resolution should proceed through the Administrative Regulation Title IX Grievance Process, which applies

to Policy 103 or Policy 104, Administrative Regulation Non-title Harassment and Discrimination Grievance Procedures, which applies to Policy 103 or Policy 104, or some other complaint resolution process.

Upon making the decision to resolve the report through this policy, the Compliance Officer/Title IX Coordinator shall issue written notice to all parties informing them about the report and disclosing the existence of an investigation under this policy. Policy 103 and Policy 104 and their administrative regulations must be provided to the parties along with the written notice.

Ordinarily, a building principal shall investigate a report of harassment or discrimination under this policy. The Compliance Officer/Title IX Coordinator may delegate that responsibility to another competent person, such as a Human Resources administrator.

Ordinarily, the person who conducted the investigation shall make disciplinary recommendations within a written decision report. The Compliance Officer/Title IX Coordinator may delegate that responsibility to another competent person, such as a Human Resources administrator.

The written decision report must contain:

- I. Allegations
- II. Applicable Policies & Conduct Violations
- III. Procedural Steps
- IV. Evidence Considered
 - a. List of Relevant Evidence
 - b. Explanation About Weight of Evidence (if there is any reason to afford certain evidence more weight)
 - c. Credibility Determination (if credibility is at issue)
- V. Factual Findings
 - a. Undisputed Facts
 - b. Factual Conclusions Regarding Disputed Facts
- VI. Analysis
 - a. Factual Application to Elements of Alleged Violation
 - b. Conclusion as to Responsibility for Policy Violation
- VII. Recommendations/Educational Consequences/ Disciplinary Sanctions

Discipline

For conduct covered by this Policy *other than sexual harassment*, discipline may be applied prior to the completion of the entire internal grievance process. In the event of a finding that an individual did not violate this Policy, the discipline record shall be expunged.

Informal Resolution

The Compliance Officer/Title IX Coordinator may implement the Informal Resolution procedure as a substitute for the formal investigation procedure at any time prior to a written determination. This decision is a case-by-case decision depending on the nature of the allegations.

Upon initiation of the Informal Resolution procedure, the timeframes for the Grievance Procedure shall be paused until the timeframe for the Informal Resolution has lapsed without a resolution.

Informal Resolution can result in any of the educational or disciplinary consequences that are available under the Grievance Procedure. Informal Resolution could consist of a facilitated discussion with families and students (Parties in the same room), shuttle negotiations (Parties in separate rooms), peer mediations, restorative circles, or any other restorative or educational practice.

In order to engage in Informal Resolution, the Parties must provide voluntary, written consent to the Informal Resolution process.

If deemed appropriate, the Compliance Officer/Title IX Coordinator shall provide the Parties a written notice, including a description of the allegations subject to Informal Resolution, of the contents of this section.

The outcome of the Informal Resolution shall be shared in writing with the Parties.

Students with Disabilities

If the Complainant or Respondent is identified as a student with a disability or is suspected of having a disability, the Director of Student Services must be promptly consulted and provided with the opportunity to provide input.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review, except as permitted by law.

While the Decision-maker can recommend an IEP Meeting or Section 504 Team Meeting to consider placement or services as a consequence of a policy violation, the Decision-maker does not have the authority to unilaterally change a student's IEP.

Changes to the student's IEP may not be made without a recommendation from the IEP Team.

Retaliation

Retaliation is strictly prohibited. Anyone who feels that they have experienced retaliation is encouraged to report it immediately to the Title IX Coordinator.

Retaliation means actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by law or policy, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an Informal Resolution process, in

Grievance Procedures, and in any other actions taken by a District in executing its responsibilities under this Policy.

Retaliation shall constitute another allegation of an infraction of this Policy.

Administrative Regulation to Policy 103 and 104
Title IX Grievance Process

*This Policy and its attachments comply with the
2020 U.S. Department of Education Title IX Regulations, effective January 2025.*

Created: 9/1/2026
Last updated: 9/1/2026

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Scope of Covered Conduct

The District is required by law to respond promptly, equitably, and without deliberate indifference to actual knowledge of sexual harassment in a District program or activity.

Discipline shall not be implemented until after the Title IX Coordinator performs an initial evaluation and determines that there is no Title IX allegation or until the Title IX Grievance Process has concluded. A student may only be prohibited from regular, physical in-school attendance prior to the conclusion of the Grievance Process if the conditions for Emergency Removal, as defined in this Administrative Regulation, are met.

Sexual Harassment under Title IX means conduct on the basis of sex that falls under one or more of the following descriptions:

- (1) *Quid pro quo*: A District staff member, administrator, School Board member, or other person under the District's control with authority over the individual conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- (2) *Hostile environment*: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's program or activity;
- (3) *Specific criminal conduct*: The following types of conduct, as defined in federal law:
 - a. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform reporting system of the Federal Bureau of Investigation, including but not limited to rape (penetration to vagina or anus

no matter how slight), attempted rape, sexual battery, fondling, indecent assault, voyeurism, exposure to exhibitionism, unwanted exposure to pornography, public display of sensitive images that were taken in a private context when the victim was unaware, or any other conduct recognized by federal law as sexual assault.

- a. Dating violence, meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 1. The length of the relationship; and
 - 2. The type of relationship; and
 - 3. The frequency of interaction between the persons involved in the relationship.
- b. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Pennsylvania, or a person similarly situated to a spouse of the victim; or
 - ii. Is cohabiting, or has cohabitated, with the victim as a spouse or intimate partner; or
 - iii. Shares a child in common with the victim; or
 - iv. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Pennsylvania.
- c. Stalking meaning engaging in a course of conduct, in-person or through technology, directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

Conduct that satisfies at least one of the types of Title IX Sexual Harassment will be resolved pursuant to this Administrative Regulation.

If conduct is sexual in nature or is sex-based but does not meet the definition of "Sexual Harassment" under Title IX (for example, because it is either severe or pervasive, but not both, or because it is only subjectively offensive rather than objectively offensive), then consequences for that sexual or sex-based misconduct shall be processed under Administrative Regulation-Non-Title IX Harassment and Discrimination Grievance Procedures or another policy.

Additional Definitions

Appeal Decision-maker means the trained person appointed by the Title IX Coordinator to process an appeal of the written determination. The Appeals Decision-maker must not be the Title IX Coordinator, Investigator, Decision-maker, or Informal Resolution Facilitator.

Bullying means an intentional electronic, written, verbal, or physical act, or series of acts, that (1) is directed at another student or students; (2) occurs in a school setting; (3) is severe,

persistent, or pervasive; and (4) has the effect of doing any of the following (i) substantially interfering with a student's education; (ii) creating a threatening environment; or (iii) substantially disrupting the orderly operation of the school.

Consent means an agreement between individuals with capacity to engage in sexual conduct, which is affirmative, conscious, voluntary, and revocable.

Consent must be analyzed by the Decision-maker when it is at issue.

Informal Resolution Facilitator means the trained person appointed by the Title IX Coordinator to facilitate an informal resolution, such as peer mediation or family dialogue. The Informal Resolution Facilitator must not be the Decision-maker or Appeals Decision-maker. The Title IX Coordinator may, but is not required to, serve as the Informal Resolution Facilitator.

Investigator means the trained person appointed by the Title IX Coordinator to complete the investigation and draft the investigation report. This person must not be the Decision-maker or the Appeals Decision-maker. The Title IX Coordinator may, but is not required to, serve as the Investigator.

Decision-maker means the trained person appointed by the Title IX Coordinator to analyze the investigative report and make a written determination. The Decision-maker must not be the Title IX Coordinator, Investigator, Appeals Decision-maker, or Informal Resolution Facilitator.

Timeframes

From the initiation of the Investigation through final completion, the Grievance Process takes a minimum of twenty-three (23) days to complete but may take up to seventy-seven (77) days. The timeframes shall be paused in the event of an Informal Resolution Process. If the Informal Resolution Process does not result in resolution of the Formal Complaint, the timeframes resume.

These timeframes may be modified to allow for a temporary delay or limited extension of time for good cause. Good cause may include, but is not limited to: (1) the absence of a party or witness; (2) concurrent law enforcement activity; (3) the need for language assistance or accommodations for disabilities; (4) appointment of a third-party, such as a law firm, to conduct any step of the process.

The chart on the next page meets the regulatory requirement to adopt reasonably prompt timeframes for all of the major steps of the Grievance Process in addition to the regulatory timeframes.

Step of Process	Time for Completion
Report	A report can be made at any time after the discovery of conduct that may violate this policy. The fact that time may have passed since the alleged conduct does not invalidate a report. Anyone can make a report. If an employee receives a report, they shall communicate it to the Title IX Coordinator as soon as practicable. Employees who do not uphold this part of their job duties may be subject to discipline. The Title IX Coordinator shall ensure that the report is properly documented and that a record of all reports is kept for 7 years.
Initial Fact Gathering	A principal may conduct initial fact gathering upon receipt of a report of misconduct. Initial fact gathering shall not be considered the Investigation for purposes of this Grievance Process. As soon as the principal has enough information to raise the possibility of a Title IX violation, the principal must immediately cease fact gathering and involve the Title IX Coordinator without delay.
Making A Formal Complaint After A Report	Upon receipt of a report, the Title IX Coordinator shall determine whether a Formal Complaint is appropriate and shall cause the Formal Complaint form to be completed within three (3) school days if appropriate under the circumstances. When the Formal Complaint is signed and received by the Title IX Coordinator, the Title IX regulatory process officially begins.
Evaluation	Evaluation of the Formal Complaint should take no longer than three (3) school days. The Title IX Coordinator must determine whether the Formal Complaint triggers the Grievance Process. In the event of a report over an extended break over five (5) school days (such as, winter break, spring break, summer break), evaluation should take no longer than seven (7) calendar days.
Investigation	Investigation should take no longer than forty-five (45) school days and no fewer than eleven (11) school days. The Investigation period includes the <i>Evidence Review and Written Response to Evidence</i>, as further described below.
Determination	Determination should take no longer than twenty (20) school days and no fewer than ten (10) school days. The Determination period includes the <i>Investigation Report Review, Written Cross-Examination, and Written Response Opportunity</i>, as further described below.
Appeal	If a party chooses to take an appeal, the appeal must be lodged in writing on one of the bases described below and directed to the Title IX Coordinator within two (2) school days of a Party's receipt of the written determination. The appeal authority will resolve the appeal within ten (10) school days of the Title IX Coordinator's appointment of an appeal authority.

Grievance Process

Formal Complaints

A report is different than a Formal Complaint. A report puts the District on notice of possible misconduct.

A Formal Complaint is a written request for District action under Title IX. A Title IX Coordinator may obtain a Formal Complaint by providing the Formal Complaint form to the alleged victim or their parent/guardian and providing guidance on completion of the form, or the Title IX Coordinator may complete the form for the Complainant based on the report and initial fact gathering.

After the Formal Complaint is complete, the Title IX Coordinator must obtain a signature in order to initiate the Grievance Process. The only individuals who may initiate the Grievance Process by signing a Formal Complaint are (1) the Complainant (or their guardian), or (2) the Title IX Coordinator.

Dismissal of Formal Complaint

During the evaluation period, the Title IX Coordinator must determine whether the conduct alleged in the Formal Complaint triggers the Title IX Grievance Process or whether the Formal Complaint must be dismissed for processing under a different policy.

The Title IX Coordinator *must* dismiss the Formal Complaint if:

- (1) The conduct alleged in the Formal Complaint would not constitute sexual harassment under Title IX, even if proven by a preponderance of the evidence; or
- (2) The conduct alleged in the Formal Complaint occurred outside of the District's programs or activities (i.e., off-campus conduct as described in Policy 103 and Policy 104); or
- (3) The conduct alleged in the Formal Complaint occurred outside of the United States.

The Title IX Coordinator *may* dismiss the Formal Complaint if:

- (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant desires to withdraw the Formal Complaint or any of the allegations. The Title IX Coordinator may override this request; or
- (2) The Respondent is no longer enrolled or employed by the District. The Title IX Coordinator may continue the Grievance Process even if the Respondent is no longer enrolled or employed if doing so would provide a remedy to the Complainant; or
- (3) Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or its allegations.

Upon dismissing a Formal Complaint, the Title IX Coordinator must send written notice of the reason for the dismissal and notice of the opportunity for an appeal to the Parties.

Notice of Allegations

The Title IX Coordinator shall provide both parties with written notification of the initiation of the Grievance Process. The written notice shall contain sufficient details known at the time of drafting the Formal Complaint. Details are sufficient when the notice includes the identities of known Parties, a description of the conduct alleged to constitute sexual harassment, and the date and location of the alleged incident, if known.

The written notice should also include:

- A statement that the Respondent is presumed not responsible for the alleged conduct and that responsibility for policy violations is determined at the end of the Grievance Process.
- A statement informing the Parties that they may have an advisor of their choice consistent with this administrative regulation.
- A statement that making false statements or knowingly submitting false information during the Grievance Process may result in code of conduct violations.

In the event that additional allegations are discovered or reported during the Grievance Process (including retaliation allegations), the Title IX Coordinator shall re-issue the written notice with the updated allegations.

Evidence Review and Written Response to Evidence

Parties are permitted to review the evidence collected in the Title IX investigation prior to the issuance of an Investigation Report so that the Parties can meaningfully respond. The Investigator must provide access to *all* evidence, inculpatory and exculpatory, that is directly related to the allegations in the Formal Complaint, whether or not the Decision-maker will rely on that evidence and whether or not that evidence is relevant.

The Parties must be afforded ten (10) or more school days, as determined by the Investigator in consultation with the Title IX Coordinator, to submit a written response to the evidence. The response may, for example, identify additional evidence or witnesses or request designation of evidence as relevant or irrelevant as defined in this policy.

The Investigator must consider the Parties' responses prior to the completion of the Investigative Report.

Investigative Report

The Investigative Report must fairly summarize the relevant evidence. If credibility is at issue, the Investigator must conduct an analysis regarding credibility of Parties and/or witnesses.

The Investigation Report should contain, at a minimum:

- I. Allegations/Title IX Formal Complaint Contents
- II. Applicable Policies & Conduct Violations
- III. Procedural Steps
- IV. Evidence Considered
 - A. List of Relevant Evidence

- B. Explanation About Weight of Evidence (if there is any reason to afford certain evidence more weight)
- C. Credibility Determination (if credibility is at issue)

Investigation Report Review, Written Cross-Examination, and Written Response Opportunity

Upon completion, the Investigator shall simultaneously send the Investigative Report to the Parties, the Title IX Coordinator, and the Decision-maker.

The Decision-maker shall provide the Parties with ten (10) or more school days, as determined by the Decision-maker in consultation with the Title IX Coordinator, to review the Investigation Report and provide a written response to the Investigation Report that the Parties desire the Decision-maker to consider.

During that ten (10) school day timeframe, the Decision-maker shall facilitate written cross-examination. Written cross-examination allows the Parties to submit written, *relevant* questions that a Party wants asked of any Party or witness, and also allows for additional, limited follow-up questions from each Party. Relevance is defined below.

The Decision-maker *may* use the following timeframe, but can extend timeframes as appropriate and in the final discretion of the Title IX Coordinator:

- Three (3) school days for each Party to submit written cross-examination questions;
- Three (3) school days for each Party or witness to provide written answers;
- Two (2) school days for each Party to submit additional, limited follow-up questions;
- Two (2) school days for each party to respond to the additional follow-up questions.

Written Determination

The Decision-maker shall produce a Written Determination report that objectively evaluates the evidence and comes to a conclusion regarding the Respondent's responsibility for violating the policy prohibiting sexual harassment.

The Written Determination must include parts I through IV of the Investigation Report as well as the following:

- V. Factual Findings
 - A. Undisputed Facts
 - B. Factual Conclusions Regarding Disputed Facts
- VI. Analysis
 - A. Factual Application to Elements of Alleged Violation
 - B. Conclusion as to Responsibility for Policy Violation
- VII. Recommendations/Educational Consequences/ Disciplinary Sanctions

Upon completion of the Written Determination, the Decision-maker shall simultaneously send the Written Determination to the Parties and the Title IX Coordinator. The Title IX Coordinator shall provide the Parties with notice of the optional appeal process if there has been a finding that the Respondent is responsible for a policy violation.

Optional Appeal

The Title IX Coordinator shall inform the Parties about appeal procedures upon dismissal of a Formal Complaint and upon a determination finding that the Respondent is responsible for violating the prohibition against sexual harassment. No disciplinary sanctions can be implemented until after the period for taking an appeal has passed, and no Party appealed.

The Parties may take an appeal only on one or more of the following bases:

1. A procedural irregularity that affected the outcome of the matter; or
2. New evidence that was not reasonably available at the time the determination regarding responsibility or the dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a Party appeals, then the Title IX Coordinator must (1) notify the other Party in writing that an appeal is taking place and the basis or bases for the appeal; (2) implement the appeal procedure equally for both Parties, including by appointing an Appeal Decision-maker.

The Appeal Decision-maker shall give the Parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. After providing that opportunity, the Appeal Decision-maker shall issue a written decision describing the appeal's outcome and the rationale for the result.

Burden of Proof

While the Parties are encouraged to submit evidence to assist in the investigation, the burden of proof remains on the District. This means that the Investigator has the responsibility to conduct a thorough and reliable investigation by uncovering relevant evidence.

Relevance

Relevant evidence is defined as evidence that tends to prove or disprove a fact that is necessary to evaluate the allegations of sexual harassment. The Investigator and Decision-maker must objectively evaluate the evidence.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent, as defined above.

Unless requested to do so by the person implicated by the records, District cannot access, consider, disclose, or otherwise use a Party's records that are (1) made and maintained in connection with the provision of treatment to the Party; and (2) made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional.

Educational records such as special education documents may be considered.

Standard of Evidence

In determining whether to sustain the allegations and make a finding of responsibility for Title IX Sexual Harassment, the Decision-maker shall apply the preponderance of the evidence standard.

The preponderance of the evidence standard means a fact is “more likely than not” to be true or to constitute sexual harassment. It has been described at “50% plus a feather”. This is a much lower standard than “beyond a reasonable doubt” as applied in criminal proceedings.

Advisors

Parties are entitled to Advisors of choice, who may be an attorney but is not required to be one. The District shall not be responsible for paying for an Advisor. Even if a student who is a Party has the benefit of parental involvement on their behalf, that Party is still entitled to an Advisor.

The role of the Advisor is to assist a Respondent or Complainant during the Grievance Process. Unless determined appropriate under the circumstances, the Investigator, Decision-maker, and Appeal Decision-maker shall not correspond with Advisors. The Parties have the responsibility of involving their Advisor in each step of the Grievance Process.

The Advisor may accompany a Party to any investigatory interview, but is not permitted to act on behalf of the Party. The Advisor may have reasonable opportunities to pause the investigative interview to counsel the Party about the Parties’ response. The Advisor may not pause the interview after every question.

The Advisor may draft the written response to the evidence, the written response to the Investigative Report, and the written-cross examination questions and responses. However, the Advisor may not email or correspond directly with the Investigator, Decision-maker, and Appeal Decision-maker.

Supportive Measures

Supportive measures are defined in Policy 103 and Policy 104. Supportive measures include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services/adult supervision, mutual restrictions on contact between the Parties, changes in activity locations, increased security and monitoring of certain areas of the campus, and other similar measures.

When implementing Supportive Measures for students with disabilities, consult the Director of Special Education. Changes to the student’s IEP may not be made without a recommendation from the IEP Team.

Emergency Removal

Emergency removal permits the District to remove a student from the school setting prior to the completion of the Grievance Process but only under limited circumstances. This is because, in some circumstances, the removal of a Respondent may be appropriate in order for the District to

avoid a deliberately indifferent response to a report of conduct that could constitute sexual harassment or could or does lead to a Formal Complaint.

Emergency removal can be used to immediately remove a Respondent from a District program or activity, including athletics, clubs, transportation, or other District programs or activities. For emergency removal to be appropriate, the student must (a) pose an immediate threat to the physical health or safety of any other individual, and (b) the conduct must arise from the allegations of sexual harassment. If that threat is significant enough to justify removal, then the District may immediately remove the student. Directly after an emergency removal, the District must provide the Respondent with notice and an opportunity to challenge the decision.

To remove a student under emergency circumstances, the District must promptly conduct an individualized safety and risk analysis. The risk assessment cannot be based on generalized, hypothetical, or speculative beliefs or assumptions that a Respondent could potentially pose a risk to someone's physical health or safety. The risk assessment team must include the Title IX Coordinator, a school psychologist, a school social worker, and a special education administrator. Parents must be invited to the risk assessment meeting; however, the District may hold the meeting without parents if necessary to avoid a delay in completing the risk assessment. The risk assessment must be documented in writing.

An emergency removal must not effectuate, in any way, a pre-judging of the allegations against the Respondent, who is entitled to a presumption of non-responsibility pending the completion of a Grievance Process.

If the respondent's actions pose an immediate and identified threat, but do not "arise from" allegations of "sexual harassment" (for example, where a student has brought a weapon to school unrelated to any sexual harassment allegations), then the District is free to respond under its code of conduct or in accordance with applicable laws. The District shall not implement discipline under other sections of the code of conduct or another policy in retaliation for involvement in a Title IX Grievance Process.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review except as otherwise provided by law.

All procedures for suspensions and expulsions apply to Emergency Removal.

Administrative Leave

In the event that a school employee is a Respondent, the District may put that person on administrative leave during the pendency of a Title IX Grievance Process.

Collective bargaining agreement provisions and employment laws apply prior to effectuating administrative leave.

Informal Resolution

The Title IX Coordinator may implement the Informal Resolution procedure as a substitute for the formal Grievance Process after a Formal Complaint is filed and at any time prior to a written

determination. This decision is a case-by-case decision depending on the nature of the allegations. Under no circumstances can Informal Resolution be used in cases involving an adult and a child. The Title IX Coordinator shall create an administrative implementation procedure for Informal Resolution.

The Parties cannot be required to participate in the Informal Resolution process as it is voluntary. The District cannot condition enrollment, employment, or enjoyment of any right or privilege upon agreement to the Informal Resolution process. A Party has the right to withdraw from the Informal Resolution process and resume the Grievance Process at any time. If a resolution is accomplished through Informal Resolution, the Parties are precluded from resuming a Formal Complaint arising from the same allegations as contained in the Formal Complaint.

Upon initiation of the Informal Resolution procedure, the timeframes for the Grievance Process shall be paused until the timeframe for the Informal Resolution has lapsed without a resolution.

Informal Resolution can result in any of the educational or disciplinary consequences that are available under the Grievance Process. Informal Resolution could consist of a facilitated discussion with families and students (Parties in the same room), shuttle negotiations (Parties in separate rooms), peer mediations, restorative circles, or any other restorative or educational practice.

In order to engage in Informal Resolution, the Parties must provide voluntary, written consent to the Informal Resolution process.

If deemed appropriate, the Title IX Coordinator shall provide the Parties a written notice, including a description of the allegations subject to Informal Resolution, of the contents of this section.

The outcome of the Informal Resolution shall be shared in writing with the Parties. The Title IX Coordinator shall keep a record of the Informal Resolution for seven (7) years.

Students with Disabilities

If the Complainant or Respondent is identified as a student with a disability or is suspected of having a disability, the Director of Student Services must be promptly consulted prior to implementation of supportive measures, during the course of the Investigation, and prior to issuance of a Written Determination.

Students with disabilities may not be subject to Emergency Removal without a manifestation determination review.

While the Decision-maker can recommend an IEP Meeting or Section 504 Team Meeting to consider placement or services as a consequence of a policy violation, the Decision-maker does not have the authority to unilaterally change a student's IEP.

Changes to the student's IEP may not be made without a recommendation from the IEP Team.

Recordkeeping

The Title IX Coordinator shall ensure that every report of sexual harassment is properly documented and shall ensure that a record of all reports is kept for a minimum of seven (7) years. The record must be maintained with an indication of whether or not the respondent was found responsible for a policy violation and what consequences and supportive measures were in place.

Retaliation

Retaliation is strictly prohibited. Anyone who feels that they have experienced retaliation is encouraged to report it immediately to the Title IX Coordinator.

Retaliation means actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices. The acts could be for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this part, including in an Informal Resolution process, in Grievance Process, and in any other actions taken by a District in executing its responsibilities under this Policy.

Retaliation shall constitute another allegation of an infraction of this Policy.



BOARD POLICY

247 Hazing

POLICY NUMBER	VERSION	DOCUMENT STATUS	PRINTED
247	v1.1	DRAFT	9/2/2026

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[\[1\]](#)

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.

6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and: [\[2\]](#)

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing. [\[3\]](#)[\[4\]](#)

Any activity, as described above, shall be deemed a violation of this policy regardless of whether: [\[5\]](#)

1. The consent of the student was sought or obtained, or
2. The conduct was sanctioned or approved by the school or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization. [\[6\]](#)[\[7\]](#)

For purposes of this policy, **bodily injury** shall mean impairment of physical condition or substantial pain. [\[8\]](#)

For purposes of this policy, **serious bodily injury** shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. [\[8\]](#)

Authority

The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.[\[4\]](#)[\[5\]](#)[\[7\]](#)[\[9\]](#) [\[10\]](#)

No student, parent/guardian, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing.

The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

Title IX Sexual Harassment and Other Discrimination/**Harassment**

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination or harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a hazing investigation, potential issues of discrimination or harassment are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination or harassment as well as the incidents of alleged hazing. [\[11\]](#) [\[12\]](#)

Delegation of Responsibility

Students, parents/guardians, coaches, sponsors, volunteers and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal or designee.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy. [\[13\]](#).[\[14\]](#)

Guidelines

In addition to posting this policy on the district's publicly accessible website, the district shall inform students, parents/guardians, sponsors, volunteers and district employees of the district's policy prohibiting hazing, including district rules, penalties for violations of the policy and the program established by the district for enforcement of the policy by means of [\[4\]](#)

publication in handbooks

and/ or verbal instructions by the coach or sponsor at the start of the season or program

This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization, together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct.[\[7\]](#)

Complaint Procedure

A student who believes that they have been subject to hazing is encouraged to promptly report the incident to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Board policies.

Interim Measures/Law Enforcement

Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to law enforcement consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to law enforcement at every stage of the proceeding. The decision to report a matter to law enforcement should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with law enforcement in this regard.^[15]

Referral to Law Enforcement and School Safety and Security Incident Reporting –

For purposes of reporting hazing incidents to law enforcement in accordance with school safety and security reporting, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco products; or conduct that constitutes an offense listed under the Safe Schools Act **in the school safety and security provisions of School Code.**^{[16][17][18]}

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents as defined in the Safe Schools Act committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department **law enforcement agency** that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.^{[16][17][19][20][21]} ^[22]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police

department **law enforcement agency** that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.^[17] ^[22] ^[23]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office of Safe Schools **PA Department of Education** on the required form.^[16] ^[19] ^[22]

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the district's legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if the individual complies with the requirements under law, subject to the limitations set forth in law.^[15]

Students –

If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. The student may also be subject

to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.^{[4][7][15]} ^{[24] [25]}

{ } In addition to other authorized discipline, building principals shall have the authority, after providing the student or students an informal hearing, to impose a fine of up to ^[4] ^[24]

{ } Fifty dollars (\$50)

{ } _____ dollars (\$_____)

on each student determined to have engaged in hazing in violation of this policy.

{ } When recommended disciplinary action results in a formal hearing before the Board, in addition to other authorized disciplinary consequences, the Board may also impose a fine of up to ^[4] ^[25]

{ } One hundred fifty dollars (\$150)

{ } _____ dollars (\$_____)

on each student determined to have engaged in hazing in violation of this policy.

{ } When fines have not been paid, the Superintendent shall have the authority to direct that student diplomas and/or transcripts be withheld until payment in full is made or a payment plan is agreed upon. In cases of economic hardship, the Superintendent shall consider whether diplomas and/or transcripts should be released despite an unpaid fine.^[4]

Nonstudent Violators/Organizational Hazing -

If the investigation results in a substantiated finding that a coach, sponsor or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, the coach, sponsor or volunteer shall be disciplined in accordance with

Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor or volunteer, and/or dismissal from district employment. [\[26\]](#)

If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district.

Criminal Prosecution –

Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[\[4\]](#)

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Legal Footnotes

[1] 18 Pa. C.S.A. 2802 LEGAL REFERENCE	[2] 18 Pa. C.S.A. 2803 LEGAL REFERENCE
[3] 18 Pa. C.S.A. 2804 LEGAL REFERENCE	[4] 18 Pa. C.S.A. 2808 LEGAL REFERENCE
[5] 18 Pa. C.S.A. 2806 LEGAL REFERENCE	[6] 18 Pa. C.S.A. 2801 LEGAL REFERENCE
[7] 24 P.S. 511 LEGAL REFERENCE	[8] 18 Pa. C.S.A. 2301 LEGAL REFERENCE
[9] Pol. 122 — Extracurricular Activities POLICY REFERENCE	[10] Pol. 123 — Interscholastic Athletics POLICY REFERENCE
[11] Pol. 103 — Discrimination/Title IX Sexual Harassment Affecting Students POLICY REFERENCE	[12] Pol. 103.1 — Nondiscrimination - Qualified Students With Disabilities POLICY REFERENCE
[13] 24 P.S. 1302-E LEGAL REFERENCE	[14] Pol. 236.1 — Threat Assessment POLICY REFERENCE
[15] 18 Pa. C.S.A. 2810 LEGAL REFERENCE	[16] 24 P.S. 1319-B LEGAL REFERENCE

[17] 22 PA Code 10.2 LEGAL REFERENCE	[18] 35 P.S. 780-102 LEGAL REFERENCE
[19] 24 P.S. 1306.2-B LEGAL REFERENCE	[20] 22 PA Code 10.21 LEGAL REFERENCE
[21] 22 PA Code 10.22 LEGAL REFERENCE	[22] Pol. 805.1 — Relations With Law Enforcement Agencies POLICY REFERENCE
[23] 22 PA Code 10.25 LEGAL REFERENCE	[24] Pol. 218 — Student Discipline POLICY REFERENCE
[25] Pol. 233 — Suspension and Expulsion POLICY REFERENCE	[26] Pol. 317 — Conduct/Disciplinary Procedures POLICY REFERENCE

Legal References

No additional references listed.



BOARD POLICY

249 Bullying/Cyberbullying

POLICY NUMBER	VERSION	DOCUMENT STATUS	PRINTED
249	v1.1	DRAFT	9/2/2026

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Definitions

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting,

that is severe, persistent or pervasive and has the effect of doing any of the following:[\[1\]](#)

- 1. Substantially interfering with a student’s education.
- 2. Creating a threatening environment.
- 3. Substantially disrupting the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

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

Authority

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

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

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of bullying shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be bullying under this policy but merits review and possible action under other Board policies.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.^[2]^[3]

Title IX Sexual Harassment and other Discrimination/Harassment

Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination or harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a bullying investigation, potential issues of discrimination or harassment are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination or harassment as well as the incidents of alleged bullying.^[4] ^[5]

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the district's legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.

Delegation of Responsibility

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

The 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.[\[1\]](#)

District administration shall annually provide the following information with the Safe School Report **school safety and security incident report**:[\[1\]](#) [\[6\]](#)

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 Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.^[1] ^[7] ^[8]

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.^[1]

Education

The district

may

develop, implement and evaluate bullying prevention and intervention programs and activities. Programs and activities shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.^[1] ^[9] ^[10] ^[11]

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:^[1] ^[7] ^[12]

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.

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Legal Footnotes

[1] 24 P.S. 1303.1-A LEGAL REFERENCE	[2] 24 P.S. 1302-E LEGAL REFERENCE
[3] Pol. 236.1 — Threat Assessment POLICY REFERENCE	[4] Pol. 103 — Discrimination/Title IX Sexual Harassment Affecting Students POLICY REFERENCE
[5] Pol. 103.1 — Nondiscrimination - Qualified Students With Disabilities POLICY REFERENCE	[6] Pol. 805.1 — Relations With Law Enforcement Agencies POLICY REFERENCE
[7] Pol. 218 — Student Discipline POLICY REFERENCE	[8] 22 PA Code 12.3 LEGAL REFERENCE
[9] 20 U.S.C. 7118 LEGAL REFERENCE	[10] 24 P.S. 1302-A LEGAL REFERENCE
[11] Pol. 236 — Student Assistance Program POLICY REFERENCE	[12] Pol. 233 — Suspension and Expulsion POLICY REFERENCE

Legal References

No additional references listed.



BOARD POLICY

824 Maintaining Professional Adult/Student Boundaries

POLICY NUMBER	ADOPTED	REVISED	LAST REVIEWED
824	6/3/2020	9/16/2026	9/16/2026
VERSION	DOCUMENT STATUS	PRINTED	
v1.2	DRAFT	9/3/2026	

Proposed addition

Proposed deletion

Authority

This policy applies to district employees, volunteers, student teachers, and independent contractors and their employees (including, e.g., bus drivers, substitute teachers) who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as **adults**. The term **adults** as used in this policy, does not include district students who perform services on a volunteer or compensated basis.

All adults shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that can lead to more egregious misconduct.

The Board directs that all adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[\[1\]](#)

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families. This policy shall not be used to interfere with participation in civic, religious or cultural activities of district students.



Policy saved — content, tracked changes, comments

Definition

For purposes of this policy, **legitimate educational reasons** include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the adult's job duties.

Delegation of Responsibility

The Superintendent or designee shall annually inform students, parents/guardians, and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website, and by other appropriate methods. The Superintendent or designee shall obtain an acknowledgement of the receipt of this policy from all district employees. The Superintendent or designee shall inform all applicants for employment regarding the contents of this policy, and develop other screening, interview and hiring tools that may demonstrate the applicant's ability to maintain appropriate professional boundaries.

Independent contractors doing business with the district shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy. [\[2\]](#)

Guidelines

Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by law and/or this policy or could be construed to violate professional boundaries as defined in this policy.

This policy is designed to provide guidelines on prohibited conduct and provides examples of appropriate and inappropriate behavior. It is not intended to provide an exhaustive list of unacceptable or "at risk" behaviors which may breach the boundaries associated with appropriate adult-student relationships. Adults who have questions about whether behaviors or activities violate or could be construed to violate professional boundaries as defined in this policy should direct those questions to the l



Policy saved — content, tracked changes, comments

Prohibited Conduct

Romantic or Sexual Relationships -

Adults are prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[\[3\]](#)[\[4\]](#)

Prohibited romantic or sexual interaction involving students includes, but is not limited to:

1. Sexual physical contact.
2. Romantic flirtation, propositions, or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Personal comments about a student's body.
5. Sexual jokes, notes, stories, drawings, gestures or pictures.
6. Spreading sexual or romantic rumors.
7. Touching a student's body or clothes in a sexual or intimate way.
8. Engaging in or permitting students to engage in behaviors with an adult that cross appropriate physical boundaries, e.g., accepting massages, or offering or giving massages (other than in the course of injury care administered by an athletic trainer, or health care provider.) or allowing a student to sit in an adult's lap.
9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
10. Creating, displaying or transmitting pornography, or images, videos, sexual objects, pictures, messages, websites or depictions of an intimate or sexual nature, including sexual or intimate photographs, descriptions or depictions of a student.
11. Exhibitionism and/or indecent exposure on school property.

Social Interactions -



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In order to maintain appropriate professional boundaries, adults shall ensure that their interactions with students are consistent with the requirements of this policy.

Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Disclosing personal, sexual, family, employment concerns or other private matters unrelated to the educational program to one or more students.
2. Exchanging notes and/or other communication with students that share information of a personal nature not related to the academic, co-curricular, athletic or school environment is prohibited. It is recommended that individual communication be done through the school district's email. A written note may sometimes be appropriate and **MUST** be professional with all communications.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal. Favoring students with unearned grades or other benefits not offered to the entire class and/or group.
4. Physical contact with students of an intimate or personal nature without a legitimate educational reason. Legitimate reasons for limited physical contact include but are not limited to: (1) the need for physical assistance when injured or otherwise in distress; (2) assistance for an age-appropriate toileting accident; (3) physical assistance that is a part of a student's educational program; (4) appropriate and commonly accepted contact related to coaching, art, music or other student instruction that may require limited physical contact; and (5) culturally accepted physical forms of recognition of a non-romantic and non-sexual nature including handshakes, high-fives, fist bumps, etc. Questions regarding whether a particular type of contact is acceptable in the instructional setting shall be directed to the building principal prior to engaging in such contact.
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.



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8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason. Even with legitimate educational reason, adults must seek every available opportunity to meet with students in areas that are visible, open and accessible.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building principal.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
15. Telling a student personal secrets or sharing personal secrets with a student.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs, vaping device, vaping pod or tobacco, as defined in policy, to a student or being present where any student is consuming these substances. [\[5\]](#) [\[6\]](#)
18. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations. [\[7\]](#) [\[8\]](#)
19. Shaming student in front of peers.

Electronic Communications -

For purposes of this policy, **electronic communication** shall mean a communication transmitted by means of an electronic device, including but not limited to, cellular telephone, computer, computer network, or any other electronic device.



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communications include, but are not limited to, emails, texts, chats, images, instant messages and communications made by means of an Internet website or platform, including social media and other networking platforms.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only. Adults must adhere to the following:

1. Use only district-provided email or other district-provided communication platforms (e.g. Team Snap) when communicating with students. The use of district-provided email or other district-provided communication platforms shall be in accordance with district policies and procedures. [\[9\]](#)

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Adults shall not follow or accept requests for current students to be friends or connections on personal social networking sites. Adults shall not create any networking site for communication with students other than those provided by the district for this purpose unrelated to the educational program, without the prior written approval of the building principal.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from communication restrictions set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that s/he has maintained an appropriate professional relationship with the student.

Under no circumstance will an educational communication fall under the "Romantic and Sexual Relationships" section.



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Circumstances may arise where personal relationships develop between an adult and a student's family, e.g. when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are appropriate and normally consistent with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through nondistrict-related civic, religious, athletic, scouting or other organizations and programs whose participants may include district students. Such community involvement is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in such roles; however, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Reporting Information and Expectations for All Non-Employees -

Any student, parent/guardian, volunteer, contractor or other member of the community, who has concerns about child abuse, adult-student boundary violations or is uncomfortable with a relationship or interaction between an adult and a student, should immediately notify the Superintendent, Assistant Superintendent, principal, any administrator or Title IX Coordinator. Reports may be made using the [PSD Discrimination-Harassment-Bullying-Report-Form](#) ~~Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form found on the district website~~ or by making a general report verbally or in writing. Upon receipt of a report, school staff shall promptly notify the building principal. [\[7\]](#)
[\[10\]](#)

The district currently participates in a PDE-supported anonymous reporting system. As of the effective date of this policy, that system is Safe2Say, a 24-hour hotline available to students and community members to report adult-student boundary violations or any behavior which may threaten the safety of district students, employees or facilities.

1. APP: Search for "Safe2Say Something PA" in the App Store to download for free.
2. PHONE: 1-844-SAF2SAY
3. WEB: <https://www.safe2saypa.org/tip/>



Policy saved — content, tracked changes, comments

The district does not require proof of a policy violation to report any concerns under this policy. The district takes all such reports seriously and will investigate.

Reporting Information and Expectations for All Employees -

If a district employee receives information about violations or potential violations of this policy that do not trigger a mandatory report under applicable law, regulations and Board policy, the employee must immediately report the information to the Superintendent or Assistant Superintendent.

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy. [\[11\]](#) [\[12\]](#)

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent, Title IX Coordinator and his/her immediate supervisor, promptly, but not later than fifteen (15) days of discovery of such misconduct. [\[7\]](#) [\[10\]](#) [\[13\]](#) [\[14\]](#)

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy. [\[11\]](#) [\[12\]](#) [\[13\]](#) [\[14\]](#) [\[15\]](#) [\[16\]](#) [\[17\]](#) [\[18\]](#) [\[19\]](#) [\[20\]](#)

It is a violation of this policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing. [\[7\]](#) [\[10\]](#)

Investigation

The Title IX Coordinator shall promptly assess and investigate all reports of alleged misconduct in accordance with the procedures for harassment. [\[7\]](#) [\[10\]](#)



Policy saved — content, tracked changes, comments

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If as the result of an investigation any individual, including the reported adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and district policies. **Obstruction** includes, but is not limited to, violation of “no contact” orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence. [\[7\]](#) [\[10\]](#) [\[14\]](#) [\[21\]](#) [\[22\]](#) [\[23\]](#) [\[24\]](#)

Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures. [\[10\]](#) [\[14\]](#) [\[21\]](#)

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in district schools for an appropriate period of time or permanently, as determined by the Superintendent or designee.

Training

The district shall provide annual training with respect to the provisions of this policy to current and new district employees, volunteers and student teachers subject to this policy.

The district, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this policy and related procedures.

Legal Footnotes

[1] 24 P.S. 510
LEGAL REFERENCE



Policy saved — content, tracked changes, comments

[3] 18 Pa. C.S.A. 3124.2 LEGAL REFERENCE	[4] 24 P.S. 2070.9f LEGAL REFERENCE
[5] Pol. 222 — Tobacco and Vaping Products POLICY REFERENCE	[6] Pol. 227 — Controlled Substances/Paraphernalia POLICY REFERENCE
[7] Pol. 103 — Discrimination/Title IX Sexual Harassment Affecting Students POLICY REFERENCE	[8] Pol. 103.1 — Nondiscrimination - Qualified Students With Disabilities POLICY REFERENCE
[9] Pol. 815 — Acceptable Use of Internet, Computers and Network Resources POLICY REFERENCE	[10] Pol. 104 — Discrimination/Title IX Sexual Harassment Affecting Staff POLICY REFERENCE
[11] 23 Pa. C.S.A. 6311 LEGAL REFERENCE	[12] Pol. 806 — Child Abuse POLICY REFERENCE
[13] 24 P.S. 2070.9a LEGAL REFERENCE	[14] Pol. 317.1 — Educator Misconduct POLICY REFERENCE
[15] 22 PA Code 10.2 LEGAL REFERENCE	[16] 22 PA Code 10.21 LEGAL REFERENCE
[17] 22 PA Code 10.22 LEGAL REFERENCE	[18] 24 P.S. 1302.1-A LEGAL REFERENCE
[19] 24 P.S. 1303-A LEGAL REFERENCE	[20] Pol. 805.1 — Relations With Law Enforcement Agencies POLICY REFERENCE
[21] Pol. 317 — Conduct/Disciplinary Procedures POLICY REFERENCE	[22] Pol. 113.1 — Discipline of Students With Disabilities POLICY REFERENCE
[23] Pol. 218 — Student Discipline POLICY REFERENCE	[24] Pol. 233 — Suspension and Expulsion POLICY REFERENCE

Legal References

No additional references listed.



Policy saved — content, tracked changes, comments



BOARD POLICY

103.1 **Nondiscrimination - Qualified Students With Disabilities**

POLICY NUMBER	VERSION	DOCUMENT STATUS	PRINTED
103.1	v1.3	DRAFT	9/1/2026

Authority

The Board declares it to be the policy of this district to provide all district programs and practices free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

The district shall provide to each qualified student with a disability enrolled in the district, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees, in accordance with Board policy. [\[10\]](#)

The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective or preventative action be taken for substantiated allegations.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be maintained, consistent with the district's legal and investigative obligations.

Retaliation

The district shall not intimidate, threaten, coerce, discriminate or retaliate. The district and its employees are prohibited from intimidating, threatening, coercing, discriminating or retaliating against any individual for the purpose of interfering with any right or privilege secured by this policy.

Definitions

Qualified student with a disability - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities. [\[11\]](#)[\[12\]](#)

Section 504 Team - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians. [\[4\]](#)
[\[9\]](#)

Section 504 Service Agreement (Service Agreement) - an individualized plan for a qualified student with a disability which sets forth the specific related aids, services or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services and extracurricular activities. [\[13\]](#)

Disability harassment - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services or opportunities in the school's educational programs, nonacademic services or extracurricular activities. [\[10\]](#)

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the[\[14\]](#)

Director of Student Services

as the district's Section 504 Coordinator.

In addition, each school within the district shall have a Section 504 building administrator.

The district shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the district's website if available, and in the student handbook. The district shall notify parents/guardians of students residing in the district of the district's responsibilities under applicable law and regulations, and that the district does not discriminate against qualified individuals with disabilities.[\[15\]](#)[\[16\]](#)

Guidelines

Identification and Evaluation

The district shall conduct an annual child find campaign to locate and identify every district student with a disability thought to be eligible for Section 504 services and protections. The district may combine this search with the district's Individuals with Disabilities Education Act (IDEA) child find efforts, in order to not duplicate efforts.[\[16\]](#) [\[17\]](#)

If a parent/guardian or the district has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the district shall provide the other party with written notice.[\[18\]](#)[\[19\]](#)[\[20\]](#)

The district shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.[\[20\]](#)

The district shall specifically identify the procedures and types of tests used to evaluate a student and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[\[20\]](#)

The district shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured).

Service Agreement

If a student is determined to be a qualified student with a disability, the district shall develop a written Service Agreement for the delivery of all appropriate aids, services or accommodations necessary to provide the student with FAPE.[\[13\]](#)

The district shall not implement a Service Agreement until the written agreement is executed by a representative of the district and a parent/guardian.[\[13\]](#)

The district shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[\[18\]](#)

Educational Programs/Nonacademic Services/Extracurricular Activities

The district shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the district determines that educating the student in the regular educational

environment with the use of related aids, services or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home.[\[21\]](#)[\[22\]](#)

The district shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.[\[21\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#) [\[25\]](#) [\[26\]](#) [\[27\]](#)

Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child and give or withhold their written consent to the evaluation and/or the provision of services.[\[13\]](#)[\[19\]](#)[\[20\]](#)[\[28\]](#)

Confidentiality of Student Records

All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations and Board policy.[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)

Discipline

When necessary, the district shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies. [\[33\]](#) [\[34\]](#)

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and

Cosmetic Act; the possession, use or sale of alcohol or tobacco products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.^[35]^[36]^[37]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the **law enforcement agency** local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.^[11]^[13]^[21]^[31]^[33]^[35]^[38]^[39]^[40]^[41]^[42]^[43]^[44]^[45]^[46]^[47]^[48]

In making a determination of whether to notify the **law enforcement agency** local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or designee shall use the same criteria used for students who do not have a disability.^[10]^[40]^[48]^[49]

For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.^[13]^[41]

In accordance with state law, the Superintendent shall annually, by July 31, report to the **PA Department of Education** Office of Safe Schools on the required form all new incidents committed by qualified students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.^[35]^[38]^[48]

PROCEDURAL SAFEGUARDS

The district shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an

impartial hearing with an opportunity for participation by the student's parent/guardian and a review procedure.[\[28\]](#)[\[50\]](#)

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating action in federal court under Section 504.[\[19\]](#)

Parental Request for Assistance

Parents/Guardians may file a written request for assistance with the PA Department of Education if one (1) or both of the following apply:[\[28\]](#)

1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.
2. The district has failed to comply with the procedures and state regulations.

The PA Department of Education shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and district a written response to the request. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.[\[28\]](#)

Informal Conference

At any time, parents/guardians may file a written request with the district for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services or accommodations. Within ten (10) school days of receipt of the request, the district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[\[28\]](#)

Formal Due Process Hearing

If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall

be conducted in accordance with state regulations. [\[28\]](#)[\[51\]](#)

Judicial Appeals

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction. [\[28\]](#)

COMPLAINT PROCEDURE

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system. [\[10\]](#)

Step 1 – Reporting

A student or parent/guardian who believes s/he **the student** has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Section 504 building administrator, as well as properly making any mandatory police **law enforcement** or child protective services reports required by law. [\[48\]](#) [\[52\]](#)

If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district's Section 504 Coordinator.

The complainant or reporting employee may be encouraged to use the district's report form, available from the Section 504 building administrator or Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the verbal **oral** or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges

opportunity to report the incident(s) to law enforcement. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

Step 2 – Investigation

The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

The Section 504 building administrator or Section 504 Coordinator and other appropriate individuals will promptly implement appropriate measures to protect the complainant and others as necessary from violation of the policy throughout the course of the investigation.

The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigation may consist of individual interviews with the complainant, the accused and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Section 504 Coordinator, who shall promptly inform law enforcement authorities about the allegations. [\[10\]](#) [\[48\]](#) [\[52\]](#) [\[53\]](#) [\[54\]](#)

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the district's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation, and the reason for such delay shall be documented.

Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Section 504 Coordinator within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Section 504 Coordinator to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe. [\[10\]](#)

The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report, to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant. A written summary statement will be provided to both the complainant and the accused. [\[29\]](#) [\[30\]](#) [\[31\]](#) [\[32\]](#)

Step 4 – District Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements and state and federal laws. [\[33\]](#) [\[34\]](#) [\[55\]](#) [\[56\]](#)

Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, h/she **they** may submit a written appeal to the district's Section 504 Coordinator within fifteen (15) days.
2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.
3. The Section 504 Coordinator shall prepare a written response to the appeal within twenty (20) days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

All forms related to this policy can be found on the district website under the Pupil Services section.

PSBA Revision 7/24 ©2024

Legal Footnotes

[1] 22 PA Code 4.4
LEGAL REFERENCE

[2] 22 PA Code 12.1
LEGAL REFERENCE

[3] 22 PA Code 12.4
LEGAL REFERENCE

[4] 22 PA Code 15.1
LEGAL REFERENCE

[5] 29 U.S.C. 794
LEGAL REFERENCE

[6] 42 U.S.C. 12101
LEGAL REFERENCE

[7] 28 CFR Part 35
LEGAL REFERENCE

[8] 28 CFR Part 36
LEGAL REFERENCE

[9] 34 CFR Part 104
LEGAL REFERENCE

[10] Pol. 103 — Discrimination/Title IX Sexual Harassment Affecting Students
POLICY REFERENCE

[11] 22 PA Code 15.2
LEGAL REFERENCE

[12] 42 U.S.C. 12102
LEGAL REFERENCE

[13] 22 PA Code 15.7
LEGAL REFERENCE

[14] 34 CFR 104.7
LEGAL REFERENCE

[15] 22 PA Code 15.4
LEGAL REFERENCE

[16] 34 CFR 104.32
LEGAL REFERENCE

[17] Pol. 113 — Special Education
POLICY REFERENCE

[18] 22 PA Code 15.5
LEGAL REFERENCE

[19] 22 PA Code 15.6
LEGAL REFERENCE

[20] 34 CFR 104.35
LEGAL REFERENCE

[21] 22 PA Code 15.3
LEGAL REFERENCE

[22] 34 CFR 104.34
LEGAL REFERENCE

[23] 34 CFR 104.37
LEGAL REFERENCE

[24] Pol. 112 — Guidance Counseling
POLICY REFERENCE

[25] Pol. 122 — Extracurricular Activities
POLICY REFERENCE

[26] Pol. 123 — Interscholastic Athletics
POLICY REFERENCE

[27] Pol. 810 — Transportation

POLICY REFERENCE

[28] 22 PA Code 15.8

LEGAL REFERENCE

[29] 20 U.S.C. 1232g

LEGAL REFERENCE

[30] 34 CFR Part 99

LEGAL REFERENCE

[31] 22 PA Code 15.9

LEGAL REFERENCE

[32] Pol. 216 — Student Records

POLICY REFERENCE

[33] Pol. 218 — Student Discipline

POLICY REFERENCE

[34] Pol. 233 — Suspension and Expulsion

POLICY REFERENCE

[35] 24 P.S. 1319-B

LEGAL REFERENCE

[36] 22 PA Code 10.2

LEGAL REFERENCE

[37] 35 P.S. 780-102

LEGAL REFERENCE

[38] 24 P.S. 1306.2-B

LEGAL REFERENCE

[39] 22 PA Code 10.21

LEGAL REFERENCE

[40] 22 PA Code 10.22

LEGAL REFERENCE

[41] 22 PA Code 10.23

LEGAL REFERENCE

[42] 22 PA Code 10.25

LEGAL REFERENCE

[43] Pol. 113.2 — Behavior Support

POLICY REFERENCE

[44] Pol. 218.1 — Weapons

POLICY REFERENCE

[45] Pol. 218.2 — Terroristic Threats

POLICY REFERENCE

[46] Pol. 222 — Tobacco and Vaping Products

POLICY REFERENCE

[47] Pol. 227 — Controlled Substances/Paraphernalia

POLICY REFERENCE

[48] Pol. 805.1 — Relations With Law Enforcement Agencies

POLICY REFERENCE

[49] 22 PA Code 15.1

LEGAL REFERENCE

[50] 34 CFR 104.36

LEGAL REFERENCE

[51] 22 PA Code 14.162

LEGAL REFERENCE

[52] Pol. 806 — Child Abuse

POLICY REFERENCE

[53] 18 Pa. C.S.A. 2709

LEGAL REFERENCE

[54] Pol. 815 — Acceptable Use of Internet, Computers and Network Resources

POLICY REFERENCE

[55] Pol. 113.1 — Discipline of Students With Disabilities

POLICY REFERENCE

[56] Pol. 317 — Conduct/Disciplinary Procedures

POLICY REFERENCE

Legal References

No additional references listed.



BOARD POLICY

234 Pregnant/Parenting/Married Students

POLICY NUMBER	VERSION	DOCUMENT STATUS	PRINTED
234	v1.1	DRAFT	9/1/2026

Purpose

A student who is eligible to attend district schools and is married and/or pregnant/parenting shall not be denied admission to the district or an educational program solely because of marriage, pregnancy, pregnancy-related conditions or potential or actual parenthood.[\[1\]](#)[\[2\]](#)[\[3\]](#) [\[4\]](#) [\[5\]](#)

Definition

Pregnancy, as defined in state **regulations**, shall include the use of assisted reproductive technology, the state of being in gestation, childbirth, breastfeeding, the postpartum period after childbirth and medical conditions related to pregnancy.[\[6\]](#)

Authority

The Board reserves the right to require as a prerequisite for attendance in the regular classes and participation in the extracurricular program of the schools that each pregnant student present to the Superintendent or designee a licensed physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

The Board directs that students who are married or experiencing pregnancy, pregnancy-related conditions or parenting shall have equal access to the same educational programs, activities and services provided to other district students.[\[2\]](#) [\[3\]](#)

The Board directs district staff to make reasonable modifications to Board policies, administrative regulations and school rules as necessary to provide equal access to the district's educational program for a student experiencing pregnancy, pregnancy-related conditions or parenting. Reasonable modifications may include, but are not limited to: [7]

{ } Breaks during class to address lactation needs or health needs, including eating, drinking and restroom use.

{ } Intermittent absences to attend medical appointments, in accordance with Board policy. [8]

{ } Voluntary leave of absence as deemed medically necessary by the student's licensed healthcare provider. [8]

{ } Access to online or homebound instruction, or other separate but comparable program of the district's educational programs and activities. [9][10]

{ } Changes in schedule or course sequence.

{ } Extensions of time for coursework or rescheduling of tests and examinations.

{ } Allowing the student flexibility in sitting and standing, and changes in physical space or supplies, including carrying water.

{ } Access to appropriate facilities for addressing lactation needs.

{ } Counseling.

The district shall not require documentation for establishing reasonable modifications or providing equal access to educational programs and activities unless such documentation is required in accordance with law or other Board policies and administrative regulations. [3][7]
[8][9][11]

Guidelines

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

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

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations for implementing this policy.

NOTE: DO NOT use language requiring a student who is married to declare their marital status upon enrollment or at the time of marriage if marriage occurs after enrollment.

PSBA Revision 2/25 © 2025 PSBA

Legal Footnotes

[1] 24 P.S. 1326
LEGAL REFERENCE

[2] 22 PA Code 12.1
LEGAL REFERENCE

[3] Pol. 103 — Discrimination/Title IX Sexual Harassment Affecting Students
POLICY REFERENCE

[4] Pol. 200 — Enrollment of Students
POLICY REFERENCE

[5] Pol. 201 — Admission of Students
POLICY REFERENCE

[6] 16 PA Code 41.204
LEGAL REFERENCE

Legal References

No additional references listed.



BOARD POLICY

339 Uncompensated Leave

POLICY NUMBER	VERSION	DOCUMENT STATUS	PRINTED
339	v1.1	DRAFT	9/1/2026

Authority

The Board recognizes that in certain situations an administrative, professional or support employee may request extended leave for personal reasons, and the district could benefit from the return of the employee. This policy establishes parameters for granting uncompensated leaves of absence.

The Board reserves the right to specify the conditions under which uncompensated leave may be taken. Applications for uncompensated leave require approval by the Board, upon recommendation of the Superintendent.[\[1\]](#)

The Superintendent or designee shall notify the Board of all uncompensated leave provided as a reasonable accommodation in accordance with applicable law and regulations.[\[2\]](#)

Uncompensated leave shall be granted in accordance with provisions of the administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.

Guidelines**Application**

Requests for uncompensated leave shall be made on the district form or in writing to the Superintendent.

Special consideration will be given to emergencies.

Period of Leave

An administrative employee may be granted uncompensated leave for a period of one calendar year.

A professional employee may be granted uncompensated leave for a period of two (2) semesters.

A support employee may be granted uncompensated leave for a period of one calendar year.

Uncompensated leave provided as a reasonable accommodation, based on the needs of a qualified employee, shall be granted in accordance with applicable law, regulations and Board policy.^[2]^[4]

Uncompensated leave requested by a school employee who has been elected to public office as a county official in any Pennsylvania county shall be granted for the first four (4) years of the elected period of service, in accordance with applicable law. Upon conclusion of the leave, the employee shall be entitled to a position similar to the position held prior to the leave of absence. To qualify for uncompensated leave, such employee shall have been employed by the district for at least five (5) years prior to being elected as a county official.^[3]

Commitment of Employee

The employee granted an uncompensated leave of absence shall inform the Board of the his/her **employee's** intentions prior to the scheduled return date.

Commitment of Employer

At the expiration of uncompensated leave, the employee shall be offered the same position previously held or a like position to that previously held.

Time on uncompensated leave shall count towards seniority only. Fringe benefits shall not be provided

unless the employee provides payment for benefits.

NOTES:

Military Leave – see policy 336 NOTES

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Legal Footnotes

[1] 24 P.S. 1154
LEGAL REFERENCE

[3] 24 P.S. 1182
LEGAL REFERENCE

[4] 29 CFR 1636.4
LEGAL REFERENCE

Legal References

No additional references listed.