

Name: \_\_\_\_\_ Homeroom: \_\_\_\_\_

# SPARTANS



*Student Handbook*

*2024-2025*

## **Mission Statement**

The Mission of the Wyoming Valley West Middle School, in partnership with home and community, is to promote academic excellence in a safe and nurturing environment to ensure that all students become lifelong learners and are able to successfully develop critical thinking and problem-solving skills, positive attitudes, and knowledge necessary to become productive and socially responsible citizens in a technology-based global society.

*\* High Achievement Standards \**

*\* A Safe School Environment \**

*\* An Integrated Curriculum \**

**\*\*\*\*\***

It is the policy of the Wyoming Valley West School District to provide an equal opportunity for all children to achieve their maximum potential through the programs offered in our schools regardless of race, color, creed, religion, sex, ancestry, national origin, or disability.

## **Wyoming Valley West Middle School Contact Information**

201 Chester Street Kingston, PA 18704  
phone: 570-287-2131  
fax: 570-714-3005

Principal  
David Bond, Jr.  
dbond@wvwsd.org

Assistant Principal (7th grade; 8th grade boys)  
Christopher Gegaris  
cgegaris@wvwsd.org

Assistant Principal (6th grade; 8th grade girls)  
Tara Shook  
tshook@wvwsd.org

Guidance Counselor (6th grade)  
Kristen Kaminski  
kkaminski@wvwsd.org

Guidance Counselor (7th grade)  
Jessica DePhillips  
jdephillips@wvwsd.org

Guidance Counselor (8th grade)  
Alexa Yankosky  
ayankosky@wvwsd.org

Main Office Staff  
Teresa Lindgren

Main Office Staff  
Courtney Wolfe

Guidance Staff  
Lori Griffiths

Custodial Staff  
Dan Ivanitch

# 2024-2025 School Calendar

WYOMING VALLEY WEST SCHOOL DISTRICT



450 N. Maple Ave  
(570) 288-6551 [www.wvwsd.org](http://www.wvwsd.org)  
Kingston, PA 18704

August 2024						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2024						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2024						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2024						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2025						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Aug 29	New Teacher Orientation
Aug 29	6th & 9th Grade Orientation(HS/MS)
Aug 30	District In-Service @ HS 8-1
Sept 2	Labor Day (Buildings Closed)
Sept 3	District In-Service in Buildings (8-3)
Sept 3	Kindergarten Orientation (1-2:30)
Sept 4	1st Student Day of School
Sept 17	Meet the Teacher Night @ HS 6-8
Sept 18	Meet The Teacher Night @ MS 6-8
Sept 19	Meet The Teacher Night @ ES 6-8
Sept 20	Act 80 Day (Early Student Dismissal)
Oct 14	Columbus Day (No School)
Oct 31	Act 80 Day (Early Student Dismissal)
Nov 11	Veterans Day (No School)
Nov 12	@HS P/T Conf. 12-2:30 & 6-8
Nov 14	@MS P/T Conf 12:30-3 & 6-8
Nov 18	@ES P/T Conf 1-3:30 & 6-8
Nov 27	Early Dis. HS-10:30, MS-11:20, ES 12:00
Nov 28-Dec 2	Thanksgiving Recess (No School)
Dec 20	Early Dis. HS-10:30, MS-11:20, ES 12:00
Dec 21-Jan 1	Year End Recess (No School)
Jan 20	Martin Luther King Day (No School)
Jan 28	End of 1st Semester
Jan 31	Act 80 Day (Early Student Dismissal)
Feb 10	Act 80 Day (Early Student Dismissal)
Feb 14-17	Winter Recess (No School)
March 14	District In-Service in buildings (8-1)
April 4	Act 80 Day (Early Student Dismissal)
April 17-21	Spring Recess (No School)
May 2 & 23	Act 80 Day (Early Student Dismissal)
May 26	Memorial Day (No School)
June 11	GRADUATION
June 12, 13	Early Student Dismissal
June 13	Last Day of School

TEST DATES Keystone/PSSA

TBD

## Marking Periods

- 1-Thursdays, November 7th (46 Days)
- 2-Tuesdays, Jan 28th-Semester (45 Days)
- 3-Friday, April 4th (46 days)
- 4-Friday, June 13th (45 days)

February 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2025						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## Student Days( ) by Month

Sept (19), Oct (22), Nov (18)
Dec (14), Jan (21), Feb (18), Mar (20)
Apr (19), May (21), June (10)
<b>Total Student Days = 182</b>

Act 80 Days	In-Service Days	Inclement Weather Days
Sept 20 HS 10:30, MS 11:20 ES 12:00	Aug 30 @High School 8-1	FID 1 1st snow day
Oct 31 HS 10:30, MS 11:20 ES 12:00	Sept 3 In buildings 8 to 3	FID 2 2nd snow day
Jan 31 HS 10:30, MS 11:20 ES 12:00	March 14 In buildings 8 to 1	FID 3 3rd snow day
Feb 10 HS 10:30, MS 11:20 ES 12:00		FID 4 4th snow day
Apr 4 HS 10:30, MS 11:20 ES 12:00		FID 5 5th snow day
May 28/23 HS 10:30, MS 11:20 ES 12:00		Feb 14 6th snow day

School Closed	Teacher In-Service (No school for students)
Act 80 Day (Early student dismissal)	Significant Dates

Parent Teacher Conferences
First and Last day of school

Feb. 6, 2024 version

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## **ASSEMBLIES**

Assemblies provide one of the few opportunities in school for students to learn formal audience decorum. Regardless of the type of program, students are to be respectful. Performers are very conscious of their audience; therefore, talking, whispering, whistling, stamping of feet, and booing are discourteous. Yelling is appropriate only at pep assemblies. Homeroom seating will be used unless specified. Students should proceed to the assembly quietly, promptly finding a seat, and giving the chairman of the assembly immediate and complete attention. Applause should be in keeping with the occasion. Students must not leave the assembly until dismissed.

## **ATTENDANCE**

\*See Attendance Policy located in the back portion of the Handbook.

## **AWARDS**

Academic awards are given to students who meet the requirements/qualifications for that particular honor. Most awards are given out at the Awards Ceremony which takes place near the conclusion of the school year.

### **ACADEMIC DISTINCTION AWARD**

*Presented to 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who achieve 98 or higher for the first three marking periods consecutively.*

### **English Award**

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*



## FOREIGN LANGUAGES

*Presented to a Spanish and French student with the highest G.P.A.*

### Language Arts Award

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

### Math AWARD

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

### Social Studies Awards

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned the intrinsically motivated Social Studies award are recognized for their motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

*The American Legion Award is presented to one boy and one girl from 8th Grade who demonstrates the following qualities:*

*Scholarship, Honor, Patriotism, and Citizenship.*

### Science AWARDS

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned the intrinsically motivated Science award are recognized for their motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

*The Earth and Space Science Award is presented to the student in 8<sup>th</sup> grade with the highest-grade point average in the Earth & Space Science course.*

## TRI SEMESTER COURSE AWARDS

### Art

*The students who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

### Computer

*The 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade students who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

### Family and Consumer Sciences

*The students in 6<sup>th</sup> and 8<sup>th</sup> grade who have earned this award are recognized for their intrinsic motivation and eagerness to learn the subject matter as demonstrated by their positive classroom contributions.*

## OTHER COURSE AWARDS

### Outstanding Eighth Grade Band Student

*Presented annually to two intrinsically motivated students, three year members of the middle school band. These students demonstrate exceptional musical skill and make positive contributions to the Wyoming Valley West Middle School music program.*

### STRING Orchestra

*Presented annually to two 8<sup>th</sup> grade string orchestra students. These students demonstrate exceptional musical skill and make positive contributions to the Wyoming Valley West Middle School orchestra program.*

### Chorus

*Presented annually to two chorus students in 8<sup>th</sup> grade that are exceptional vocalists.*

### TECHNOLOGY EDUCATION

*Presented to an 8<sup>th</sup> grade student showing the greatest potential in Technology Education 8.*

## SPECIAL AWARDS

### Philip and Gilda Plaksin Spartan Service Award

*The Spartan Service Award is presented to an eighth grade student council member who has shown excellence in leadership, citizenship, and community service. The recipient is a leader to his/her peers and an example to all at the Wyoming Valley West Middle School, dedicated to making a difference for others in the school community. This student also exemplifies core values of respect, loyalty, excellence, and selfless service in everything they do. He/she is an exemplary representation of the Wyoming Valley West Middle School.*

### WILBUR TROY EDUCATION AWARD

*Presented to a male and female student in 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade who exhibits a true appreciation and passion for learning, actively participates in school activities, promotes the betterment of the community and the environment, and possesses an awareness of the current world events.*

### Charles R. Suppon Leadership Award

*The Leadership Award is presented to a student in 8<sup>th</sup> grade who has displayed the following characteristics throughout the duration of his/her time at the WWV Middle School: a willingness to take on challenges, the*

*capability to make tough decisions, a concern for one's peers, the ability to work with others, a clear understanding of school issues, and a commitment to the betterment of the school.*

### NATIONAL JUNIOR HONOR SOCIETY

*Membership in the National Junior Honor Society is one of the highest honors that can be awarded to a secondary school student. Membership in the Wyoming Valley West Middle School Chapter of the National Junior Honor Society is open to 7th, and 8th grade students. Each candidate will receive a packet containing a Student Activity Information Form. This packet will also outline the criteria for academic performance and mandatory Community Service requirements. The successful candidates are notified and participate in a formal candlelight induction ceremony in the spring.*

### BAGS FOR BOOKS, GYM CLOTHES, ETC...

In order to protect the safety and welfare of all students, it is required that students utilize book bags or gym bags where the contents are visible. Students can use any bag they like while traveling to and from school, but bags being used in school must follow the visibility specifications. \*Mesh or clear plastic/vinyl bags are recommended. If contents are not visible, students will be required to keep these bags in their assigned locker for the entire school day. *Small purses may be carried for personal needs.*

### BEFORE AND AFTER SCHOOL

Students will enter the building upon arrival and proceed directly to locker and homeroom. Breakfast will be served in homeroom. No student should be in the building before 8:00 a.m. unless requested by a teacher. A student request by a teacher must have a pass from that teacher clarifying the student's purpose for being in the building. After arriving at school, students are not to leave before dismissal time (closed campus) unless permission is granted from the office. No student should be in the building after school unless requested by a teacher or unless that student is participating in a supervised activity.

The school is responsible for students:

- During the instructional hours of the school day
- During the instructional hours of the school day on school district property
- On school district vehicles (owned, rented, leased or contracted) \*Bus stop activity will depend on the situation.
- At school district events held before, during or after school that are directly observed and supervised by school district staff.

# **BUILDING AND ALTERNATE SCHEDULES**

## **WYOMING VALLEY WEST MIDDLE SCHOOL**

### **DAILY SCHEDULE 2024-2025**

TEACHERS AT ASSIGNED PLACES	8:00
HOMEROOM	8:00 - 8:27
FIRST CLASS	8:30 - 9:18
SECOND CLASS	9:21 - 10:09
THIRD CLASS	10:12 - 11:00
<b><u>“A” LUNCH</u></b>	
<b>LUNCH</b>	<b>11:03-11:33</b>
FOURTH CLASS	11:36 -12:24
FIFTH CLASS	12:27 - 1:15
<b><u>“B” LUNCH</u></b>	
FOURTH CLASS	11:03- 11:51
<b>LUNCH</b>	<b>11:54-12:24</b>
FIFTH CLASS	12:27 - 1:15
<b><u>“C” LUNCH</u></b>	
FOURTH CLASS	11:03 -11:51
FIFTH CLASS	11:54 -12:42
<b>LUNCH</b>	<b>12:45 - 1:15</b>
SIXTH CLASS	1:18 - 2:06
SEVENTH CLASS	2:09 - 2:57
DISMISSAL	2:57
FIVE MINUTES TO BUS DEPARTURE	3:00
TEACHER DISMISSAL AND BUS DEPARTURE	3:05

Delayed Opening Schedule

**WYOMING VALLEY WEST MIDDLE SCHOOL**

**2024-2025 TWO-HOUR DELAY SCHEDULE**

TEACHERS AT ASSIGNED PLACES	10:00
HOMEROOM	10:00 - 10:20
FIRST CLASS	10:23 - 10:55
SECOND CLASS	10:58 - 11:30
THIRD CLASS	11:33 - 12:05
<b><u>“A” LUNCH</u></b>	
<b>LUNCH</b>	<b>12:08 - 12:38</b>
FOURTH CLASS	12:41 - 1:13
FIFTH CLASS	1:16 - 1:48
<b><u>“B” LUNCH</u></b>	
FOURTH CLASS	12:08 - 12:40
<b>LUNCH</b>	<b>12:43 - 1:13</b>
FIFTH CLASS	1:16 - 1:48
<b><u>“C” LUNCH</u></b>	
FOURTH CLASS	12:08 - 12:40
FIFTH CLASS	12:43 - 1:15
<b>LUNCH</b>	<b>1:18 - 1:48</b>
SIXTH CLASS	1:51 - 2:23
SEVENTH CLASS	2:26 - 2:57
DISMISSAL	2:57
FIVE MINUTES TO BUS DEPARTURE	3:00
TEACHER DISMISSAL AND BUS DEPARTURE	3:05

Act 80 Schedule

**WYOMING VALLEY WEST MIDDLE SCHOOL**

**2024-2025 ACT 80 SCHEDULE**

TEACHERS AT ASSIGNED PLACES	8:00
HOMEROOM	8:00-8:27
FIRST CLASS	8:30-8:52
SECOND CLASS	8:55-9:17
THIRD CLASS	9:20-9:42
FOURTH CLASS	9:45-10:07
FIFTH CLASS	10:10-10:32
SIXTH CLASS	10:35-10:57
SEVENTH CLASS	11:00-11:20
DISMISSAL	11:20
BUS DEPARTURE	11:25

**BUS PASSES**

Passes giving students permission to ride buses on routes other than the one assigned will be authorized only in emergencies by the administration. A written request for a bus pass must be submitted to the guidance/attendance office. This request must be submitted to the guidance secretary in the morning and must include parent/guardian signature and a phone number where the parent/guardian can be reached. Once verified and approved, this pass will be finalized by the guidance secretary. The administration reserves the right to approve or reject a request.

**BUS RULES**

Transportation is provided for students living outside of the Kingston area who abide by the rules and regulations necessary for the safety of all passengers. Pupils are to:

- Arrive at the bus stop **ten minutes** prior to scheduled departure.
- Respect private property on the way to and at the bus stop and wait at the designated stop only.
- Talk in a normal, conversational voice with no excessive noise.

- Play safely without fighting or darting out into the street. Ball playing is not allowed at the school bus stops, except in those limited instances where the loading zone is a school yard or municipal playground. Following a single warning, drivers are instructed to confiscate the balls and convey them to the school's office. In instances where students are allowed to play ball when arriving at school, balls may be transported on the bus with the provision that they be carried in a bag/book bag.
- Refrain from bringing animals or potentially dangerous materials to the bus stop or on the bus.
- Cooperate with and obey the driver at all times. The bus driver and/or principal are authorized to assign seats.
- Approach the bus only after it has come to a complete stop and board the bus without pushing or disturbing others.
- Remain seated facing forward and with feet on the floor at any time the bus is in motion. Students are not to leave their seats until the bus has come to a complete stop. ● Leave the bus only upon arrival at the school or regular bus stop.
- Ride only the bus to which you are assigned unless permission is granted by the principal or Transportation Director.
- Go directly home or to a place designated by parent/guardian when leaving the bus after school.
- Keep the bus and bus stop clean. Students will be required to pay for any vandalism they committed.
- Refrain from gesturing or calling out to passersby.

#### Pupils are required to comply with the following directives:

- Compliance to the school's Tobacco Policy.
- The use of profanity is prohibited at all times.
- Eating or drinking is prohibited on the bus.
- Striking or causing injury to other persons on the school bus or at the bus stop is strictly prohibited.
- For safety reasons, heads, hands and feet must be kept inside the bus at all times.
- Throwing anything inside the bus or outside the windows is prohibited.
- Providing identity upon request of school personnel and/or a bus driver is required. Failure to comply will be considered insubordination and subject to disciplinary action. In relation, falsifying identity is prohibited and subject to disciplinary action.

Alleged infractions of the aforementioned rules will be referred to the building principal for investigation. The first violation, as determined by the principal, will result in a warning or up to a three school-day bus suspension and notification of the parent by phone or letter. The second violation, as determined by the principal, will result in up to a five school-day suspension from bus transportation. The third violation, as determined by the principal, could result in a ten school-day suspension from bus transportation. The fourth and subsequent violations will result in an indefinite suspension from bus transportation. Regarding this policy, the principal and/or Director of Transportation reserves the right to make a decision that takes into consideration the best interests of the district.

#### **CHANGE OF ADDRESS/PHONE NUMBER**

All changes of addresses or telephone numbers should be handled in two ways: (1) parents should access the Skyward Parent Portal under the "parents" tab of [wwwsd.org](http://wwwsd.org), review each child's contact information and make

necessary changes for all children; please note making a change for one child does not make a change for all children in the family and (2) contact our building's guidance office secretary at 570-287-2131. Up to date information is imperative in the event that an emergency contact needs to be made. Emergencies could include necessary contact by Administrators, Counselors and/or the Nurse.

## **CLOSED CAMPUS**

Wyoming Valley West Middle School operates on a closed campus policy. Students must stay on school grounds from the time they arrive until the time that they are dismissed. Students are considered responsible for all school policies from the time they arrive on school property until the time they leave school property in accordance with state statutes.

## **DIRECTORY INFORMATION**

With regard to the release of student information, parents are reminded that with few exceptions, information relative to a student cannot be released to anyone outside of educational agencies without prior consent of the parent or eligible student. Student information which does not require prior consent and may be disclosed on request is called "Directory Information." This would include the following: the student's name, address, telephone number, date of birth, place of birth, participation in activities and sports conducted by school, dates of attendance, honors, awards, diploma, certificates, parents' or guardians' names and address. All parents and students are advised that those items listed as "Directory Information" may be withheld at the request of the parent, guardian, or eligible student. This request must be submitted in writing to the school principal.

## **DISCIPLINE**

The objective of disciplinary actions taken by teachers and assistant principals is to teach students to become self-disciplined and responsible citizens. Pupils who are self-disciplined will find that rules do not greatly affect them. Our school has the responsibility of providing an educational program that will encourage each student to develop to his/her fullest potential. In order to realize this goal, each student has the right to a free public education as long as this right is exercised within the rules and regulations of the school and does not hinder the other students' progress in pursuing a meaningful educational program.

Students have the responsibility to conduct themselves in a manner that does not detract from the learning process. Students must know and understand school regulations, must make an effort to uphold them and recognize that those in authority have the responsibility for maintaining the orderly process of education.

Students shall know that teachers will take reasonable disciplinary action to deter acts which interrupt the educational process, and they may use reasonable force in self-defense or in restraint of a student to prevent harm to that student or to others (Pennsylvania Code 12.5 b).

Students will not use language or actions that hurt faculty, staff and students or create an unsafe environment.

*Any student who participates in any destructive act in school, who is involved in the planning of such an act or is aware that such an act may take place without contacting the administration immediately will be subject to being disciplined accordingly.*



The following student behavior may lead to disciplinary action(s), which may include suspension, expulsion and/or juvenile charges upon review of the School Resource Officer. Below is a non-exhaustive list of negative behaviors, please review the list below with your student. Understand that the use of various punishments for the violation of set rules is done at the discretion of building administration. The purpose of punishment is to correct negative behaviors and in turn teach life lessons about operating as a member of a society based on rules. It is our hope to work in conjunction with parents and guardians to help instill a positive set of rules and functionality. In all cases, students will be given due process.

### Prohibited Acts / Infractions\* (not limited to the following list)

**Pulling fire alarm:** A false fire alarm might waste emergency resources and cause panic. When there is no fire or emergency, pulling a fire alarm is a criminal offense in Pennsylvania. There is actually a specific criminal charge for falsely pulling a fire alarm. According to 18 Pa.C.S. § 4905, a defendant can be charged with false alarms to public safety agencies if they pull a fire alarm knowing there is no emergency. The law is somewhat broad and encompasses many different ways of raising a false alarm, and pulling a fire alarm is included as a possible criminal offense.

**Possession / use of lighter or tobacco related products (#222):** Possession of: the state of having, owning, or controlling something. an item of property; something belonging to one. State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:[1][2]

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

**Bullying (#249):** 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.
- Severe: Strict, austere or intense with disastrous consequences.

**Pervasive:** (especially of an unwelcome influence or physical effect) spreading widely throughout an area or a group of people; spread throughout so thoroughly as to be seen or felt everywhere.

**Persistent:** continuing firmly or obstinately in a course of action in spite of difficulty or opposition; continuing to exist or endure over a prolonged period.

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

**Harassment:** Includes but is not limited to repeated, unwelcome and offensive slurs, jokes, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, sex, national origin, age or handicap/disability which creates an intimidating, hostile or offensive environment.

**Biting:** to use your teeth to cut into something or someone:

**Booking:** The act of intentionally knocking school supplies including books from another's possession to tease, annoy, provoke, or harass another student(s).

**Bus violation:** The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bully/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to a building principal as soon as practicable.

**Violation of cafeteria rules:** Students are expected to follow basic expectations when using the school cafeteria. Any failure to follow any of the documented rules are considered a violation. Cafeteria expectations are as follows:

*Students are expected to:*

1. Use only central stairways traveling to and from the cafeteria.
2. Be seated as soon as you enter the cafeteria.
3. Follow all directions of the lunch captain and respective section supervisors.
4. After being served your lunch return to your selected or assigned seat/section.
5. Keep tables and floor area clean by keeping the food on trays, and routinely carrying the trays, milk cartons, lunch bags. Then, placing all food waste and paper products inside the nearest garbage can. Adults can assign seats at any time.
6. All students are collectively responsible for their "area." Tables are expected to be cleared of food and debris by the end of each lunch period. All assigned staff in the cafeteria are there to help clean accidental spills from the tables or floors.
7. All students are expected to remain seated in the cafeteria unless en route to a table, to speak with an adult, or to the exit.
8. All food is expected to be eaten or discarded prior to exiting the cafeteria.

**Causing bodily harm:** Bodily harm is defined as any damage to a person's physical condition including pain, illness, or injury.

**Class cut:** A class cut is defined as not reporting to a single class period for an unusual length of time.. Students will not be permitted to make up class work missed which resulted from a class cut. Class cuts and leaving school property will result in disciplinary action. Any class cuts (study hall, homeroom, lunch when assigned to auditorium, etc.) may result in disciplinary action: Further, a student is considered "cutting class" when the student is in the building but not supervised by a teacher or support staff member.

**Class disruption:** The act or process of disrupting any class : any behavior act or sequence of actions resulting in a break or interruption in the normal course or continuation of the educational process/environment.

**Cheating:** To violate rules dishonestly; to practice fraud or trickery; the act or an instance of fraudulently deceiving,

**Choke / choke hold:** Any physical act that blocks or alters normal air flow to the trachea when a person uses anything to grab, squeeze or compress the (throat /neck) area.

**Electronic device policy violation (#237):** Electronic devices shall include all devices that can take photographs; record, play or edit audio or video data; store, transmit or receive calls, messages, text, data or images; operate online applications; or provide a wireless, unfiltered connection to the Internet (237) Further, the Board prohibits use of electronic devices by students during the school day in district buildings; on district property; on district buses and vehicles; and during the time students are under the supervision of the district.[1] Unauthorized use of electronic device: The building principal may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety or emergency reasons.
2. An Individualized Education Program (IEP) or Section 504 Service Agreement.[2][3]
3. Classroom or instructional-related activities, under the supervision of the classroom teacher.
4. Other reasons determined appropriate by the building principal.

Consequently, only a principal, teacher, or school nurse, in rare instances, may grant permission for any student(s) to use a cellular phone during school hours.

Additionally, The Board through policy, prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

The district shall not be liable for the loss, damage or misuse of any electronic device.

**Creating a school disruption:** The act or process of disrupting normal school operations: any behaviors, acts or sequence of actions resulting in a break or interruption in the normal course or continuation of the educational process/environment or school operations.

**Creating an unsafe environment:** Contributing to or creating conditions that can cause harm to another person or people, property, or the environment. They can include physical hazards, or emotional hazards.

**Violation of Drug / Alcohol policy (#227):** Illicit drugs, look-alike drugs, paraphernalia and alcohol are not allowed on any school property, vehicle prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities.[5][6][7]. Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[14][18][19]

**Disrespect for school employees:** To act in an insulting way toward any school employee.. When you disrespect people, you think very little of them through display of actions, words or a combination of actions and words. Disrespect is all about not showing respect. Actually, it's about showing the opposite of respect, by acting rude, impolite, and offensive.

**Damage to property/criminal mischief:** This crime is defined as causing property damage, either deliberately or recklessly, specifically by: Using fire or explosives, defacing property with spray paints, defacing property with permanent markers or using a paintball gun to damage or deface property. Essentially, you can be charged with criminal mischief for property damage in several contexts. A court does not need to prove that you intentionally caused property damage for this charge. Instead, it can demonstrate that you were acting recklessly, which means you were being much less careful than what was reasonable in the circumstances. For example, shooting a paintball gun or lighting a firework near someone else's property could result in a criminal mischief charge, even if you did not intend to cause damage.

**Dress code violation (#221):** The intent of this policy is to ensure that our students dress appropriately, are not disruptive to the educational process, and do not compromise the safety and security of our school. While requiring a specific type of clothing, it is not our purpose to interfere with students' decisions or freedom of expression. However, the safety of all students, the security of the building, and the environment in which our students learn must be the foremost objectives of our school.[1][2]

**Extortion:** The crime of extortion is obtaining money, property, or something else of value by use of a threat, usually of an injury or use of force towards the victim, the victim's property or reputation, or the victim's loved ones.

**Family Consumer Science violation:** Students are expected to follow basic expectations when using the Family & Consumer Science (FCS) laboratory/classroom. Specifically, this type of violation would include any behavior that contributes to or causes a health, safety and welfare concern or any behavior that contributes to or causes any loss, damage, or destruction of school property, or another student's property, at any time during the school day, during a school activity/event or after-school hours.

**Fighting:** Fight means mutual participation in a physical conflict, of mutual consent, involving two (2) or more persons. It does not include verbal confrontations. Physical conflict is defined as any type of altercation or confrontation that includes but is not limited to punching, kicking, repeatedly slapping, biting or any other violent tumultuous (disorderly) behavior used with the intent to harm, hurt or injure another person(s).

**Food / drink violation:** Food and drink are not to be consumed at any time during the school day except during the student's lunch and breakfast periods. Please note, during the Covid-19 pandemic the school will permit students to carry water to class in lieu of using school-provided water fountains. Administration reserves the right to inspect water containers upon reasonable suspicion of alcohol or other school contraband within said container. Students are required to bring lunch from home or purchase items from the school cafeteria. Deliveries of food or drink to students during the academic day is prohibited. Additionally, large amounts of food, drink, or candy are not permitted on school property. Any attempt to sell food, drink or candy is also not permitted on school property.

**Forgery:** Making of a false writing with an intent to defraud. Writing, to be forgery, must either have legal significance or be commonly relied upon in business transactions. It need not be handwriting; the law of forgery covers printing, engraving, and typewriting as well. To defraud broadly means trick or deceive someone at the expense of another for personal gain.

**Falsifying reports:** Making false statements on any documents with the intention to defraud another person or organization. Additionally, false reports include the fabrication of an incident or crime or of material information relating to an incident or crime which the person making the report knows to be false at the time of making the report.

**Headlock:** A method of restraining someone by holding an arm firmly around their head, especially as a hold while engaging in wrestling, fighting or horseplay.

**Horseplay (Scuffling):** Rough or boisterous play or pranks that occur at school or a school-related activity. Horseplay can be activities such as joking that includes physical contact, playing around, racing, grabbing, foolish equipment operation, social pressure to participate in unsafe acts, harassment, and unauthorized contests. There is probably at least one in every classroom – the practical joker – the smart aleck who likes to make a bid for laughs and attention by playing jokes on fellow classmates. Playing jokes and having fun with your classmates may break up the day and make work more interesting, but it can lead to serious injuries and damage to school property.

**Inappropriate exposure:** A person commits inappropriate exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm.

**Inappropriate gestures/drawing:** Inappropriate is defined as not suitable or proper in a school environment. A gesture is defined as a movement of part of the body, especially a hand or the head, to express an idea or meaning. It is highly likely that any student using inappropriate gestures in the school environment may be charged with disorderly conduct.

**Inappropriate language:** Words or gestures that are profane, vulgar, discriminatory or otherwise construed as socially offensive or harassing.

**Instigating:** To urge, provoke, or incite to some action or course

**Insubordination:** Defiance of authority; refusal to obey any reasonable request, building procedure, District policy, or law.

**ISS (In-School Suspension) violation:** The act or process of disrupting normal operations of this already restricted environment. Any behaviors, acts or sequence of actions, resulting in a break or interruption in the normal course or continuation of the educational process/environment or operations.

**Inappropriate touching:** Is a term often used in conjunction with sexual assault, rape, or child molestation charges to describe illegal contact that is sexual in nature. Touching should never make you feel uncomfortable, threatened, intimidated, taken advantage of or assaulted. It should also not result in any type of harm, such as bruising from violence. Any type of touching that is unwanted, violent or makes you feel uncomfortable constitutes inappropriate touching.

**Institutional vandalism:** A person commits the offense of institutional vandalism if he/she knowingly desecrates, as defined in section 5509 (relating to desecration or sale of venerated objects), vandalizes, defaces or otherwise damages: “ any school, educational facility. A person commits the offense of institutional vandalism if, with intent to violate subsection (a), the person carries an aerosol spray-paint can, broad-tipped indelible marker or similar marking device onto property identified in sub sectional facility,” 18 Pa. C.S. § 3307 or the grounds adjacent to an educational facility.

**Kicking another student:** To strike, thrust, or hit with the foot ; b · to strike suddenly and forcefully as if with the foot.

**Lab safety violation:** Students are expected to follow basic expectations when using any laboratory/classroom. Specifically, this type of violation would include any behavior that contributes to or causes a health, safety and

welfare concern or any behavior that contributes to or causes any loss, damage, or destruction of school property, or another student's property, at any time during the school day, during a school activity/event or after-school hours.

**Leaving class without permission:** Knowingly leaving a classroom without permission from a teacher or staff member

**Lying to Administration / Teachers / School Staff:** Any student or group of students who furnish false or misleading information

**Littering:** Section 3709 provides for a fine of up to \$300 for dropping, throwing or depositing, upon any highway, or upon any other public or private property without the consent of the owner thereof any wastepaper, sweepings, ashes, household waste, glass, metal, refuse or rubbish or any dangerous or detrimental substance, or permitting any of the preceding without immediately removing such items or causing their removal.

**Locker violations:** Students are permitted to visit lockers four times per day as specifically follows before homeroom, before lunch, after lunch, and at dismissal. Furthermore, students are prohibited from sharing lockers.

**Leaving school grounds:** Knowingly leaving the school building grounds and property without permission from a staff member or administrator.

**Malicious mischief:** The willful destruction of another person's property for vicious, wanton, or mischievous purposes

**Misuse of pass:** Traveling elsewhere than the pass is designated to and/or abusing the amount of the time out of the classroom on the given pass

**Name calling:** Hurtful words, non-profane words, with the intention of causing emotional pain to someone.

**Inappropriate / Offensive comments:** Words or gestures that are profane, vulgar, discriminatory or otherwise construed as socially offensive or harassing directed at another individual.

**Public display of affection:** Acts of physical intimacy in the view of others. Examples include, but are not limited to, consensual acts of intimate touching, fondling, cuddling, and kissing.

**Possession of a non-instructional item:** Any supply, artifact or object not relating to or concerned with the process of instruction.

**Possession of stolen property:** Taking possession of property and then learning after receipt that it was stolen and still retaining it as your own property.

**Profanity towards Administration / Teachers / School Staff:** Swearing, cursing, making obscene gestures, or using verbally abusive language toward staff

**Profanity:** Swearing, cursing, making obscene gestures, or using verbally abusive language toward another student

**Pushing / shoving:** Exert force on (someone or something), typically with one's hand, in order to move them away from oneself or the origin of the force. / push (someone or something) roughly.

**Punching another student:** To strike another individual with the closed fist.

**Restraining student:** A person commits an offense if he knowingly:

1. Restrains another unlawfully in circumstances exposing him to risk of serious bodily injury
2. Holds another in a condition of involuntary servitude.

**Receiving stolen property:** A person is guilty of theft if he intentionally receives, retains, or disposes of movable property of another knowing that it has been stolen, or believing that it has probably been stolen, unless the property is received, retained, or disposed with intent to restore it to the owner.

**Running in halls:** Students are expected to behave in a mature fashion as they move from class to class during the day. They should stay to the right side of the hall to provide for traffic flow and use stairways only in the direction that has been designated. Running is prohibited anywhere in the building.

**Simple assault on student:** (1) attempts to cause or intentionally, knowingly or recklessly causes bodily injury to another;(2) negligently causes bodily injury to another with a deadly weapon;(3) attempts by physical menace to put another in fear of imminent serious bodily injury; or(4) conceals or attempts to conceal a hypodermic needle on his person and intentionally or knowingly penetrates a law enforcement officer or an officer or an employee of a correctional institution, county jail or prison, detention facility or mental hospital during the course of an arrest or any search of the person.

**Aggravated assault on student:** (1) attempts to cause bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; (4) attempts to cause or intentionally or knowingly causes bodily injury to another with a deadly weapon.

**Simple assault on staff:** An unlawful attack by one person upon another. By definition there can be no attempted assaults, only completed assaults. The act should be intentionally, knowingly, or recklessly causing bodily injury or serious bodily injury to an employee(s).

**Aggravated assault on staff:** An unlawful attack by one person upon a staff member in which the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe lacerations, or loss of consciousness. This also includes assault with disease (as in cases when the offender is aware that he/she is infected with a deadly disease) by biting, spitting, etc.

**Rape:** Rape may be statutory or forcible rape is oral, vaginal or anal intercourse committed by force and without the consent of the victim, regardless of age.

Statutory Rape is oral, vaginal, or anal intercourse committed on a child under the age of 16 by a person who is at least 12 years old and at least 4 years older than the victim, regardless of whether the victim consented.

Consensual intercourse between a 13-, 14- or 15-year-old girl or boy and a 16-year-old girl or boy is NOT a crime; statutory rape requires at least four years between birthdays of the victim and perpetrator. Some examples of incidents which must be reported under this category are consensual intercourse between a 19-year-old and a 15-year old; consensual intercourse with a person who is mentally handicapped or incapacitated, or physically helpless, regardless of whether the victim consented; or intercourse with an intoxicated or drugged victim who is too incapacitated to give consent.

Involuntary sexual deviate intercourse

**Statutory sexual assault:** A person commits a felony of the second degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is four or more years older than the complainant and the complainant and the person are NOT married to each other.

**Sexual assault:** An assault of a sexual nature. An unauthorized and unwanted, intentional, or forcible touching of a sex organ of a person of either sex. Sex organs are the breasts of females and genital areas of males and females. This category includes forcibly and intentionally grabbing the clothed or unclothed breast or genitals of a person, without the consent of the victim.

**Aggravated indecent assault:** Except as provided in §§ 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of his person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if:

1. The person does so without the complainant's consent
2. The person does so by forcible compulsion
3. The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution
4. The complainant is unconscious, or the person knows that the complainant is unaware that the penetration is occurring
5. The person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing – without the knowledge of the complainant – drugs, intoxicants, or other means for the purpose of preventing resistance
6. The complainant suffers from mental disability which renders him or her incapable of consent
7. The complainant is less than 13 years of age
8. The complainant is less than 16 years of age and the person is four or more years older than the complainant and the persons are NOT married to each other.

**Indecent assault:** A person who has indecent contact with the complainant or causes the complainant to have indecent contact with the person is guilty of indecent assault if:

1. The person does so without the complainant's consent
2. The person does so without the complainant's consent
3. The person does so by forcible compulsion
4. The person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution
5. The complaint is unconscious, or the person knows that the complainant is unaware that the indecent contact is occurring
6. The person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance
7. The complainant suffers from mental disability which renders him or her incapable of consent
8. The complainant is less than 13 years of age
9. The complainant is less than 16 years of age and the person is four or more years older than the complainant and the persons are NOT married to each other.

**Indecent exposure:** A person commits indecent exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm.



**Open lewdness:** Any open act that is inclined to, characterized by, or inciting to lust or lechery; lascivious, obscene, indecent or vulgar.

**Obscene materials and performances:** Obscene material means any writing, picture, film, or other recording (including sexting) that, given the local cultural attitude and community standards, the average person would find offensive, or lacks serious literary, artistic, political, educational or scientific value if taken as a whole. An obscene performance means a live exhibition before an audience which the average person under local community standards describes or shows sexual conduct in an offensive manner, lacks serious literary, artistic, political, educational or scientific value, or would offend if taken as a whole.

**Sexual harassment:** Discrimination against a student based on the student's submission or rejection of sexual advances and/or requests or creating an atmosphere of harassment based on sexual issues/activity. The unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, and any other gender-based/sexual orientation-based harassment which has the purpose or effect to interfere with the individual performance, work environment, or participation in school sponsored activities, or creates an intimidating, hostile, or offensive educational environment. This includes students and staff. Examples include behaviors such as leering, pinching, grabbing, suggestive comments, gestures, jokes or pressure to engage in sexual activity.

**Racial Intimidation:** Malicious intent toward another person or property based on race, color, religion or national origin is a hate crime.

**Other harassment / intimidation:** A person commits the crime of harassment when, with the intent to harass, annoy or alarm another, the person:

1. Strikes, shoves, kicks or otherwise subjects the other person to physical contact, or attempts or threatens to do the same
2. Follows the other person in or about a public place or places
3. Engages in a course of conduct or repeatedly commits acts that serve no legitimate purpose.

**Minor altercation:** An incident which involves a single offender who commits a minor violent physical act against another individual that may result in minor physical injury but does NOT result in retaliation (e.g., "Student A" strikes "Student B" resulting in little/minor injury and the "Student B" does not retaliate).

**Stalking:** A person commits the crime of stalking when the person either:

1. Engages in a course of conduct or repeatedly commits acts towards another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person
2. Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.
3. Stalking by communication or address – A person commits the crime of stalking by communication or address when the person engages in a course of conduct or repeatedly communicates to another under circumstances which demonstrate or communicate either of the following:
  - An intent to place another person in reasonable fear of bodily injury.
  - An intent to cause substantial emotional distress to such another person.

**Kidnapping:** The removal, restraining or confinement of an individual by another through force, threat, or deception or (if person is under 14 years) without consent of a parent, guardian or school. Kidnapping/abduction

includes hostage taking. A parent taking a child in violation of a court order, although it may be a crime, is NOT kidnapping for this purpose.

**Unlawful restraint:** A person commits an offense if he knowingly:

1. Restrains another unlawfully in circumstances exposing him to risk of serious bodily injury
2. Holds another in a condition of involuntary servitude.

**Threat to staff / student:** Students who threaten to engage in an act that causes harm and introduces fear in another school community member. Threats can be made verbally, in writing, or with gestures.

**Reckless endangering:** Students who take any action that creates a substantial risk such that serious bodily harm could result to any person

**Robbery:** Robbery (Crime against Person): The taking of, or attempting to take, anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm. Because some types of assault may be an element of the crime of robbery, an assault should NOT be reported as an assault as long as it was performed in furtherance of the robbery. However, if the injury resulted in death, the incident must be reported as a homicide. A carjacking is a robbery offense where a motor vehicle is taken into force or threat of force.

**Robbery with a Dangerous Weapon (Armed Robbery):** Theft or attempted theft of anything of value from the person of another, or from the area under the immediate bodily control of the other, by using a dangerous weapon or by an act threatening use of a dangerous weapon. A dangerous weapon is any article, instrument or substance that is likely to produce death or great bodily harm.

**Robbery without a Dangerous Weapon:** The taking or attempting to take anything of value from another's person, by force, or by an act threatening force or violence, which puts a victim in fear, without the use of a weapon. The stealing of someone's property without the use of force or from a source other than the victim's person is not included in this offense.

**Theft:** Students who take school property or the personal property of another school community member

**Attempt / commit murder / manslaughter:** A person is guilty of criminal homicide if he intentionally, knowingly, recklessly or negligently causes the death of another human being. Manslaughter involves unintentional killing, either through emotional response (voluntary) or negligence (involuntary). Homicide covers all unlawful killings, including murder and non-criminal cases like self-defense.

**Suicide attempted / committed:** Any person who deliberately aids, advises, or encourages another to commit suicide is guilty of a felony.

**Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or theft. It is not necessary that force be used in gaining entry, neither is it necessary that property loss occur. Attempts to unlawfully enter a structure without expressed permission are also counted in this category.

**Arson:** The unlawful and intentional damage or attempt to damage any real or personal property by fire or incendiary device. Setting a fire (by match, lighter, fireworks, firecrackers, trash can fire, Molotov cocktails, or any other incendiary device) providing aid, counsel or pay toward the same. This category does not include the simple act of lighting a match.

**Vandalism:** Action involving deliberate destruction of or damage to public or private property.

**Criminal trespassing:** Entering or remaining on school property without authorization; including, but not limited to, knowing or unknowing entry onto school property by a suspended student or student from another school who does NOT have a legitimate reason for being there or written permission from a school administrator.

**Rioting:** Participation of two or more in a course of disorderly conduct: that includes the intent to commit or facilitate the commission of a felony or misdemeanor; intent to prevent or coerce official action and when the actor or any other participant to the knowledge of the actor uses or plans to use a firearm or other deadly weapon.

**Bomb threat:** Students who threaten to engage in an act that causes serious physical harm or creates a substantial risk of serious physical harm to a school or school community.

**Terroristic threat (#218.2):** A person commits the crime of terroristic threats if the person communicates, either directly or indirectly, a threat to:

1. Commit any crime of violence with intent to terrorize another
2. Cause evacuation of a building, place of assembly or facility of public transportation
3. Otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience. The term "communicates" means, conveys in person or by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex and similar transmissions.

**Failure to disperse:** Where three or more persons are participating in a course of disorderly conduct which causes or may reasonably be expected to cause substantial harm or serious inconvenience, annoyance or alarm, a peace officer or other public servant engaged in executing or enforcing the law may order the participants and others in the immediate vicinity to disperse. A person who refuses or knowingly fails to obey such an order commits a misdemeanor of the second degree.

**Disorderly conduct:** A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, the person:

1. Engages in fighting or threatening, or in violent or tumultuous behavior
2. Makes unreasonable noise
3. Uses obscene language, or makes an obscene gesture
4. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor

**Plagiarism:** The practice of taking someone else's work or ideas and passing them off as one's own.  
Representing the words, research findings or ideas of another person as your own  
Copying published work without citation

**Possession of a weapon on school property: 18. § 912.** Notwithstanding the definition of "weapon" in section 907 (relating to possessing instruments of crime), "weapon" for purposes of this section shall include but not be limited to any knife, cutting instrument, cutting tool, nun-chuck stick, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury.

(b) Offense defined. --A person commits a misdemeanor of the first degree if he possesses a weapon in the buildings of, on the grounds of, or in any conveyance providing transportation to or from any elementary or

secondary publicly funded educational institution, any elementary or secondary private school licensed by the Pennsylvania Department of Education (PDE),

**Possession of firearms:** In Pennsylvania, criminal possession of a firearm is referred to as “persons not to possess a firearm” and also “firearms not to be carried without a license.” Even though the Second Amendment to the U.S. Constitution protects the right to keep and bear arms, individual states can pass laws to regulate gun possession. Firearm: Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon.

Under Pennsylvania law, an individual can be charged with a third-degree felony (firearms not to be carried without a license) for carrying a firearm in their vehicle or concealed on their person without a valid and legally obtained license.

**Possession of knife:** a cutting instrument consisting of a sharp blade fastened to a handle. b. : a weapon or tool resembling a knife. 2. : a sharp cutting blade or tool in a machine

**Possession of cutting instrument:** Cutting Weapon. Any knife or other cutting instrument which can be used as a weapon that has a cutting edge similar to that of a knife. No tool or instrument commonly or ordinarily used in a trade, profession or calling shall be considered a cutting weapon while actually being used in the active exercise of that trade, profession or calling.

**Possession of explosive:** "Explosive device" means a device so articulated that an ignition by fire, friction, concussion, chemical reaction, or detonation of any part of the device may cause such sudden generation of highly heated gasses that the resultant gaseous pressures are capable of producing destructive effects.

**Possession of BB / pellet gun:** "Air rifle." Any air gun, air pistol, spring gun, spring pistol, B-B gun, or any implement that is not a firearm, which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm.

**Possession of “other” weapons:** There are many types of offensive weapons, but the most common are brass knuckles, switchblades, blackjacks, stun guns and tasers. Other types of offensive weapons include bombs, grenades, machine guns, sawed-off shotguns with a barrel of less than 18 inches, silencers and other electronic weapons.

**Slapping another student:** Hit or strike with the palm of the hand.

**Snowballs:** Any action involving snow or ice to annoy, harass or harm an individual. The use of snow or ice to strike or damage private or public property.

**Spitting:** Ejecting saliva from one’s mouth, sometimes as a gesture of contempt or anger.

**Threat of bodily harm:** Students who threaten to engage in an act that causes harm and introduces fear to another student/person of the school community. Threats can be made verbally, in writing, or with gestures.

**Tardy to school:** Arriving after the posted start time without a written, lawful excuse

**Tardy to class:** Arriving after the class start time/second bell without a written, lawful excuse

**Throwing food:** Deliberately throwing food in or out of the cafeteria.

**Throwing objects (class / bus):** Deliberately throwing items, instructional and/or non-instructional, in or out of the classroom or on the bus to and/or from school.

**Truancy:** When a child is of compulsory school age and has incurred three or more unexcused absences during the current school year.

**Vulgarity:** The quality of being rude and likely to upset or anger people, especially by referring to sex or the body, or something such as a phrase that is rude in this way.

**Wrongful entry:** Students who gain entry to a school building at an unauthorized time, including during suspension. This also includes students who allow themselves or other community members into a school building not via the main entrance.

### Consequences/Punishments \* (Not limited to the following list)

- Conference with Guidance Counselor
- Conference with Administrator
- Parental Conference/Meeting
- In School Suspension (ISS)
- Out of School Suspension (OSS)
- Expulsion (\*alternative education)

### SUSPENSION: EXCLUSION FROM CLASS AND EXPULSION

Suspension: The exclusion from school for a period of from one to ten consecutive school days. Length of suspension will be determined by school administration. A suspension of more than three school days will include an informal due process meeting between the student(s), parent(s)/guardian(s) and school administration on the fourth day of suspension. Parents or guardians will be notified in writing of the action taken, and will have complete custody and jurisdiction of their child during the suspension. A suspended student may not loiter or appear on school property or at any school-sponsored activity while on suspension. A student will be readmitted to school after a satisfactory solution to his conduct is agreed upon by parents and administration.

*In-School Suspension (ISS)- The in-school suspension program is exclusion from regular classes for a period of one to ten consecutive days. Students placed in ISS will receive classwork from their regular class teachers in an attempt to remain current with their respective classes.*

*Out of School Suspension (OSS)- Out of school suspension is exclusion from the school as a whole from one to ten consecutive days. Students placed on OSS will be provided with classwork they will be responsible for. Students are not to report to school and/or school events during the time of suspension.*

*Expulsion- A student may be excluded permanently from school for a period exceeding ten days by the Board of School Directors. Such action shall be preceded by a formal hearing. For details on the "due process" procedure, see the Board Policy on Suspension and Expulsion which is on file at the principal's office.*

### DISPENSING OF MEDICINE

\*Refer to the Medication policy located at the back of the handbook.

## **DIVERSITY**

As the Wyoming Valley West student body continues to evolve and diversify, we continue to support and promote respect and tolerance for all ethnic groups. Any inappropriate behavior relating to ethnic intimidation with malicious intent will result in suspension and may lead to criminal charges.

## **DRESS CODE**

### **Purpose**

The intent of this policy is to ensure that our students dress appropriately, are not disruptive to the educational process, and do not compromise the safety and security of our school. While requiring a specific type of clothing, it is not our purpose to interfere with students' decisions or freedom of expression. However, the safety of all students, the security of the building, and the environment in which our students learn must be the foremost objectives of our school.[\[1\]](#)[\[2\]](#)

### **Guidelines**

#### **Permitted**

Clothing, including both a shirt with pants, short or skirt, or the equivalent, and shoes.

Clothing that covers the shoulders, chest, and torso (shoulders to waist) and covers all undergarments.

Tops that fall comfortably to the belt or buckle of the pants.

Leggings, sweatpants, yoga pants, khakis, joggers, and non-ripped jeans.

Appropriate footwear at all times. All footwear must have a back.

Dresses/Skirts that are at least mid-length, with no plunging backs below the mid-back, not made from transparent material, nor have side or front cut outs.

Pants that can be worn at/to the waistline. All undergarments must be covered at all times.

Crewneck sweatshirts and t-shirts.

Shirts without collars that are school appropriate and are not revealing, distracting, controversial, or pose a safety threat.

#### **Not Permitted**

Halter tops, bare midriffs, see-through shirts, mesh shirts, tube tops, sleeveless shirts, tank tops or any top without a back.

Clothing with obscene language and/or pictures, deemed offensive, sexually suggestive, condoning violence, suicide or vulgar language.

Excessively short/tight skirts and shorts are inappropriate for school.

Clothing or article that advertises or advocates the use of drugs, alcohol or tobacco or makes reference to gangs, including bandannas and tattoos.

Cut, ripped, or torn clothing.

Headgear and/or coats should be placed in student lockers during the school day. Caps, bandannas, hats, or hoods may only be worn outside of the building. If worn, headgear will be confiscated on the first offense and held until the end of the day. Headbands must be appropriate and secure the hair.

Sagging pants (pants must be secured at the waist).

Dog chain necklaces, spiked bracelets, hanging belts, or wallet chains.

Pajamas, slippers, slipper boots, blankets, or bedroom attire.

Clothing that shows underwear, the midriff, chest, or buttocks.

Flip flops, sandals, slides, shoes without a back, or any footwear that poses a safety hazard is not permitted.

Hoodies.

Cargo Pants/Shorts with multiple pockets.

\*These guidelines do not cover every possible situation. Questionable attire or appearance will be referred to the principal or principal's assistant. Since styles of clothing change rapidly, the school reserves the right to restrict certain fashions that are inappropriate and distracting to the learning environment. Maybe if in doubt, do not wear it to school.

#### Exemptions

Parents/Guardians who object to the policy based on religious or medical grounds must present to the building principal a signed letter detailing the reason for the objection. The parent/guardian and the building principal will meet to discuss the exemption.

#### Board Discretion

The above dress code may be amended at any time at the discretion of the Wyoming Valley West School Board.

#### Discipline

The purpose of school is to promote and foster a solid learning environment. Students are expected to dress in a manner which encourages this purpose. Violation of this policy will result in parental notification and appropriate school action.

Noncompliance will be considered a violation of school policy. The consequences will be as follows.

#### *Elementary Level:*

Offense	Disciplinary Action
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1 <sup>st</sup> Offense	At the discretion of the principal, depending upon the degree of cooperation from the student and parent/guardian, a request for change of clothing, a request to send the student home, or an out-of-school suspension shall take place as deemed appropriate by administration.
2 <sup>nd</sup> Offense	At the discretion of the administration, the student will be excluded from class (i.e., out-of-school suspension) for one (1) day. A parental meeting must take place for the child to return to class. The student is expected to return in full compliance of the structured dress code.
3 <sup>rd</sup> and Successive Offenses	At the discretion of the administration, the student will be subject to a three (3) to possible ten (10) day out-of-school suspension and a ten (10) day co-curricular suspension. A parental meeting must take place for the student to return to school. The student is expected to return in full compliance of the structured dress code.

*Secondary Level:*

Offense	Disciplinary Action
1 <sup>st</sup> Offense	At the discretion of the administration, the student will be excluded from class (i.e., in-school suspension or out-of-school suspension) for one (1) day. Parents/Guardians will be notified of the class exclusion. The student is expected to return in full compliance of the structured dress code.
2 <sup>nd</sup> Offense	At the discretion of the administration, the student will be excluded from class (i.e., in-school suspension or out-of-school suspension) for one (1) day. A parental meeting must take place for the child to return to class. The student is expected to return in full compliance of the structured dress code.
3 <sup>rd</sup> and Successive Offenses	At the discretion of the administration, the student will be subject to a three (3) to possible ten (10) day out-of-school suspension and a ten (10) day co-curricular suspension. A parental meeting must take place for the student to return to school. The student is expected to return in full compliance of the dress code.

## **DUE PROCESS**

Any student facing disciplinary action will be given Due Process. Due Process includes the following:

- Oral or written notice of the charge and an informal hearing.
- An opportunity to hear the evidence the authorities have and the opportunity to respond if the student denies the charges.



## **EARLY DISMISSALS**

Parents are asked not to request early dismissal except in cases of absolute necessity. Medical, dental and all other appointments should be made after school hours. Valid picture identification (preferably a valid driver's license) is required when picking up a student for early dismissal.

In case of absolute necessity, a written request signed by the parent should include the reason for the request and a telephone number where the parent may be reached. This request should be presented to the attendance clerk the day prior to dismissal and the attendance officer will verify the excuse.

Requests for dismissal for medical or dental appointments should include the doctor's name and telephone number.

Permission to leave school will not be approved until after the reason is verified and determined to be necessary. Students excused for an early appointment are to return to school at the conclusion of the appointment. When a student wishes to be excused before regular dismissal time on a certain day, he/she must present a written excuse from the parent or guardian to the attendance office during homeroom period. That information will be posted on Skyward, informing teachers of that student's early dismissal.

If the individual requesting the early dismissal of the student is not the custodial parent, in addition to a picture ID, a phone call to the custodial parent for permission is required, even though a note from said parent may have been submitted.

## **STUDENT RELEASE TO OTHER THAN PARENT/GUARDIAN**

No student will be released to anyone other than his/her parent/guardian who is on file with the Wyoming Valley West School District. Parent(s)/guardian(s) must present valid, current, photo identification for respective student release. Any exceptions must be pre-arranged with the principal.

## **ELECTRONIC DEVICE POLICY**

### **Purpose**

The Board adopts this policy in order to support an educational environment that is orderly, safe and secure for district students and employees.

### **Definition**

Electronic devices shall include all devices that can take photographs; record, play or edit audio or video data; store, transmit or receive calls, messages, text, data or images; operate online applications; or provide a wireless, unfiltered connection to the Internet.

### **Authority**

The Board prohibits use of electronic devices by students during the school day in district buildings; on district property; on district buses and vehicles; and during the time students are under the supervision of the district.<sup>[1]</sup>

The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

### **Exceptions**

The building principal may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety or emergency reasons.
2. An Individualized Education Program (IEP) or Section 504 Service Agreement.[2][3]
3. Classroom or instructional-related activities, under the supervision of the classroom teacher.
4. Other reasons determined appropriate by the building principal.

The district shall not be liable for the loss, damage or misuse of any electronic device.

#### Electronic Images and Photographs

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Because such violations may constitute a crime under state and/or federal law, the district may report such conduct to state and/or federal law enforcement agencies.

#### Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and employees about the Board's electronic device policy.

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

#### Guidelines

Violations of this policy by a student shall result in disciplinary action and shall result in confiscation of the electronic device.[4][5][6]

The confiscated item shall be returned to the parent/guardian.

### **EN ROUTE TO AND FROM SCHOOL**

Students walking to and from school and students at or near bus stops are expected to treat persons and property with respect and shall comply with school rules or be subject to potential school disciplinary action.

### **ENTRANCE TO THE SCHOOL BUILDING (Student)**

Depending on their grade, students will enter via Chester Street doors as follows - sixth grade via the gym doors, seventh grade via the flagpole doors and eighth grade will enter either the sixth or seventh grade doors based on homeroom assignment. \*No student is permitted to enter through the back doors at any time.

### **ENTRANCE TO THE SCHOOL BUILDING (Parent, Guardian, Visitor)**

A current valid picture identification, preferably a valid driver's license, is required when picking up a student for an early dismissal. If the individual requesting the early dismissal of the student is not the custodial parent,

in addition to the picture ID, a phone call to the custodial parent for permission is required even though a note from said parent may have been submitted. Parent or Guardian must be a listed party on the skyward system, otherwise permission to take a student will not be permitted.

## **EXCESSIVE ABSENCE POLICY**

\*See Attendance Policy located in back portion of Handbook

## **EXTRA CURRICULAR ACTIVITIES**

Each student is urged to participate in one or more extracurricular activities. Students are encouraged to join activities that interest them. There are athletics, music, student council, and other special interest groups.

## **FLEXIBLE INSTRUCTION DAY (FID)**

A Flexible Instructional Day (FID) Program is a tool available to public school entities as an alternate approach to delivering instruction when circumstances (e.g., a disease epidemic, a hazardous weather condition, a law enforcement emergency, the inoperability of school buses or other equipment necessary to the public school entity's operation, damage to a school building, or a temporary circumstance rendering any portion of a school building unfit or unsafe for use) prevent the delivery of instruction in its customary manner or location. This recent addition to the PA Public School Code enables school entities to meet the 180 instructional requirement of section 1501 of the Code.

The number of Flexible Instructional Days used by an entity may not exceed five (5) days per school year. The FID program may be online, offline, or a combination of the two.

### **WVW FID Program General Structure:**

- The FID “school day” will be from 8:00 a.m. to 3:00 p.m.
- Students in Grades 6-12 must sign into Google Classroom during the homeroom period, using their district-issued Chromebooks, and follow their daily schedules on Google Classroom.
- During the 8:00 a.m. to 3:00 p.m. school day, teachers will respond to messages sent via Google Classroom and/or emails from students.
- Although “live” instruction is not required as part of the FID, Grade 3-12 teachers may, at their own discretion, choose to use a “Google Meet” or video assignment.
- Teachers will modify daily instruction just as they would if students were physically present.
- If technology is not available due to power outages or other circumstances, the district will NOT use a FID, and the day will be made up within the school calendar as approved by the Board of Education.

**Grades 3-12:** Students in Grades 3-12 and teachers will work in an “asynchronous” (not live) instructional day using Google Classroom. The day's structure/times will be consistent with the normal daily schedule for students and teachers. All materials will be posted to Google Classroom by 8:00 a.m. on a FID. **Students must complete the FID assignments by the end of the school day (3:00 p.m.) or be marked “absent” for the day.** If more time is needed, students will be given three (3) days following the FID to complete and return the assignment for grading purposes only. A FID absence will be counted either “excuse” or “unexcused” using the standard absence procedure (absence note) when the student returns to school

## **FIGHTING POLICY**

The Wyoming Valley West School District will maintain a safe and orderly learning environment. Fighting cannot be tolerated. Students who engage in fighting, instigate a fight, or engage in any act of violence, while in school, on school property, during the time spent in travel to and from school and school sponsored activities will be held accountable in accordance with school discipline procedures. Consideration will be given to alternative education services and programs for fighting at school and school sponsored activities. In addition, students who engage in fighting, instigate a fight, or engage in any act of violence, may be reported to law enforcement authorities in a manner consistent with Public School Code and charged with violating the criminal laws of Pennsylvania.

**Students must make every effort to avoid fighting.** When confronted and challenged to fight, students should seek help from the nearest adult authority.

Student onlookers that contribute to the school disruption or unsafe environment may be subject to disciplinary action upon administrative review.

## **FIRE DRILLS**

The purpose of fire drills is to teach students to evacuate the building quickly, orderly, and methodically with a high degree of self-control. Fire drills may be announced or unannounced. Students are not to assist in firefighting duties or the handling of fire extinguishers. The exit route for each room location is displayed in that room and students are urged to make note of the exit route.

According to Pennsylvania School Law, pupils will receive instruction and training by means of fire drills so that they may, in emergencies, leave the building in the shortest time without confusion or panic. These drills will be held at least once a month.

\*Evacuation drills simulating other emergency situations may be conducted with or without notice throughout the school year as well. Just as in our fire drill activities, the purpose of such exercises is to ensure student safety in the event that an actual emergency situation was to arise.

## **FOOD AND DRINK**

Food and drink are not to be consumed at any time during the school day except during the student lunch and breakfast periods. Students will be permitted to carry water to class. Administration reserves the right to inspect water containers upon reasonable suspicion of alcohol or other school contraband within said container.

## **FOOD DELIVERY**

For the 2024-2025 school year all students are eligible for a free school-provided lunch. Students who do not wish to consume a school lunch may bring lunch from home. Deliveries of food or drink to students during the academic day is prohibited.

## **GRADING SYSTEM**

It is the policy of the Wyoming Valley West School District that a minimum grade of 50% (.50) will be the lowest recorded grade for the first, second and third marking period recorded on the report card.

A = 92-100  
B = 82-91  
C = 72-81  
D = 62-71 F = 0-61

An official report card is issued four times each year and can be accessed via the parent portal on Skyward only. Report cards are **not** distributed in school or mailed to the residence.

#### Addendum to Policy #213 – Grading of Student Progress

It shall be the policy of the Wyoming Valley West School District that a minimum grade of 50% (.50) will be the lowest recorded grade for the first, second and third marking period recorded on the report card. In addition, an *Incomplete* may be recorded pending administrative approval for marking periods 1, 2, and 3.  
All incomplete work must be completed by the last day of the successive marking period.  
All fourth quarter work must be completed and submitted one week prior to the last day of school.  
Any deviation of this policy MUST have administrative approval.

### **GUIDANCE COUNSELORS**

The guidance counselor is a vital member of the education team. The counselor helps all students in the domains of academic achievement, personal/social development, and career development. The counselor provides encouragement for success and the opportunity for students to be contributing members of the school and community. Counselors act as liaisons to assist students and their families in each of the three domains.

Appointments with school counselors are necessary for students and parents/guardians. Students may visit the counselor by obtaining a pass from the counselor, and are not to leave class unless it is absolutely necessary and then only with the permission of the teacher. Parents/guardians who have concerns should contact the student's counselor to schedule an appointment.

### **GUM/CANDY/SNACK**

Gum chewing may be prohibited at the discretion of each classroom teacher. Candy is prohibited in the building with the exception of individual snack sizes that may be consumed at lunch. Students are prohibited from possessing, sharing and/or consuming value-packs/family-size/party-size/sharing-size containers of gum/candy/snack.

### **HALL PASSES**

Except for the change of classes, students must not be in the halls without a pass. Building administration may restrict the number of passes a student may be issued each day.

### **HALLWAY BEHAVIOR**

Students are expected to behave in a mature fashion as they move from class-to-class during the day. They should stay to the right side of the hall to provide for traffic flow and use stairways only in the direction that has been

designated. Running is prohibited anywhere in the building. Students are prohibited from congregating or loitering in the hallways.

Students should walk at all times, be aware of their surroundings, use appropriate language and stay to the right of the hallways and stairwells. Students must take the most direct route to their classes; students found in other areas of the building will result in disciplinary action including lavatories on different floors. Students are expected to be on time for class, excessive tardiness will result in disciplinary action. Every effort should be made to keep hallways clean and free of litter.

## **HOMEWORK**

Homework provides an opportunity for additional drill in subject skills. It is necessary to establish independent working habits for students and also serves as a means for the students to test themselves on what they have learned in the classroom. It is an excellent indicator for the parents as to where their students are having the greatest difficulty or success in their academic progress. *Upon request, attendance office personnel will assist in locating homework assignments and books for students who are absent in excess of two (2) consecutive school days. Therefore, parents/guardians should call the attendance office before 9:00 a.m. to request work.*

## **HONOR ROLL**

The Wyoming Valley West Middle School honor roll is designed to recognize high academic achievement. Following is an explanation of the system of calculating honors:

"High Honors with Distinction" are awarded to those students who have achieved a 98%-100% in all subjects.

"High Honors" are awarded to those students who have achieved an overall average of 92%-97% in subjects.

"Honors" are awarded to those students who have achieved an overall average of 86%-91% in subjects.

## **IDENTIFICATION / STUDENT IDENTIFICATION**

During normal school hours and while on school district property and on District transportation, all school students are required to wear an official Wyoming Valley West School District identification card. The identification card must be worn on a breakaway lanyard around the student's neck. The identification card must be visible for staff and administration to see.

## **LAVATORY PASSES**

Students must possess a pass from a teacher, principal, counselor or school nurse to use the lavatory.

## **LEAVING SCHOOL EARLY**

Students must stay on the school grounds from the time that they arrive until the time that they are dismissed. Students may not leave the school grounds during the school day without the permission of an administrator. Ordinarily this permission is granted once the student produces a note from home indicating the purpose of the

request. Such written requests should be presented in the attendance office at least one day in advance. Students leaving early and not returning will be charged with an absence as follows: 8:23 - 9:14 - Full Day Absent; 9:15 11:50 - ½ Day Absent; 11:51 to the end of the day - No Charged Absence.

## **LOCKERS**

Each student will be assigned a locker. The security of a student's locker depends upon the individual student keeping his/her combination secret. Students may visit their hall lockers only in the morning, before and after lunch, and before dismissal in order to minimize hall congestion. **Lockers are not to be shared by students and may lead to disciplinary action if found to be sharing lockers.** If there is any type of problem with a locker, students must make their homeroom teacher, a custodian, or the Main Office aware immediately in order to remedy the situation. Lockers are the property of the Wyoming Valley West School District and may be checked for health, safety, and security reasons without notice. During the course of the school year, if there is any cause for suspicion, dogs may be used for locker searches.

## **LUNCH PERIOD**

Students who are excused for lunch have five minutes to arrive in the cafeteria. Those students who are found on the main floor or the second floor during the following times must have a hall pass or they will face disciplinary action.

6th grade lunch: 11.03-11.33

7<sup>th</sup> grade lunch: 11.54-12.24

8<sup>th</sup> grade lunch: 12.45-1.15

### **The following are specific rules which you should observe during the lunch period:**

Students must:

1. Use only central stairways going to and from the cafeteria.
2. Be seated before lunch lines will open.
3. Follow all directions of the lunch captain and respective section supervisors.
4. Take only food that can be eaten and return to the assigned section.
5. Keep tables and floor area clean by keeping the food on trays, and by faithfully carrying the trays, milk cartons, lunch bags and other paper and food waste to the nearest garbage can.
6. Clean tables when finished eating; the workers in the cafeteria are there to help clean accidental spills from the tables or floors.
7. Remain seated in the cafeteria unless en route to a table, to the compactor, or to the exit.
8. Refrain from carrying food from the cafeteria unless given specific permission from a faculty member to do so.
9. Only go through the lunch line once. All purchases, lunch, drinks, snacks, etc... should be made at this time.

10. Administration reserves the right to assign students to a specific seat or section at any time throughout the school year.

\*Violation of cafeteria rules may result in lunch detention or other disciplinary action.

### Lunch Cost

For the 2024-2025 school year, school lunches will be provided free to all students. This does not include snacks, or any additional items purchased by the student.

**Students will only be able to add money to their accounts during homeroom on the following days**

**6th grade - Tuesdays**

**7th grade - Wednesdays**

**8th grade - Thursdays**

### MAKE-UP WORK

Students who are absent from school are encouraged to continue school work daily via GoogleClassroom as possible. Ultimately, students have five school days after returning from absence to complete missed school work.

### MATERIALS FEES

A fee must be paid for school materials used in a student project before it is removed from the instructional area. If fees are not paid within 30 days of project completion, projects will be discarded or recycled.

### MEDIA RELEASE

There are many times throughout the school year where pictures will be taken of our students for publicity in local newspapers, websites, and the like. If you wish not to have your child's picture or name appear in these various media sources, you are asked to place your request in writing to the building principal. This could also be prevented by having your child respectfully deny any picture opportunities. Please understand that this will not prevent a child's picture from ever appearing in a media source.

### PARENT CONTACT INFORMATION

It is very important that contact information regarding our students is accurate and up to date. There are many reasons that the school may have to reach a student's family. These include: academic performance, behavioral issues, field trip planning, sports, extracurricular activities, and most importantly, emergencies. In addition, the Middle School communications system demands that we have correct information to inform students and their families of school closings and delays. All changes of addresses or telephone numbers should be handled in two ways: (1) parents should access the Skyward Parent Portal under the "parents" tab of [wvwsd.org](http://wvwsd.org), review each child's contact information and make necessary changes for all children; please note making a change for one child does not make a change for all children in the family and (2) contact our building's guidance office



secretary at 570-287-2131. Up to date information is imperative in the event that an emergency contact needs to be made. Emergencies could include necessary contact by Administrators, Counselors and/or the Nurse.

## **PARKING LOTS**

Parking areas are off limits to students during the school day unless permission is granted by the administration to visit a car. Students are not allowed to cut through parking lots during their arrival to or dismissal from school.

## **PARTIES**

Parties are not to be held during school hours unless approved by the principal in advance as a justifiable educational experience or reward.

## **PERSONAL PROPERTY**

Care must be taken to protect personal property during the school day. When not in use, it should be in a locked or otherwise secure area. At the end of the school day, all personal property, including musical instruments, should be taken home. The school will not be responsible for damaged, lost or stolen property.

## **POSTING OF MATERIALS**

No materials are to be posted on chalkboards, painted walls, acoustical tiles, or plastered walls. Authority to post signs and advertisements must be obtained from the building principal. It is understood that all posted signs will be taken down immediately following the activity.

## **PROMOTION POLICY**

Students at the Middle School level need to earn four credits per school year in order to advance to the next grade level.

## **PUBLIC ADDRESS SYSTEM**

All announcements to be made over the public address system must be submitted in advance for approval by an administrator who will determine when and by whom the announcement will be read.

## **REPORT CARDS**

Report cards are issued via the Skyward Parent Portal. Upon notification by the school, parents shall log into the Skyward Parental Portal, look for the "Portfolio" link on the left side then proceed to find the "Report Card" related to the corresponding marking period.

## **RESOURCES AND PROGRAMS**

The Wyoming Valley West Middle School's mission goes far beyond educational pursuits. Support programs have been implemented in the school that address family issues, respect for peers, commitment to the community and volunteerism. Other programs recognize students for achievement and selfless actions in and out of school.

### ***P.B.I.S. (Positive Behavior Interventions and Supports)***

*A program designed by school staff to promote school safety and good behavior. School staff supports and educates students on behavioral expectations and strategies. The focus of the program is on prevention of negative behaviors.*

### ***OTNY***

*OTNY is an academic counseling program that focuses on support for those 6th, 7th and 8th grade students who are at-risk of being retained for the current school year. Eligibility criteria is that a student is failing three or more core classes after the second marking period, and parents agree to have their child attend the group. Students will meet in small groups with their school counselors approximately twice a month to work on assignments that are past due, assignments that are upcoming, organization, and general maintenance of their academic standing, to supply the students with the necessary criteria needed for promotion.*

### ***Peer Tutoring Program***

*This program allows select student tutors to be paired with students who are struggling in one or more academic areas. Peer tutoring not only provides a review of academic areas of weakness, but also a social connection.*

### ***S.A.P***

*The Student Assistance Program is a panel of teachers, school counselors, and healthcare professionals that evaluates referrals sent by teachers who may have a concern with specific students facing barriers to their education. Once the case is reviewed by the SAP team a plan of action is developed to help reduce, or eliminate, the barrier. Referral to outside mental health and drug and alcohol agencies can be considered.*

### ***Students of the Month***

*The current criteria for Student of the Month is: Students are nominated by teachers and other educators monthly.*

- *Positive contributor to school and classroom communities*
- *Commendable academic achievement*
- *Excellent attendance*
- *Consistent exemplar of respect, responsibility and kindness as per the WWV Middle School PBIS Pillars*

## **WEBS**

*Webs (Women Empowered by Science) is an opportunity for sixth grade girls to participate in an exciting and innovative program at Wilkes University. WEBS was developed in response to the growing awareness that many girls lose interest in science during the middle school year. This program runs from January through April one day per month after school on the Wilkes campus. This is an exciting opportunity which promotes enthusiasm for science. This program is limited to a small number of students.*

## **Newspaper Club**

*The Wyoming Valley West Middle School Newspaper Club is responsible for newsletter publications throughout the school year. To be eligible for this club any 7<sup>th</sup> or 8<sup>th</sup> grade student must meet the following criteria:*

- *Available to stay after school on certain dates*
- *Maintain a “B” or higher in English*
- *Meet deadlines*
- *Work well as a team*
- *Spend time outside of class to work on the newspaper*
- *Take responsibility seriously*
- *Obtain a recommendation from your present English teacher*

## **Student Council**

*Student Council is an organization conducted by students and supervised by adults. The purpose of the student council is to give students an opportunity to develop leadership by organizing and carrying out school activities and service projects. In addition to planning events that contribute to school spirit and community welfare, the student council is the voice of the student body. They help share student ideas, interests and concerns with the school wide community. The Wyoming Valley West Middle School Student Council is open to any 7<sup>th</sup> or 8<sup>th</sup> grade student. All students must fully understand the rules and fulfill the obligations of the student council if elected.*

## **National Junior Honor Society**

*Membership in the National Junior Honor Society is one of the highest honors which can be awarded to a middle school student. Membership in the Wyoming Valley West Middle School Chapter of the National Junior Honor Society is open to 7<sup>th</sup>, and 8<sup>th</sup> grade students. Students in the 7<sup>th</sup> and 8<sup>th</sup> grade who have achieved a 96 cumulative GPA or better after the second marking period are eligible. The students selected for membership are then notified of their acceptance by mail. A formal candlelight induction ceremony is held in the spring.*

## **Yearbook Club**

*The yearbook club is open to students in seventh and eighth grade. Students from each grade are accepted after going through the application process with final approval at the discretion of the principals. The yearbook club will be responsible for taking pictures throughout the year then designing and publishing the yearbook. Students will be required to attend meetings several times per month after school. Meetings may become more frequent as*

*publication deadlines approach and may also occur on weekends or during the summer months. A general meeting will be conducted at the start of the school year to discuss the application process and all requirements with the student body.*

## **SCHOOL CALENDAR**

The official school calendar will be kept by the principal and all school, class, and organizational activities will be scheduled through this office. Faculty advisors will request calendar dates for activities. It is important that in-school personnel schedule activities as far in advance as possible to avoid conflict with other planned activities. The school board determines when school is in session. This calendar is published in the beginning of the handbook.

## **SCHOOL INCLEMENT WEATHER (FID OR CLOSURE)**

In the event of inclement weather or mechanical breakdown, school may operate on a Flexible Instructional Day\*, be closed or the start time may be delayed. The same conditions may also necessitate early dismissal. Flexible Instructional Days (FIDS), school closings, delayed start times, or early dismissals will be announced via local media, and by Skylert, the Wyoming Valley West automated communications system. Parents and guardians will be asked to choose a method of communication for the automated system and are responsible to keep the school updated on changes in address, phone, and/or email contact information. NOTE: If no report is heard, this indicates that school is in session.

\*Please refer to Flexible Instructional Day for more information.

## **SECURITY**

The Wyoming Valley West Middle School has been authorized, for security reasons, to operate a video surveillance system. Additionally, students will be required to walk through metal detectors daily before entering the building.

## **SHOP SAFETY**

In some of our courses, curricular concepts are reinforced or demonstrated via shop environments. Two examples of such courses are Family Consumer Science and Industrial Technology. In a shop environment, certain rules and regulations need to be set in place in order to ensure the safest learning environment possible for all involved in the class. Failure to follow said rules may result in disciplinary action and/or loss of privileges.

Basic rules for shop environment: \*Not limited to

- The use of any sharp object in a threatening or malicious manner is strictly prohibited. Weapon policy can be invoked.
- Maliciously damaging equipment is prohibited.
- Long hair (boys and girls) must be tied back.
- Aprons must be worn and tied properly in order to prevent hazards.
- Improper use of towels or liquids is prohibited.
- Shop area should be cleaned in accordance with set rules before leaving class.
- Protective eyewear must be used as specified by the instructor.

## **SKATEBOARD/BICYCLE/ROLLERBLADE/SCOOTERS**

Bicycles, roller blades, scooters and skateboards are prohibited at the Wyoming Valley West Middle School.

## **SKYWARD**

Skyward is our district's information management system for parents/guardians to locate information regarding their child's academic performance, attendance records, contact information, and lunch account status. \*It is imperative that contact information is kept current and up-to-date. The Wyoming Valley West School Districts uses Skyward as a resource and means to communicate with families regarding emergencies and/or school related concerns.

## **SMOKING**

Smoking, e-cigarettes, vaporizers, hookah pens, lighters and/or matches are not permitted in district buildings, on the bus, nor on any campus of the school district. Violation of this policy will result in suspension and notification to the School Resource Officer for juvenile review. "Smoking" shall mean all uses or possession of tobacco products or above mentioned alternatives. This also includes chewing tobacco and snuff.

## **STUDENT RECORDS**

The Wyoming Valley West policy for collection and dissemination of student records is available for examination at the school office or at the Central Office.

## **STUDENT VALUABLES**

Students are cautioned not to bring large amounts of money or electronic devices to school. Watches, rings, and other items require your close supervision. Students, not the school, must be responsible for their personal property.

## **TARDINESS**

Students are to be in their homeroom class by 8:00 a.m. Students arriving after 8:10am are expected to report directly to the Security Desk in order to sign-in. Lateness to class will be dealt with by the teacher unless the student has a pass from a teacher who may have detained that student. Students who are habitually late to school or to class will be referred to the respective assistant principal. Failure to correct the situation may result in the involvement of the parents. Continued lateness will also result in disciplinary action.

## **TESTING PROGRAM**

In addition to the testing administered in relation to specific courses or subjects, mandated PSSA assessments will be given to aid in educational decision-making.

## **TEXTBOOKS**

The school district provides textbooks for all classrooms or students. If issued to a student, he/she should place a book cover on the textbooks. The book which the student receives is a numbered book. This same book must be returned at the end of the course, allowing for normal wear and tear. Excessive or unnecessary damage to books will result in a charge to the student. All books must be returned when a student withdraws from school in order that his records may be cleared. No transcripts will be sent until a student has met his obligations. At the end of each marking period, students who have unresolved obligations will not receive their report cards until the lost or damaged items are paid for at the office.

\*Parents/Guardians should be aware that in this age of technologically advanced education, many of your student's textbooks may be available online or may only exist in online or digital format. Please consult students or their classroom teachers for questions regarding the use of textbooks or supplemental material online.

## **TELEPHONE**

The office telephone is for emergency use only. Students must have permission from a principal to use the telephone.

## **TOBACCO**

### **Purpose**

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

### **Definition**

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:[\[1\]](#)[\[2\]](#)

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

Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

Any product containing, made or derived from either:

Tobacco, whether in its natural or synthetic form; or

Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term tobacco product does not include the following:[\[1\]\[2\]](#)

A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. NOTE: *This exception shall be governed by Board policy relating to Medications.*[\[3\]](#)

A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. NOTE: *Guidance issued by the PA Department of Health directs schools to prohibit possession of any form of medical marijuana by students at any time on school property or during any school activities on school property. This exception shall be governed by Board policy relating to Controlled Substances/Paraphernalia.*[\[4\]](#)

#### Authority

The Board prohibits possession, use, purchase or sale of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, regardless of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.[\[1\]\[2\]\[5\]](#)

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

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

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

#### Delegation of Responsibility

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

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

#### Reporting

##### *Parental Report –*

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

##### *Office for Safe Schools Report -*

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

### *Law Enforcement Incident Report –*

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

### Guidelines

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

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

### Students with Disabilities

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

## **TO AND FROM SCHOOL**

Students are expected to act in a positive and appropriate manner when traveling to and from the building. This entails respecting the property and rights of those who live and work in our communities. School rules apply to district-used bus stop areas. In short, school rules apply while students are enroute to and from school and may be subject to disciplinary action for negative behavior respectively.

## **VISITORS TO THE SCHOOL**

Visitors must be limited to parents and persons having legitimate business at the school. All Visitors must report to the office immediately where a visitor's pass will be issued if the person qualifies. Students from other schools will not be permitted to visit when their school is not in session. Unauthorized, uncooperative visitors will be asked to leave the building. Valid picture identification (preferably a driver's license) is required to enter the school building.

## **WEAPONS**

### Purpose

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

### Definitions

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



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

#### Authority

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

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

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

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

#### Delegation of Responsibility

The Superintendent or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan.[\[11\]](#)[\[12\]](#)[\[13\]](#)

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

#### Guidelines

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

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

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the Office for Safe Schools on the required form.[\[11\]](#)[\[16\]](#)

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

An exception to this policy may be made by the Superintendent, who shall prescribe special conditions or administrative regulations to be followed.[\[2\]](#)

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

## Transfer Students

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

## **WITHDRAWAL AND TRANSFER**

The procedure for withdrawal or transferring is as follows:

1. Secure authorization withdrawal or transfer note from your parent or guardian.
2. Obtain appropriate forms from the Guidance Office.
3. Have the forms filled out by teachers, return all school books, Chromebooks and property, and make sure all fees are paid.
4. Take completed forms to the Guidance Office for final clearance.

## **\*ADDITIONAL POLICIES**

### **Controlled Substances/Paraphernalia Policy**

#### Purpose

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

#### Definitions

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

Controlled substances prohibited by federal and state laws.

Look-alike drugs.

Alcoholic beverages.

Anabolic steroids.

Drug paraphernalia.

Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.

Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law.

Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy.[\[3\]](#)[\[4\]](#)

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

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

#### Authority

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

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

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

#### Off-Campus Activities

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

#### Delegation of Responsibility

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

Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence, or distributing controlled substances.[\[15\]](#)[\[16\]](#)[\[17\]](#)

Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student use of controlled substances.

Provide education concerning the dangers of abusing controlled substances.

Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

#### Guidelines

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

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

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

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of controlled substances to the Office for Safe Schools.[\[13\]](#)[\[16\]](#)

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

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

#### Anabolic Steroids

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

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

#### Reasonable Suspicion/Testing

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

## **Acceptable Use of Computer Network and the Internet**

### Purpose

The Wyoming Valley West School District (district) recognizes that information technology tools and network facilities are used to support learning and to enhance instruction. Information technology tools and network facilities allow people to interact with many other computers and networks. It is a general policy that all technologies are to be used in a responsible, efficient, ethical and legal manner.

The use of the Wyoming Valley West School District's information technology tools and network facilities shall be consistent with the district's mission and the curriculum adopted by the Wyoming Valley West School District.

### Definitions

CIPA - The Children's Internet Protection Act (CIPA) is a federal law enacted to address concerns about access to offensive content over the Internet on school and library computers. CIPA requirements include the following three (3) items:

*Technology Protection Measure* - A technology protection measure is a specific technology that blocks or filters Internet access. It must protect against access by adults and minors to visual depictions that are obscene, child pornography, or -- with respect to use of computers with Internet access by minors -- harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes. For schools, the policy must also include monitoring the online activities of minors.

*Internet Safety Policy* - The Internet safety policy must address, access by minors to inappropriate matter on the Internet. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, unauthorized access including "hacking" and other unlawful activities by minors online, unauthorized disclosure, use, and dissemination of personal information regarding minors, and measures designed to restrict minors' access to harmful materials.

*Public Notice and Hearing* - The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing to address a proposed technology protection measure and Internet safety policy.

*Child* - The term child means an individual under the age of thirteen (13) defined in Children's Online Privacy Protection Act of 1998.

*Child pornography* - means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:[\[1\]](#)[\[2\]](#)

The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable form, that of a minor engaging in sexually explicit conduct; or

Such visual depiction has been created, adopted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. Definition from Section 2256 of Title 18, United State Code.

*COPPA* - Children's Online Privacy Protection Act applies to the online collection of personal information by persons or entities under U.S. jurisdiction from children under thirteen (13) years of age. It details what a website operator must include in a privacy policy, when and how to seek verifiable consent from a parent or guardian, and what responsibilities an operator has to protect children's privacy and safety online including restrictions on the marketing to those under thirteen (13).

*Educational purpose* - includes use of the information technology tools, network facilities, and Internet access for classroom activities, professional or career development, and to support the school district's curriculum, policy and mission statement.

*Hacking* - any attempt to gain unauthorized access (or the unauthorized access) to network facilities or using district network facilities to attempt or to gain unauthorized access to other networks or computing resources.

*Harmful to minors* - any picture, image, graphic image file or other visual, sound or written depiction that:[\[3\]](#)[\[4\]](#)  
Taken as a whole, and with respect to minors, appeals to an inappropriate interest in nudity, sex or excretion.

Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated, normal or perverted sexual acts or a lewd exhibition of the genitals.

Lacks serious literary, artistic, political or scientific value as to minors; depicts extreme violence; promotes intolerance. Definition from 20 U.S.C. Sec. 6777, 47 U.S.C. Sec. 254.

*HIPPA* - Health Insurance Portability and Accountability Act, pertaining to the Privacy Rule for Protected Health Information. The Protected Health Information is any information about health status, provision of health care, or payment for health care that can be linked to a specific individual.

*Illegal activities/uses* - any use of network facilities which violates a municipal ordinance, or local, state, or federal law, including those activities relating to intellectual property rights, trade secrets, the distribution of obscene or pornographic materials or the Family Educational Rights and Privacy Act.

*Information technology* - any electronic device, computer hardware and software, operating systems, web-based information and applications, telephones and other telecommunications products, video equipment and multimedia products, information kiosks and office products such as photocopiers and fax machines.

Minor - for purposes of compliance with the Children's Internet Protection Act (CIPA), an individual who has not yet attained the age of seventeen (17). For other purposes, minor shall mean the age of minority as defined in the relevant law.

Network facilities -

Computer hardware and software, electronic connections, electronic devices and other information technology tools used for information processing, as well as peripheral devices connected to these tools.

Network bandwidth including Internet bandwidth and other devices necessary to facilitate network connectivity such as email services, file servers, routers, switches, hubs, firewalls, premise wiring, network data ports, etc.

Computers hardware and software, electronic connections, electronic devices and other information technology tools used on district property or used off district property that impacts the district or causes a disruption to the educational environment, or when such use comes in conflict with the Student Code of Conduct or district policy, whether or not such tools are owned by the district and whether or not they are connected physically or wirelessly to the district's information network(s).

Online collaboration - using site-based or web-based technology tools to communicate and work productively with other users to complete educationally relevant tasks.

Personal use - incidental personal use of school computers is permitted for employees so long as such use does not interfere with the employee's job duties and performance, with system operations or with other system users.

Personal use must comply with this policy and all other applicable district's procedures and rules contained in this policy, as well as ISP terms, local, state and federal laws; and must not damage the district's information technology tools, network facilities and Internet access systems.

Staff - includes administrative, teaching, support and volunteer personnel employed by or voluntarily affiliated with the Wyoming Valley West School District.

Technology Protection Measure - a specific technology that blocks or filters Internet access.[\[4\]](#)

Technology tools - includes any district-owned, leased or licensed or user owned personal hardware, software or other technology used on district premises or at district events, or connected to the district network, containing school district programs or district or student data (including images, files and other information) attached or connected to, installed in or otherwise used in connection with a computer. Technology equipment includes, but is not limited to, district and users': desktop, notebook, netbook, tablet PC or laptop computers, servers, firewalls/security systems, distance learning equipment, video conference units, printers, facsimile machine, cables, modems, and other peripherals, specialized electronic equipment used for students' special educational purposes, Global Positioning System (GPS) equipment, personal digital assistants (PDAs), iPods, MP3 players, USB/jump drives, cell phones, with or without Internet access and/or recording and/or camera/video and other capabilities and configurations, telephones, mobile phones, or wireless devices, two-way radios/telephones, beepers, paging devices, laser pointers and attachments and any other such technology developed.

Telecommunications - any system that allows users access to a wide variety of information from electronic networks found on local, state, national and international databases, Internet or intranet servers and other information technology tools. Examples include, but are not limited to, Internet technologies, email, Internet-based discussion groups and bulletin boards.

#### Authority

The Board of Directors (Board) establishes that use of information technology tools and network facilities impacting the district is a privilege, not a right.

Inappropriate, unauthorized and illegal use may result in cancellation of the privileges of users and appropriate disciplinary action consistent with the district's disciplinary code.[5][6][7][8][9]

The information available to students and staff does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received.

All network and computing resources must meet requirements for established policies, procedures and conditions of the Wyoming Valley West School District and any external entity administering resources to which the network or computing resources are connected.

The district's Director of Technology, or other authorized school employees, may at any time review the subject, content and appropriateness of electronic communications, Internet access, usage of the district's information technology or other electronic files and remove them or block the inappropriate use as warranted, or report any violation of these rules to the district's administration or appropriate law enforcement officials. The district reserves the right to remove a user account from its network facilities to prevent further unauthorized or illegal activity if this activity is discovered.

The hardware, software, messages transmitted and electronic files created on it are the property of the district.

Users have no expectation of privacy or confidentiality in the content of electronic communications, Internet access or other electronic files sent and received utilizing the district's information technology tools, network facilities or stored in his/her directory. The Wyoming Valley West School District reserves the right to monitor, inspect, copy, review and store at any time, without prior notice, any and all usage of its information technology, network facilities and Internet usage and any and all information transmitted or received in connection with such usage. All such information files and user accounts shall be and remain property of the district.

#### Delegation of Responsibility

The district shall make every effort to ensure that district resources are used responsibly by students and staff. Students and staff have the responsibility to respect and protect the rights of every other user in the district and on the Internet.

All staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discriminate among information sources, to identify information appropriate to their age and developmental levels, to evaluate and use the information to meet their educational goals and practice proper etiquette and ethical use of district resources.

The district shall not be responsible for any information lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet. The district is not responsible for any unauthorized charges or fees resulting from access to the Internet.

The Board of Directors for the Wyoming Valley West School District endorses the use of technology as an integral part of the district's instructional program.

The Superintendent shall be responsible for the development of educational programs using technology and global networks and shall establish procedures for the development of such program.

The Superintendent or designee shall be responsible for developing procedures used to determine whether the district's technology tools and network facilities are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:

Utilizing a technology protection measure that blocks or filters Internet access for minors or adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board or their designee.

Maintaining and securing a usage log.

Monitoring online activities of all users.

Unless otherwise denied for cause, student access to onsite district resources shall be through supervision by the district staff. All users have the responsibility to respect the rights of all other users within the district and district's technology resources and to abide by the rules established by the district, its ISP and local, state and federal laws.

### Guidelines

Network accounts will be used only by the authorized owner of the account for its approved purpose. These accounts will be made available according to a procedure developed by appropriate district authorities. All communications and information accessible via the network should be assumed to be the property of the district and shall not be disclosed. Network users shall respect the privacy of other users on the system.

A guest may receive an individual network account with the approval of the Director of Technology and/or designee if there is a specific district-related purpose requiring such access after the AUP is signed and must comply with this policy and all other district policies, procedures and rules, as well as local, state and federal laws. An agreement between the district and a guest will be required. A parental signature will be required if the guest is a minor.

### Prohibitions

The use of district information technology tools, network facilities and the Internet for illegal, inappropriate or unethical purposes by students or staff is prohibited. More specifically, the following are prohibited:

Use of the network for commercial or for-profit purposes, product advertisement, political lobbying or to facilitate illegal activity.

Hacking, port scanning, unauthorized attempts to access network resources, creating malicious code, phishing, spamming or use of the network to develop programs that harass other users or infiltrate a computer system and/or damage the software components of a computer or system.

The illegal installation, distribution, reproduction or use of copyrighted material on district information technology or network facilities.

Accessing or transmitting files dangerous to the integrity of the district's information technology or network facilities.

Attempting to circumvent or disable any filter, information security or other security measure.

Attempting to use network facilities while access privileges are suspended or revoked.

Use of the network to access materials, images or photographs that are obscene, pornographic, lewd or otherwise illegal.

Use of the network to transmit material likely to be offensive, objectionable or inflammatory to recipients such as hate mail, harassment or discriminatory remarks.



Use of the network to misrepresent other users on the network, forge electronic mail messages or quote personal communications in a public forum without the original author's prior consent.

Loading or use of unauthorized games, programs, files or other electronic media.

Use of district information technology tools or network facilities to disrupt the work of others; intentionally disrupt information network traffic or crash the network and connected systems; and the hardware or software of other users shall not be destroyed, modified or abused in any way.

Use of the network which results in any copyright violation or other contracts violating such matters as institutional or third party copyright, license agreements and other contracts.

Posting of anonymous messages, possessing any data which might be considered a violation of these rules in paper, electronic or any other form or using inappropriate language or profanity.

Revealing personal information or passwords related to any users on the network other than by district staff in the performance of assigned duties.

Use of any social networking or communication medium, on or off campus, that causes a disruption to the educational process (e.g., posting inflammatory comments about another student or staff member).

Attaching personal technology tools directly to the network without the express permission of the Superintendent or designee.

#### Security

To the greatest extent possible, users of the district's network will be protected from harassment and unwanted or unsolicited communication. The security of network facilities is protected through the use of passwords.

Failure to adequately protect or update passwords could result in unauthorized access to personal or district files. To protect the integrity of network facilities and the safety of users, the following guidelines shall be followed:

Users shall not reveal their passwords to another individual or use any other user's password. If a user suspects someone else has his/her password, the password shall be changed immediately by district personnel.

Users are responsible to log off a computer or secure the computer when it is not in use and are not permitted to use a computer that has been logged in under another user's name.

Any user identified as a security risk or having a history of problems with other electronic resources may be denied access to the network.

The use of technology tools for the purpose of online collaboration and communication within and among users is a privilege, not a right. Furthermore, any collaborative tool user accounts created by district personnel or by the end-user for the purpose of completing course curriculum are subject to the guidelines defined by the Acceptable Use Policy of The Wyoming Valley West School District, regardless of where the access to that technology tool has taken place.

Any network user who receives threatening or unwelcome communications or an invitation from Internet contacts to an inappropriate face-to-face meeting shall immediately report the incident to a teacher or administrator.

Student users shall not reveal personal information to other users, including through e-mail, Internet, etc. that could identify themselves or other users or allow a person to locate a user.

Users shall not intentionally seek information on, obtain copies of or modify files, other data or passwords belonging to other users.

Users shall not transfer or download confidential data or data that contains sensitive personally identifiable information via any portable storage devices including USB devices.

Users should exercise due diligence in regards to printing confidential data or data that contains sensitive personally identifiable information, including grade reports, health records, IEP's and other records subject to the Health Insurance Portability and Accountability Act.

#### Filtering

Any district computer/server utilized by students and staff shall be equipped or connected to with Internet blocking/filtering software or hardware. The district will also monitor online activities of users through direct observation or technology means to ensure adherence to this policy. Internet filtering software or other technology based protection systems may be disabled by the Director of Technology or his/her designee, as necessary, for purposes of valid research or other educational projects being conducted by users, as determined and approved by a building administrator.[\[3\]](#)[\[10\]](#)

Internet safety measures shall effectively address the following:

Control of access by minors to inappropriate matter on the Internet and World Wide Web.

Safety and security when using electronic communications and other forms of direct electronic communications.

Prevention of unauthorized online access, including "hacking" and other unlawful activities.

Unauthorized disclosure, use, and dissemination of personal information.

Restriction of access deemed by the district to be harmful to minors.

Restriction of access to visual depictions that are obscene, child pornography or harmful to minors.

#### Disclaimer of Warranties/Indemnification

The district makes no warranties of any kind, either express or implied, in connection with this policy, access to and use of its information technology, or network facilities. The district shall not be responsible for any claims, losses, damages or costs (including fees) of any kind suffered, directly or indirectly, by any user of his/her parent(s)/guardian(s) arising out of the use of its information technology or network facilities under this policy. Further, the district is not responsible for damage that may occur as a result of an individual user attempting to connect a personal technology device to any district-owned device.

By signing this policy, the user is taking full responsibility for his/her use, and the user who is eighteen (18) or older, or, in the case of a user under eighteen (18), the parent(s)/guardian(s) are agreeing to indemnify and hold the district administrators, professional employees and staff harmless from any and all losses, cost claims or damages resulting from the user's access to its network facilities, including, but not limited to, any fees or charges incurred through purchases of goods or services by the user. The user, or if the user is a minor, the user's parent(s)/guardian(s) agree to cooperate with the district in the event of the district's initiating an investigation of a user's access to the computer network and the Internet.

#### Actions Resulting From Misuse

Deliberate and/or negligent abuse of the network, computing resource or any other district resource could lead to disciplinary action. Any such action would be subject to applicable procedures established by the district. The network user, whether student to employee may be responsible for restitutions for damages to the equipment, systems or software resulting from negligent, deliberate or willful acts.

All incidents of misuse are to be reported to building principals responsible for the students and staff. The building principal or his designee will conduct an investigation to determine the participant and the extent of the misuse.

Consequences of violations include but are not limited to:

Suspension of information network access; revocation of information network access; suspension of network privileges; revocation of network privileges; suspension of computer access; revocation of computer access.

Revocation of district issued technology tools, including all mobile devices owned by the district.

Employment suspension; school suspension.

Employment termination; school expulsion.

Legal action and prosecution by the authorities.

#### Copyright

The illegal use of copyrighted software by students and staff is prohibited.

All software installed on district technology must be approved by the Technology Director for the purposes of network security and licensing.

Any data uploaded to or downloaded from the network shall be subject to fair use guidelines.[\[11\]](#)[\[12\]](#)

Employees and students of the district are subject to the provisions of the Copyright Act of 1976. Teachers, administrators, media specialists, and other District personnel take an active role in assuring compliance with the United States copyright law and congressional guidelines. US copyright laws protect most creative works. Examples of creative works include books, computer software, music, and films.

The district does not sanction illegal use or duplication of copyrighted materials in any form. Unlawful copies may not be produced or used on district equipment, within district facilities, or at district sponsored functions. Employees or students who knowingly and/or willingly violate the district's copyright policies do so at their own risk and may be required to reimburse the district for expenses incurred as the result of a violation.

Principals and administrators are responsible for establishing procedures to ensure that offices and schools adhere to copyright law. These procedures should include informing students and staff members of district copyright policy, and periodically reminding them of their rights and responsibilities. All school sites and work locations must provide a copy of their computer software site license agreements to the district's Technology Center.

At no time may district technology be used to backup, copy, or store any information found on a personal electronic device (cell phone, music players, and tablets). This includes storing duplicate information of music, videos and any other copyrighted media regardless if it is legal copy or purchase. Any music, video or copyrighted materials found on district equipment will be immediately removed without warning.

#### Safety

To the greatest extent possible, users of the network will be protected from harassment and unwanted or unsolicited communication. Any network user who receives threatening or unwelcome communications shall report such immediately to a teacher or administrator. Students shall not reveal personal information to other users on the network, including chat rooms, e-mail, Internet, etc.

Any district computer/server utilized by students and staff shall be equipped with Internet blocking/filtering software or connected to content filtering through the network.

Internet safety measures shall effectively address the following:  
Control of access by minors to inappropriate matter on the Internet.

Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.

Unauthorized disclosure, use and dissemination of personal information regarding minors.

Restriction of minors' access to materials harmful to them.  
Remedies and Recourses

Anyone accused of any violation has all of the rights that would normally apply if such person were accused of school vandalism or any other illegal activity.

The district has the right to restrict or terminate information network access at any time for any reason. The district further has the right to monitor network activity in any form that it sees fit to maintain the integrity of the information network.

#### Procedure for Handling Request to Reconsider Information/Materials

No duly selected materials whose appropriateness is challenged shall be removed from the school except upon the recommendation of a review committee, as provided for below, with the concurrence of the Superintendent.

The following procedures are to be observed:

All complaints to staff members shall be reported to the building principal, whether received by telephone, letter or in personal conversation.

The principal shall contact the complainant to discuss the complaint and attempt to resolve it informally by explaining the philosophy and goals of the school district and/or the library media center.

If the complaint is not resolved informally, the complainant shall be supplied with the Wyoming Valley West School District's network policy statement, the procedure for handling objections and a complaint form. The complaint form must be completed and returned before consideration will be given to the complaint.

When the request is returned, the reasons for selection of the specific information shall be reestablished by the appropriate staff.

In accordance with statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for consideration, however, access to questionable materials can be denied to the child (or children) of the parents/guardians making the complaint, if they so desire.

Upon receipt of a completed objection form, the principal in the building involved will call together a committee to consider the complaint. This committee may consist of the principal, the technology coach, a

teacher, the department chair, a member of the community, and a librarian.

The committee shall meet to discuss the material, following the guidelines set forth in the network policy, and shall prepare a report on the material containing their recommendations on disposition of the matter.

The principal shall notify the complainant of the decision and send a formal report and recommendation to the Superintendent. If the committee decides to keep the work that caused the complaint, the complainant shall be given an explanation. If the complaint is valid, the principal will acknowledge it and make recommended changes.

If the complainant is still not satisfied, s/he may appeal to the Superintendent who shall make a final determination of the issue. The Superintendent may seek assistance from outside organizations, such as the American Library Association, the Association for Supervision and Curriculum Development, etc., in making his/her determination.

## **Bullying/Cyberbullying**

### **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:[\[1\]](#)

Substantially interfering with a student's education.

Creating a threatening environment.

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

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 shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.[\[4\]](#)[\[5\]](#)

### Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the 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:[\[1\]](#)

Board's Bullying Policy.

Report of bullying incidents.

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.[\[1\]](#)[\[6\]](#)[\[7\]](#)

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.[\[1\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

### 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:[\[1\]](#)[\[6\]](#)[\[11\]](#)

Counseling within the school.

Parental conference.

Loss of school privileges.

Transfer to another school building, classroom or school bus.

Exclusion from school-sponsored activities.

Detention.

Suspension.

Expulsion.

Counseling/Therapy outside of school.

Referral to law enforcement officials.

### **Medications**

#### Purpose

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

#### Definitions

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

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

#### Authority

The Board directs all district employees to comply with the Pennsylvania Department of Health's Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.

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

### Delegation of Responsibility

The Superintendent or designee, in conjunction with the Certified School Nurse (CSN), shall develop administrative regulations for the administration and self-administration of students' medications.

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

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

The Certified School Nurse shall collaborate with parents/guardians, district administration, faculty and staff to develop an individualized healthcare plan to best meet the needs of individual students.[4][5]

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

### Guidelines

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

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

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

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

### Delivery and Storage of Medications

All medication shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled container and kept in a locked cabinet designated for storage of medication.

Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The district shall not store more than a thirty-day supply of an individual student's medication.

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

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

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

Name, address, telephone and federal DEA (Drug Enforcement Agency) number of the pharmacy.

Student's name.



Directions for use (dosage, frequency and time of administration, route, special instructions).

Name and registration number of the licensed prescriber.

Prescription serial number.

Date originally filled.

Name of medication and amount dispensed.

Controlled substance statement, if applicable.

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

#### Disposal of Medications

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

Guidelines for disposal of contaminated needles or other contaminated sharp materials immediately in an appropriately labeled, puncture resistant container.

Processes for immediately returning to parents/guardians all discontinued and outdated medications, as well as all unused medications at the end of the school year.

Methods for safe and environmentally friendly disposal of medications.

Proper documentation of all medications returned to parents/guardians and for all medications disposed of by the Certified School Nurse or other licensed school health staff. Documentation shall include, but not be limited to, date, time, amount of medication and appropriate signatures.

#### Student Self-Administration of Emergency Medications

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

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

Written parent/guardian consent.

An Individual Health Plan including an Emergency Care Plan.

The nurse shall conduct a baseline assessment of the student's health status.

The student shall demonstrate administration skills to the nurse and responsible behavior.

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

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

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

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

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

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

Assigning school health staff to be available.

Utilizing a licensed person from the school district's substitute list.

Contracting with a credible agency which provides temporary nursing services.

Utilizing licensed volunteers via formal agreement that delineates responsibilities of both the school and the individual.

Addressing with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of the dose.

Asking parent/guardian to accompany the child on the field trip, with proper clearances.

Arranging for medications to be provided in an original labeled container with only the amount of medication needed.

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

## **Attendance**

### Purpose

The Board recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues.[1]

### Authority

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

### Definitions

Compulsory school age shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than six (6) years of age, until the student

reaches eighteen (18) years of age. The term does not include a student who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.[\[8\]](#)[\[9\]](#)

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[\[8\]](#)

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance.[\[8\]](#)

Person in parental relation shall mean a:[\[8\]](#)

Custodial biological or adoptive parent.

Noncustodial biological or adoptive parent.

Guardian of the person of a student.

Person with whom a student lives and who is acting in a parental role of a student.

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

School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a student's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.[\[8\]](#)

#### Delegation of Responsibility

The Superintendent or designee shall annually notify students, persons in parental relation, staff, local children and youth agency and local magisterial district judges about the district's attendance policy by publishing such policy in student handbooks and newsletters, on the district website and through other efficient communication methods.[\[1\]](#)[\[11\]](#)

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

The Superintendent or designee, in coordination with the building principal, shall be responsible for the implementation and enforcement of this policy.

The Superintendent or designee shall develop administrative regulations for the attendance of students which:

Govern the maintenance of attendance records in accordance with law.[\[12\]](#)[\[13\]](#)

Detail the process for submission of requests and excuses for student absences.

Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate magisterial district judge.

Clarify the district's responsibility for collaboration with nonpublic schools in the enforcement of compulsory school attendance requirements.

Ensure that students legally absent have an opportunity to make up work.

### Guidelines

#### Compulsory School Attendance Requirements

All students of compulsory school age who reside in the district shall be subject to the compulsory school attendance requirements.[\[2\]](#)

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction; or the student's placement is instruction in the home.[\[2\]](#)[\[5\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

The following students shall be excused from the requirements of attendance at district schools, upon request and with the required approval:

On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.[\[3\]](#)[\[4\]](#)[\[21\]](#)

Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.[\[2\]](#)[\[22\]](#)

Students attending college who are also enrolled part-time in district schools.[\[23\]](#)

Students attending a home education program or private tutoring in accordance with law.[\[2\]](#)[\[18\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.[\[2\]](#)

Students fifteen (15) years of age, as well as students fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits.[\[4\]](#)

Students sixteen (16) years of age regularly engaged in useful and lawful employment during the school session and holding a valid employment certificate. Regularly engaged means thirty-five (35) or more hours per week of employment.[\[4\]](#)[\[15\]](#)

### Excused/Lawful Absence

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

Illness, including if a student is dismissed by designated district staff during school hours for health-related reasons.[\[3\]](#)[\[6\]](#)

Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory.[\[3\]](#)

Quarantine.

Family emergency.

Recovery from accident.

Required court attendance.

Death in family.

Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.[\[1\]](#)[\[3\]](#)

Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral.[\[3\]](#)

The national veterans' organization or incorporated unit must provide the student with a signed excuse, which shall include the date, location, and time of the event or funeral.

The student shall furnish the signed excuse to the district prior to being excused from school.

Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.[\[28\]](#)

Nonschool-sponsored educational tours or trips, if the following conditions are met:[\[3\]](#)[\[29\]](#)

The person in parental relation submits the required documentation for excusal prior to the absence, within the appropriate timeframe.

The student's participation has been approved by the Superintendent or designee.

The adult directing and supervising the tour or trip is acceptable to the person in parental relation and the Superintendent.

College or postsecondary institution visit, with prior approval.

Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness, foster care and other forms of educational instability.[\[3\]](#)[\[6\]](#)[\[30\]](#)

The district may limit the number and duration of nonschool-sponsored educational tours or trips and college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

#### Temporary Excusals –

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

Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.[\[2\]](#)[\[14\]](#)[\[18\]](#)

Students participating in a religious instruction program, if the following conditions are met:[\[28\]](#)[\[31\]](#)

The person in parental relation submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.

The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.

Following each absence, the person in parental relation shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.

School age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.[\[21\]](#)

Parental Notice of Absence –

Absences shall be treated as unexcused until the district receives a written excuse explaining the absence, to be submitted within five (5) days of the absence.

A maximum of ten (10) days of cumulative lawful absences verified by parental notification shall be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

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

An out-of-school suspension may not be considered an unexcused absence.[\[8\]](#)

Parental Notification –

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

Enforcement of Compulsory Attendance Requirements

Student is Truant –

When a student has been absent for three (3) days during the current school year without a lawful excuse, district staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.[\[32\]](#)

The notice shall:[\[32\]](#)

Be in the mode and language of communication preferred by the person in parental relation;

Include a description of the consequences if the student becomes habitually truant; and

When transmitted to a person who is not the biological or adoptive parent, also be provided to the student's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.

The notice may include the offer of a School Attendance Improvement Conference.[\[32\]](#)

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.[\[32\]](#)

*School Attendance Improvement Conference (SAIC) –*

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the SAIC.[\[32\]](#)

The purpose of the SAIC is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.[\[8\]](#)

The following individuals shall be invited to the SAIC:[\[8\]](#)

The student.

The student's person in parental relation.

Other individuals identified by the person in parental relation who may be a resource.

Appropriate school personnel.

Recommended service providers.

Neither the student nor the person in parental relation shall be required to participate, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.[\[32\]](#)

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate district staff.[\[32\]](#)

The district may not take further legal action to address unexcused absences until the scheduled SAIC has been held and the student has incurred six (6) or more days of unexcused absences.[\[32\]](#)

*Student is Habitually Truant –*

When a student under fifteen (15) years of age is habitually truant, district staff:[\[33\]](#)

Shall refer the student to:

A school-based or community-based attendance improvement program; or

The local children and youth agency.

May file a citation in the office of the appropriate magisterial district judge against the person in parental relation who resides in the same household as the student.[\[33\]](#)

When a student fifteen (15) years of age or older is habitually truant, district staff shall:[\[33\]](#)

Refer the student to a school-based or community-based attendance improvement program; or

File a citation in the office of the appropriate magisterial district judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[33]

Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate magisterial district judge, district staff shall provide verification that the school held a SAIC.[33]

#### Filing a Citation –

A citation shall be filed in the office of the appropriate magisterial district judge whose jurisdiction includes the school in which the student is or should be enrolled, against the student or person in parental relation to the student.[34]

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.[34]

#### Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[16][35][36][37]

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.[16][35][37]

#### Discipline

The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[32]

## **School Visitors**

#### Authority

The Board welcomes and encourages interest in district educational programs and other school-related activities. The Board recognizes that such interest may result in visits to school by parents/guardians, adult residents, educators and other officials. To ensure order in the schools and to protect students and employees, it is necessary for the Board to establish policy governing school visits.

#### Delegation of Responsibility

The Superintendent or designee and building principal have the authority to prohibit the entry of any individual to a district school, in accordance with Board guidelines and state and federal law and regulations.

The Superintendent or designee shall develop administrative regulations to implement this policy and control access to school buildings and school classrooms.

#### Guidelines

Persons wishing to visit a school should make arrangements in advance with the school office in that building.

Upon arrival at the school, visitors must register at the office where they will receive a pass.



Visitors may be required to provide identification credentials upon entering school property.

Visitors may be required to turn off their cell phones upon entering the school to maintain an appropriate educational environment.

All staff members shall be responsible for requiring a visitor demonstrate that s/he has a visitor's pass.

No visitor may confer with a student in school without the approval of the principal.

Should an emergency require that a student be called to the school office to meet a visitor, the principal or designee shall be present during the meeting.

Failure to comply with these procedures shall result in more limited access to the school as determined by the building principal, consistent with Board policies, school rules and federal and state law and regulations.

#### Classroom Visitations

Parents/Guardians may request to visit their child's classroom, but the request must be made prior to the visit, in accordance with established administrative regulations.[\[1\]](#)[\[2\]](#)

The building principal or program supervisor must grant prior approval for the visit, and shall notify the classroom teacher prior to the visit.

Parents/Guardians shall be limited to one (1) class period per month, per child in school for classroom visitations, in order to minimize disruption of the classroom schedule and the educational program. Parental participation in classroom activities or programs such as room parents, back-to-school events, and chaperones for field trips shall not constitute a classroom visit for purposes of this policy.

The building principal or program supervisor and classroom teacher have the authority to ask a visitor to leave if the visitor disrupts the classroom routine, educational program or daily schedule, or if a visitor violates Board policy. Failure to leave when asked or repeated, documented disruptions may result in loss of classroom visitation privileges.

Under exceptional circumstances and upon request of the building principal, program supervisor, classroom teacher or parent/guardian, the Superintendent may authorize additional or longer classroom visits by a parent/guardian.

#### Military Personnel

Members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to:[\[3\]](#)[\[4\]](#)

Visit and meet with district employees and students when such visit is in compliance with Board policy and district procedures.

Wear official military uniforms while on district property.

## **TITLEIX**

The Wyoming Valley West School District affirms that no person shall, on the basis of sex, disability, race, color, age, creed, religion, sexual orientation, gender identity, national origin, ancestry, veteran's status or genetic information be excluded from participation in, be denied the benefits of, or be subjected to

discrimination in any educational program or activity. In addition, no person shall, on any of these bases, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, or consideration, or selection, therefore, whether full-time or part-time, under any educational program or activity operated by the district. The district shall make reasonable accommodations for qualified individuals with disabilities upon request.

### **Do you need to file a complaint?**

Any student, staff member, or third party who believes he or she has been subject to sexual harassment, discrimination, or retaliation is encouraged to promptly report such incidents to the Title IX Coordinator using the contact information detailed below.

The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Mrs. Deborah Troy  
570-288-6551 ext 10408  
[dtroy@wvwsd.org](mailto:dtroy@wvwsd.org)

Mr. Nick Gill  
570-779-5361 ext 12960  
[ngill@wvwsd.org](mailto:ngill@wvwsd.org)

## **McKinney-Vento Homeless Education Program**

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

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

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

The law indicates that the LEA liaison shall ensure that all homeless children, youth and families are identified through coordinated activities with other entities.

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

"Doubled up" - Sharing the housing of others due to the loss of housing, economic hardship, or similar reasons.

Living in motels, hotels, trailer parks, camping grounds, due to lack of adequate alternative accommodations.

Living in emergency or transitional shelters.

Living in a public or private place not designed for humans to live.

Migratory children living in above circumstances

Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings

Unaccompanied Youth - Children or youth who meets the definition of homeless and not in the physical custody of a parent or guardian.

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

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

Immediate enrollment in the school they last attended or the school in whose attendance area they are currently staying even if they do not have all of the documents normally required at the time of enrollment;

Access to free meals and textbooks, Title I and other educational programs and other comparable services including transportation;

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

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

Assist with enrollment, monitor school attendance and arrange transportation (preK-8 students)

Provide school supplies and other school related materials as needed

Advocate for and support students and families through school and home visits

Set clear expectations for student behavior, attendance and academic performance

Assist students/families access with community services

Assist students/families with access to tutoring, special education, and English language learner resources

Assist students so they can participate in sports, field trips, and school activities regardless of their ability to pay or to provide their own transportation

## **Notice of Special Education Services**

All of the public schools of Luzerne Intermediate Unit 18 (LIU), 368 Tioga Ave., Kingston, Pennsylvania provides special

education and related service to resident children with disabilities who are ages three through twenty-one. The purpose of this

notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special

education programs and related services that are available, (3) the process by which the public schools screen and evaluate such

students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians. The

notice of Special Education Services is prepared annually by the Director of Special Education at the Luzerne Intermediate Unit

and is reported each October on behalf of the member school districts. It is meant to inform the public as to the purpose and

rights of special needs children and families.

What types of disability might qualify a child for special education and related services?

Under the federal Individuals with Disabilities Education Act, or "IDEA," children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need such services: (1) intellectual disabilities

(formerly mental retardation); (2) hearing impairments, including deafness; (3) speech or language impairments; (4) visual

impairments, including blindness; (5) serious emotional disturbance; (6) orthopedic impairments, or physical disabilities; (7)

autism, including pervasive developmental disorders; (8) traumatic brain injury, or neurological impairment; (9) other health

impairment; (10) specific learning disabilities. Children age three through the age of admission to first grade are also eligible if

they have developmental delays and, as a result, need special education and related services. Children with more than one of the

foregoing disabilities could qualify for special education and related services as having multiple disabilities. For infants, birth

through three with special needs, contact the Luzerne County Mental Health / Mental Retardation Agency.

The legal definitions of these disabilities, which the public schools are required to apply under the IDEA, may differ from those

used in medical or clinical practice. The legal definitions, moreover, could apply to children with disabilities that have very

different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, could qualify for special

education and related services as a child with "other health impairments," "serious emotional disturbance," or "specific learning

disabilities" if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special

education and related services as a result.

Under Section 504 of the federal Rehabilitation Act of 1973, and under the federal Americans with Disabilities Act, some school

age children with disabilities who do not meet the eligibility criteria outlined above might nevertheless be eligible for special

protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such

protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits

participation in or access to an aspect of the school program.

What programs and services are available for children with disabilities?

Public schools must ensure that children with disabilities are educated to the maximum extent appropriate in the regular education environment, and that the instruction they receive conforms as much as possible to the instruction that non-disabled

students receive. This practice is commonly referred to as Least Restrictive Environment (LRE). Programs and services available

to students with disabilities, in descending order of preference, are (1) regular class placement with supplementary aides and

services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a

special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with

instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a

regular public school or alternative setting; and (5) special education class placement or special education services provided

outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, the public school can provide special education programs and services in

(1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school

district of residence, (3) a special education center operated by a public school entity, (4) an approved private school or other

private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the

home.

Special education services are provided according to the primary educational needs of the child, not the category of disability.

The types of service available are (1) learning support, for students who primarily need assistance with the acquisition of academic skills; (2) life skills support, for students who primarily need assistance with development of skills for independent

living; (3) emotional support, for students who primarily need assistance with social or emotional development; (4) deaf or

hearing impaired support, for students who primarily need assistance with deafness; (5) blind or visually impaired support, for

students who primarily need assistance with blindness; (6) physical support, for students who primarily require physical assistance in the learning environment; (7) autistic support, for students who primarily need assistance in the areas affected by

autism spectrum disorders; and (8) multiple disabilities support, for student who primarily need assistance in multiple areas

affected by their disabilities.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of

related services are speech and language therapy, occupational therapy, physical therapy, nursing services, audiologist services,

counseling including social work, and family training.

Within the Luzerne Intermediate Unit, children of preschool age are served by the Hazleton Area School District in a variety of

home and school-based settings that take into account the chronological and developmental age and primary needs of the child.

As with school age programs, preschool programs must ensure that to the maximum extent appropriate, children with disabilities

are educated with non-disabled peers.

The public school, in conjunction with the parents, determines the type and intensity of special education and related services that

a particular child needs based exclusively on the unique program of special education and related services that the school

develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is

developed by an IEP team consisting of educators, parents, and other persons with special expertise or familiarity the child. The

parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised

as often as circumstances warrant but at least annually. The law requires that the program and placement of the child, as

described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain,

at a minimum, a statement of present levels of educational and functional performance, an enumeration of annual goals and, for

some children, short-term objectives or benchmarks, and a statement of the special education, program modifications, and related

services that the child needs to make meaningful educational progress. Transition planning begins at age fourteen. For children

aged sixteen and older, the IEP must also include a transition plan to assist in the attainment of post-secondary objectives. The

public school must invite the child to the IEP team meeting at which the transition plan is developed.

How do the public schools screen and evaluate children to determine eligibility for special education and related services?

Multidisciplinary team evaluation

The public schools must conduct a multidisciplinary team evaluation of every child who is thought to have a disability. The

multidisciplinary team is a group of professionals who are trained in and experienced with the testing, assessment, and

observation of children to determine whether they have disabilities and, if so, to identify their primary educational strengths and

needs. Parents are members of the multidisciplinary team. Public schools must reevaluate school-age students receiving special

education services every three years and must reevaluate children with mental retardation and pre-school-age children receiving

special education services every two years.

Parents may request a multidisciplinary team evaluation of their children at any time. They must do so in writing or in some

cases an oral request can be made but must be followed up by permission to evaluate from the parent. Every public school within

the Luzerne Intermediate Unit has a procedure in place by which parents can request an evaluation. For information about the

procedures that apply in your public school, contact the public elementary, middle, or high school to which children in your area

are assigned. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book

under the heading "Schools." Parents of preschool age children, age three through five, residing within the Luzerne Intermediate

Unit may request an evaluation in writing by addressing a letter as follows: Hazleton Area School District, Early Intervention

Services, 1515 West 23rd Street, Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459-

8118.

Parents of children in private schools residing within the Luzerne Intermediate Unit may request a multidisciplinary team evaluation of their children from the public school district that they reside without enrolling in the public schools. While some

services might be available to some private school children found eligible by public school multidisciplinary teams, the public

schools are not required to provide all or any of the special education and related services that children enrolled in the public

schools would receive. If, after an evaluation, the multidisciplinary team determines that the child is eligible for special



education and related services, the public school must offer the parents a Free Appropriate Public Education (FAPE) and an IEP

for a public school-sponsored placement. If parents wish to take advantage of such an offer, they might have to enroll or reenroll their child in the public schools in order to receive services and/or dually enroll in both public and non-public setting. Some

public schools may offer FAPE through a third party (LIU) in the non-public school. The Luzerne Intermediate Unit through

IDEA acts as the Local Education Agent (LEA) for non-public schools under equitable participation (EP). Equitable Participation

services are determined annually by the non-public schools within the LIU. EP services are based on funding of student's in nonpublic schools who have known disabilities through appropriate evaluation and are not receiving FAPE through their local public

schools. This identification process is called Child Find. Child find is the responsibility of the public schools. The LIU reports the

data of child find for the public schools to PDE for IDEA data purposes.

Before the public school can proceed with any evaluation, it must notify the parents in writing of the specific types of testing and

assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin

until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has

returned the notice to the public school.

## Screening

Public schools undertake screening activities before referring most children for a multidisciplinary team evaluation. Screening

activities consist of the following:

Ongoing analysis of the child's response to instruction and performance on State-wide and District-wide assessments.

Periodic vision and hearing assessments by the school nurse and review of the results of physical examinations by school or

private physicians as Mandated by the Pennsylvania Public School Code.

Team-based baseline assessment and analysis of the child's response to individualized academic or behavioral intervention over a

period of up to sixty (60) days. Such intervention-based screening occurs when requested by the child's teacher, parents, or other

concerned school personnel.

For information about the dates of various screening activities in your local public school or to request screening activities for a

particular child, contact the local public school directly. Telephone numbers and addresses for these schools can be found in the

blue pages section of the telephone book under the heading "Schools." Parents of preschool age children, age three through five,

residing within the Luzerne Intermediate Unit may obtain information about screening activities, or may request a screening of

their children, by calling or writing the Hazleton Area School District, Early Intervention Services, 1515 West 23rd Street,

Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459-8118.

Private school administrators, teachers, and parent groups, or individual parents of students in private schools, who are interested

in establishing systems in those schools for locating and identifying children with disabilities who might need a multidisciplinary

team evaluation may contact Ms. Elizabeth Krokos, Director of Special Education, Luzerne Intermediate Unit 18, 368 Tioga

Avenue, Kingston, PA 18704, phone number 570-287-9681. Non-public school administrators are in-serviced yearly at the EP

meeting as to the procedures for identification and responsibilities of the non-public, public school district and the LIU for parent

privately placed children in non-public schools.

What special rights and protections do children with disabilities and their parents have?

State and federal law affords many rights and protections to children with disabilities and their parents. A summary of those

rights and protections follows. Interested persons may obtain a complete written summary of the rights and protections afforded

by the law, together with information about free or low cost legal services and advice, by contacting the special education or

student services department of the school district in which they reside at the address and telephone number listed at the end of

this notice, or through the principal of the local public school at the address and telephone number listed in the blue pages section

of the telephone book under the heading "Schools." For pre-school identified students residing within the Luzerne Intermediate

Unit a written summary is also available through the Hazleton Area School District, Early Intervention Services, 1515 West 23rd

Street, Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459-8118.

### Rights and Protections

Prior Written Notice. The public school must notify you in writing whenever it proposes to initiate or to change the identification, evaluation, educational program, or placement of a child or whenever it refuses to initiate or make a change in the

identification, evaluation, educational program, or placement requested by a parent. Such notice must be accompanied by a

written description of the reasons for the proposal or refusal, the options considered, if any, and the reasons why such options

were rejected.

Consent. The public school cannot proceed with an evaluation or reevaluation, or with the initial provision of special education

and related services, without the written consent of the parents. A public school may override the lack of consent for an initial

evaluation by requesting the approval of an impartial hearing officer or judge following a hearing. If the parents fail to respond

to a written request for permission to reevaluate, however, the public school may proceed with the proposed reevaluation without

consent. A public school may not seek a hearing to override the refusal of a parent to consent to an initial placement in special

education.

Protection in Evaluation Procedures. Evaluations to determine eligibility and current need for special education and related

services must be administered in a manner that is free of racial, cultural, or linguistic bias. Evaluations cannot consist of a single

test or assessment, and testing must be a valid measure of the psychological, social, emotional, or other learning characteristic or

behavior that the school is using it to measure. Testing and assessment must be administered in accordance with professional

standards and the criteria established by the publisher. It must be administered in the native language of the child.

Independent Educational Evaluation. If parents disagree with the evaluation conducted by the public school, they may request

in writing an independent educational evaluation, or "IEE," at public expense. The policy of the public schools of Luzerne

Intermediate Unit 18 is to refuse to pay for such evaluations if the independent evaluator is not a Pennsylvania certified or

Licensed professional, if the evaluation is not conducted in the same manner that the law requires of public school evaluations, or

if the cost of the evaluation substantially exceeds the prevailing cost of similar evaluations in the region. Exceptions to these

limitations will be granted only for compelling reasons. If the public school refuses to pay for the IEE, it must request an

immediate special education due process hearing to defend the appropriateness of its evaluation.

#### Due Process Hearing Procedures

The parent or local educational agency (LEA) may request a due process hearing with respect to any matter relating to the

identification, evaluation, or educational placement of the child or the provision of a free appropriate public education ("FAPE").

The party requesting the hearing must submit a "Due Process Hearing Request" form to the Office for Dispute Resolution, 6340

Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112; telephone (800) 222-3353; TTY (800) 654-5984. A due process hearing

will not proceed until all required information is provided and procedures followed.

Timeline for requesting Due Process. The parent or LEA must request a due process hearing by filing a Due Process Hearing

Request within two (2) years of the date to parent or the LEA knew or should have known about the alleged action that forms the

basis of the request. There are limited exceptions to this timeline. This timeline will not apply to the parent if— the parent was

prevented from requesting the due process hearing due to the specific misrepresentations by the LEA that it had resolved the

problem forming the basis of the hearing request, or if the LEA withheld information from the parent that the LEA was required

provide.

Filing and Service of the Due Process Hearing Request. The party requesting the hearing must send a copy of the Due Process

Hearing Request to the other party and, at the same time, to the Office for Dispute Resolution by mail addressed to the Office for

Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112, or by electronic mail addressed to

ODR.pattan.net, or by facsimile at (717) 657-5983.

Contents of Due Process Hearing Request. The Due Process Hearing Request must contain the following information:

1. The name of the child, the address where the child lives, and the name of the school the child is attending or, if the child is

homeless, available contact information for the child and the name of the school the child is attending;

2. A description of the nature of the problem, including facts relating to such problem; and

3. A proposed resolution of the problem to the extent known and available to the party filing the Request.

Challenging Sufficiency of the Due Process Hearing Request. The Due Process Hearing Request will be considered to be

sufficient unless the party receiving it notifies the Hearing Officer and the other party in writing within fifteen (15) days of

receipt that the receiving party believes the Request does not meet the requirements listed above.

Response to Request. If the LEA has not sent a prior written notice (“NOREP”) to the parent regarding the subject matter

contained in the parent's Due Process Hearing Request, the LEA must send to the parent, within ten (10) days of receiving the

Due Process Hearing Request, a response including the following Information: an explanation of why the LEA proposed or

refused to take the action raised in the Hearing Request; a description of other options the Individualized Education Program

("IEP") Team considered, if any, and the reasons why those options were rejected; a description of each evaluation procedure,

assessment, record, or report the LEA used as the basis for the proposed or refused action; and a description of the factors that are

relevant to the proposal or refusal. Filing this response to the parent's Due Process Hearing Request does not prevent the LEA

from challenging the sufficiency of the Due Process Hearing Request. If the LEA has already sent prior notice in the form of a

NOREP to the parent, or it is the parent receiving the Due Process Hearing Request then a response to the Due Process Hearing

Request must be sent to the other side within ten (10) days of receipt of the request. The response should specifically address the

issues raised in the Due Process Hearing Request.

Hearing Officer Determination of Sufficiency of the Due Process Hearing Request. Within five (5) days of receiving a party's

challenge to the sufficiency of the Due Process Hearing Request, the Hearing Officer must make a determination based solely on

the information contained within the Request whether the Request meets content requirements listed above. The Hearing Officer

must immediately notify both parties in writing of his or her determination.

Subject Matter of the Hearing. The party requesting the due process hearing is not permitted to raise issues at the due process

hearing that were not raised in the Due Process Hearing Request (or Amended Due Process Hearing Request) unless the other

party agrees otherwise.

Resolution Session. Before a due process hearing can take place, the LEA must convene a preliminary meeting with the parent

and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the Due Process

Hearing Request in an attempt to resolve those issues without the need to proceed to a due process hearing. This preliminary

meeting must be convened within fifteen (15) days of the receipt of the Due Process Hearing Request. A representative of the

LEA who has decision-making authority must be present at this meeting. The LEA may not have an attorney attend the meeting

unless the parent is also accompanied by an attorney. At the meeting, the parent will discuss the Due Process Hearing Request,

and the LEA will be provided the opportunity to resolve the Due Process Hearing Request unless the parent and the LEA agree,

in writing, to waive this meeting, or agree to use the mediation process. If the parent and LEA resolve the issues in the Due

Process Hearing Request at the preliminary meeting, they must put the agreement terms in writing, and both the parent and a

representative of the LEA who has the authority to bind the LEA must sign the agreement. The agreement is a legally-binding

document and may be enforced by a court. Either the parent or LEA may void the agreement within three (3) business days of the

date of the agreement. After three (3) days, the agreement is binding on both parties.

Amended Due Process Hearing Request. Either the parent or a LEA may amend its Due Process Hearing Request only if the

other party consents in writing to the amendment and is given the opportunity to resolve the issues raised in the Due Process

Hearing Request through a resolution session, or the Hearing Officer grants permission for the party to amend the Due Process

Hearing Request. However, the Hearing Officer may grant this permission not later than five (5) days before a due process

hearing occurs.

Timeline for Completion of Due Process Hearing. If the LEA has not resolved the Due Process Hearing Request within thirty

(30) days of receiving it, or within thirty (30) days of receiving the Amended Due Process Hearing Request the due process

hearing may proceed and applicable timelines commence. The timeline for completion of due process hearings is forty-five (45)

days, unless the Hearing Officer grants specific extensions of time at the request of either party.

Disclosure of Evaluations and Recommendations. Not less than five (5) business days prior to a due process hearing, each party

must disclose to all other parties all evaluations completed by that date, and recommendations based on the offering party's

evaluations that the party intends to use at the due process hearing. Failure to disclose this information may result in a Hearing

Officer prohibiting the party from introducing the information at the hearing unless the other party consents to its introduction.

Due Process Hearing Rights. The hearing for a child with a disability or thought to have a disability must be conducted and held

in the LEA at a place and time reasonably convenient to the parent and child involved. The hearing must be an oral, personal

hearing and must be closed the public unless the parent requests an open hearing. If the hearing is open, the decision issued in the

case, and only the decision, will be available to the public. If the hearing is closed, the decision will be treated as a record of the

child and may not be available to the public. The decision of the Hearing Officer must include findings of fact, discussion, and

conclusions of law. Although technical rules of evidence will not be followed, the decision must be based upon substantial

evidence presented at the hearing. A written or, at the option of the parent, electronic verbatim record of the hearing will be

provided to the parent at no cost. Parents may be represented by legal counsel and accompanied and advised by individuals with



special knowledge or training with respect to the problems of children with disabilities. Parents or parent representatives must be

given access to educational records, including any tests or reports upon which the proposed action is based. A party has the right

to compel the attendance of and question witnesses who may have evidence upon which the proposed action might be based. A

party has the right to present evidence and confront and cross-exam witnesses. A party has the right to present evidence and

testimony, including expert medical, psychological, or educational testimony.

**Decision of Hearing Officer.** A decision made by a Hearing Officer must be made on substantive grounds, based upon a determination of whether the child received a FAPE. In disputes alleging procedural violations, a Hearing Officer may award

remedies only if the procedural inadequacies impeded the child's right to a FAPE; significantly impeded the parents opportunity

to participate in the decision-making process regarding the provision of a FAPE to the child; or caused a deprivation of educational benefits. A Hearing Officer may still order a LEA to comply with procedural requirements even if the Hearing

Officer determines that the child received a FAPE. The parent may still file a Complaint with the Bureau of Special Education

within the Pennsylvania Department of Education regarding procedural violations.

The Due Process Hearing will service as the local and state level hearing: appeals may be made to the court of competent jurisdiction.

**Civil Action.** A party that disagrees with the findings and decision of the Hearing Officer (in the case of Section 504/Chapter 15

cases and early intervention cases) has the right to file an appeal in state or federal court. The party filing an appeal is encouraged

to seek legal counsel to determine the appropriate court with which to file an appeal. A party filing an appeal to state or federal

court has ninety (90) days from the date of the decision to do so.

**Attorney's Fees.** A court, in its discretion, may award reasonable attorney's fees to the parent of a child who is a prevailing party

or to a State Educational Agency or LEA against the attorney of the parent who files a Due Process Hearing Request or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of the parent who

continued to litigate after the litigation clearly became frivolous, unreasonable or without foundation; or to a prevailing State

Educational Agency or LEA against the attorney of the parent, or against the parent, if the parent's Due Process Hearing Request

or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to

needlessly increase the cost of litigation. Fees awarded will be based on rates prevailing in the community in which the action or

proceeding arose for the kind and quantity of attorney services furnished.

The federal law imposes certain requirements upon the parent and LEA and in some circumstances may limit attorney fee

awards. Parents should consult with their legal counsel regarding these matters. The following rules apply: Attorney's fees may

not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the

time of a written offer of settlement to the parent if the offer is made within the time prescribed by Rule 68 of the Federal Rules

of Civil Procedures, or, in the case of an administrative hearing, at any time more than ten (10) days before the proceeding

begins; the offer is not accepted within ten (10) days; and the court finds that the relief finally obtained by the parent is not more

favorable to the parent than the offer of settlement. Attorney's fees may not be awarded for time spent attending any meeting of

the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action. A due process resolution session is not considered to be a meeting convened as a result of an administrative hearing or judicial action, nor an

administrative hearing or judicial action for purposes of reimbursing attorney's fees. The Court may reduce the amount of any

attorney's fee award when: (a) the parent, or the parent's attorney, during the course of the action or proceeding unreasonably

protracted the final resolution of the controversy; (b) the amount of the attorney's fees otherwise authorized to be awarded

unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable

skill, reputation, and experience; (c) the time spent and legal services furnished were excessive considering the nature of the

action or proceeding; or (d) the attorney representing the parent did not provide to LEA the appropriate information in the Due

Process Hearing Request. These reductions do not apply in any action or proceeding if the court finds that the State or LEA

unreasonably protracted the final resolution of the action or proceeding.

Child's Status during Administrative Proceedings. Except for discipline cases, which have specific rules, while the due process

case, the child must remain (pendency) in his or her present educational placement unless the parent and LEA or State agree

otherwise. If the due process hearing involves an application for initial admission to public school, the child, with parental

consent, must be placed in the public school program until completion of all the proceedings, unless the parent and LEA agree

otherwise.

Private School Tuition Reimbursement. In some cases, parents of children who were identified by the public school as eligible

for special education and related services and who received such services can recover in a due process hearing or from a court an

award of private school tuition reimbursement. Parents can also receive such awards if their child was in need of special education and related services but were not offered such services in a timely manner. To obtain an award of tuition

reimbursement, parents must notify their public school of their intent to enroll their child in a private school either verbally at the

last IEP team meeting prior to withdrawing their child or in writing received by the public school at least ten days prior to the

date on which the child is withdrawn from public school. Parents can obtain tuition only when they can prove at a special education due process hearing that (1) the public school failed to offer an appropriate program or placement to the child, (2) the

parents therefore placed their child in a private school, and (3) the private school placement was proper. Tuition reimbursement

awards can be denied or reduced if the parent's behavior was improper or if the parents delay unreasonably in asserting a claim

against the public school in a due process hearing. Such awards can also be denied or reduced if the parents fail to do one of the

following: (1) notify the public school of their intent to place the child in a private school at the last IEP team meeting prior to the

planned placement or (2) notify the public school in writing of their intent to place the student in a private school at least ten days

before withdrawing the student for that purpose.

**Mediation.** Parties may agree to submit their dispute to the mediation process by requesting mediation from the Office for

**Dispute Resolution.** Mediation may be requested in place of or in addition to a due process hearing. If a hearing is also requested, mediation cannot delay the scheduling of the due process hearing, unless the Hearing Officer grants a continuance for

that purpose at the request of a party. An impartial, trained mediator facilitates the mediation process, which is scheduled at a

time and location convenient to the parties. The parties are not permitted to have attorneys participate in the process. Any

resolution reached through mediation must be reduced to writing, which will be binding on the parties.

**Rights under Section 504 of the Rehabilitation Act of 1973.** As noted above, some students with disabilities who are not in

need of special education and related services are nevertheless entitled to adaptations and accommodations in their school

program or in the physical environment of school buildings, grounds, vehicles, and equipment, when such adaptations or

accommodations are required to enable the student to access and participate meaningfully in educational programming and

extracurricular activities. Parents are entitled to a written description of the adaptations and accommodations that the public

school is willing to offer. This written description is called a “service agreement” or “accommodation plan.” The rights and

protections described above under the headings “Notice,” “Consent,” “Protection in Evaluation Procedures,” and “Maintenance

of Placement” apply to students receiving adaptations and accommodations under Section 504. Parents who have complaints

concerning the evaluation, program, placement, or provision of services to a student may request either an informal conference

with the public school or a due process hearing. The hearing must be held before an impartial hearing officer at a time and

location convenient to the parents. Parents have the right to request a free written or electronic transcript or recording of the

proceedings, to present evidence and witnesses disclosed to the public school, to confront evidence and testimony presented by

the public school, to review their child’s complete educational record on request before the hearing, to receive a written decision

from the hearing officer, and to be represented by counsel or an advocate of their choice. An appeal may be taken from the

decision of the hearing officer to a court of competent jurisdiction.

**Compliance Complaints.** In addition to the above hearing rights, parents and others with complaints concerning the education of

a child with disabilities or violations of rights guaranteed by either the IDEA or Section 504 may file complaints with the

Pennsylvania Department of Education, which must investigate such complaints and issue written findings and conclusions.

Information concerning such complaints can be obtained at the following address:

Pennsylvania Department of Education

Bureau of Special Education

Division of Compliance Monitoring and Planning

333 Market Street, 7th Floor

Harrisburg, PA 17126-0333

(800) 879-2301

#### Student Records

The public schools of Luzerne Intermediate Unit 18 maintain records concerning all children enrolled in public school, including

students with disabilities. Records containing personally identifiable information about or related to children with disabilities

could include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health

records, individualized education programs, notices of recommended assignment, notices of intent to evaluate and reevaluate,

comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test

data, data entered into the Penn Data system, PIMS, correspondence between school staff and home, instructional support team

documents, referral data, memoranda, and other education-related documents. Records can be maintained on paper, on

microfiche, on audio or videotape, and electronically. Records can be located in the central administrative offices of the public

school, the school building or building at which the student attended or attends school, private schools and facilities at which the

public school has placed the child for educational purposes, central storage facilities and electronic storage systems, and in the

secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a

legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality and

adhere to the Family Educational Rights and Privacy Act (FERPA) regulations.

Records are maintained as long as they remain educationally relevant. The purposes of collecting and maintaining records are (1)

to ensure that the child receives programs and services consistent with his or her IEP; (2) to monitor the ongoing effectiveness of

programming for the child; (3) to document for the public school and the parents that the student is making meaningful progress;

(4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal

and program audits; and (5) to inform future programming for and evaluations of the child. When educational records, other than

those which must be maintained, are no longer educationally relevant, the public school must so notify the parents in writing and

may destroy the records or, at the request of the parents, must destroy them. Public schools are not required to destroy records

that are no longer educationally relevant unless the parents so request in writing.

Parent consent. Parent consent is required in writing prior to the release of any personally identifiable information concerning a

child with disabilities. Parent consent is not required, however, prior to the release of information (1) to a hearing officer in a

special education due process hearing; (2) to public school staff and contractors with a legitimate educational interest in the

information; (3) to officials or staff of other schools and school systems at which the student is enrolled or intends to enroll; (4)

to federal or state education officials and agencies and to the Comptroller of the United States; (5) to accrediting organizations to

carry out their accrediting functions; (6) to comply with a lawful subpoena or judicial order; (7) in conjunction with a health or

safety emergency to the extent necessary to protect the health and safety of the child or others; or (8) that the public schools have

designated as "directory information." Disclosure without consent of the parent is subject to certain conditions more fully

described in the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C § 1332g, and its implementing regulation, 34 C.F.R. Part 99.

Parent access. Upon submitting a request to do so in writing, parents have the right to access the educational records of their

child within forty five days or before any due process hearing or IEP team meeting, whichever is sooner. Access entitles the

parent to the following: (1) an explanation and interpretation of the records by public school personnel; (2) copies of the records

if providing copies is the only means by which the parent can effectively exercise his or her right of inspection and review; and

(3) inspection and review of the records by a representative of the parent's choosing upon presentation to the records custodian of

a written authorization from the parent. The public school can charge a fee not to exceed its actual costs for copying records.

"Directory information." Public school entities designate certain kinds of information as "directory information." The public

schools of Luzerne Intermediate Unit 18 typically designate the following as "directory information": (1) the name, address,

telephone number, and photographs of the child; (2) the date and place of birth of the child; (3) participation in school clubs and

extracurricular activities; (4) weight and height of members of athletic teams; (5) dates of attendance; (6) diplomas and awards

received; (7) the most recent previous institution or school attended by the child; and (8) names of parents, siblings, and other

family members. The District will provide this information to any interested person, including armed forces recruiters who

request it, without seeking consent from the parents of the student or the student. Parents who do not want the District to disclose

such information must so notify the District in writing on or before the first day of the school term. Written notice must identify

the specific types of directory information that the parent does not want the District to disclose without consent. If the parent fails



to notify the District in writing by the first day of the school term, the District may release directory information upon request and

without consent.

Disclosure of records containing personally identifiable information to other schools and institutions. Public school entities

disclose personally identifiable information concerning students to educational agencies or institutions at which the student seeks

to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests

such records.

Access to records by school officials with a "legitimate educational interest." School officials with a legitimate educational

interest in the personally-identifiable information contained in education records can have access to personally identifiable

information without parent or student consent. Each school entity designates in its education records policy those persons who

have a "legitimate educational interest" that would allow such access to education records. Such persons typically include

teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional

support and multidisciplinary teams in the course of screening and evaluation activities, records custodians and clerks, public

school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, school board

members sitting in executive session in consideration of matters concerning the child upon which only the school board can act,

program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for

any of the foregoing persons

Amendment of education records. After reviewing records, a parent or a student who has attained the age of 18 can request that

records be amended. The school will make the requested changes or reject the request within forty-five days of the receipt of the

request in writing. If the school rejects the request, the parent or student may request an informal hearing. The hearing can be

held before any public school official who does not have a direct interest in its outcome. If the parents are dissatisfied with the

outcome of the informal hearing, they may submit to the public school a statement outlining their disagreement with the record.

The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

Complaints to the United States Department of Education. Complaints concerning alleged failure of a public school entity to

comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States

Department of Education as follows:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, DC 20202-4605

This notice is only a summary of the special education services, evaluation and screening activities, and rights and protections

pertaining to children with disabilities, children thought to be disabled, and their parents. For more information or to request

evaluation or screening of a public or private school child contact the public school nearest you. The number and addresses of all

public schools in Luzerne Intermediate Unit 18 are located in the blue pages of the telephone book under the heading "Schools."

Information can also be obtained, and screenings and evaluations requested, by contacting the offices of special education or

student services in each of the various school districts or, for preschool children, at Luzerne Intermediate Unit of Hazleton Area

School District.

Notice of Services for Gifted Students While “gifted” is not one of the “disabilities” required under the Federal IDEA

legislation, the State Board of Education’s regulations as set forth in 22 Pa. Code Chapter 16 – Special Education for Gifted

Students, provides recognition that gifted students are considered to be “children with exceptionalities” under the Public School

Code of 1949 and are in need of special designed instruction.

A district shall conduct public awareness activities to inform the public of gifted education services and programs and the manner

by which to request these services and programs. These awareness activities shall be designed to reach parents of students

enrolled in the public schools.

Students Who are Mentally Gifted

All Luzerne Intermediate Unit entities, except charter schools, also offer special education services, in the form of acceleration or

enrichment, for students who are identified by a gifted multidisciplinary team (GMDT) as “mentally gifted”. A child is considered

mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team evaluation, indicate that

he or she has outstanding intellectual ability the development of which requires special programs and services not ordinarily

available in the general education program. The school entity engages in screening activities during regular classroom instruction

and uses the data thus generated to determine whether a GMDT evaluation is warranted. In addition, parents may request gifted

screening or a GMDT evaluation at any time. Parents are part of the GMDT and, if their child is determined to be mentally gifted,

are part of the development and annual review and revision of their child’s gifted individualized education program (GIEP) as a

member of the GIEP team. The GIEP describes the present levels, annual goals and measurable objectives, and specially designed

instruction and related services through which the District will provide the enrichment or acceleration, or both, that is needed to

develop the outstanding mental ability of the child. Parents of students who are mentally gifted have the right to request a special

education due process hearing or to file a compliance complaint with the Pennsylvania Department of Education at the address

listed below. Details concerning the procedures governing hearing requests can be found on the Website of the Office for Dispute

Resolution at <http://www.pattan.k12.pa.us>.

A child can be identified as both a child with a disability and mentally gifted. In such cases, the rights of the child and his or her

parents are governed by the rules applicable to children with disabilities and their parents, as described above.

Pennsylvania Department of Education

Bureau of Special Education

Division of Compliance Monitoring and Planning

333 Market Street, 7th Floor

Harrisburg, PA 17126-0333

(800)879-2301

Chapter 4 - The State Board of Education regulations as adopted under statutory authority in the School Code.

Chapter 16- Gifted education is separate from special education services.

Dual Exceptionalities: If a student is both gifted and eligible for special education, the procedures in Chapter 14

shall take precedence. For these students identified with dual exceptionalities, the needs established under the gifted status must

be fully addressed in the procedures required in Chapter 14. (22 Pa. Code § 16.7(b))

For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening

and evaluations, develop separate IEPs, or use separate procedural safeguards processes to provide for a student's needs as both a

gifted and eligible student. (22 Pa. Code § 16.7(c))

Education Placement - The overall educational environment in which gifted education is provided to gifted students in all public

schools of Luzerne Intermediate Unit 18. Placements and Programs may vary from school district to school district.

GIEP - Gifted Individualized Education Program.

GMDT– Gifted Multidisciplinary Team

Gifted Education - Specially designed instruction to meet the needs of a gifted student that is:

(i) Conducted in an instructional setting, (ii) Provided in an instructional or skill area, (iii) Provided at no cost to the parents, (iv) Provided under the authority of a school district, directly, by referral or y contract, (v) Provided by an agency, (vi)

Individualized to meet the educational needs of the student, (vii) Reasonable calculated to yield meaningful educational benefit

and student progress, (viii) Provided in conformity with GIEP.

Gifted Multidisciplinary Evaluation - A systematic process of testing, assessment, and other evaluative processes used by a

team to develop a recommendation about whether or not a student is gifted or needs gifted education.

Gifted Student - A student who is exceptional under section 1372 of the School Code (24 P.S. §13-1371) because the student

meets the definition of "mentally gifted" in this section, and needs specially designed instruction beyond that required in Chapter

4 (relating to academic standards and assessment.) This term applies on to students who are of "school age" as defined under §

11.12 (relating to academic standards and assessment.) This term applies only to students who are of "school age" as defined

under §11.12 (relating to school age.)

Instruction setting - A classroom or another setting in which gifted students are receiving gifted education.

Mentally gifted - Outstanding intellectual and creative ability the development of which requires specially designed programs or

support services, or both, not ordinarily provided in the regular education program.

Parents - A natural or adoptive parent or parents, guardian or guardians, one or more persons acting as the parent or parents of a

student.

Party - Parent or school district.

Regular classroom - A specific instructional grouping within the regular education environment.

Regular education environment - The regular classroom and other instructional settings in which students without a need for

gifted education receive instruction programs and the full range of supportive services normally provided to these children.

School Code - The Public School Code of 1949 (24 P.S. §§1-101, 27-2702)

School day - A day that school is in session.

Screening and evaluation process - The systematic determination of whether or not a student is gifted or needs gifted education.

Specially designed instruction - Adaptations or modifications to the general curriculum, instruction, instructional environments,

methods, materials, or a specialized curriculum for student who are gifted.

Support services - Services as required under § 16.33 (relating to support services) to assist a gifted student to benefit from

gifted education. Examples of the term include:

(i) Psychological services

(ii) Parent counseling and education

(iii) Counseling services

(iv) Transportation to and from gifted programs to classroom in buildings operated by the school district.

This Public Notice Documentation has been submitted by the Luzerne Intermediate Unit on behalf of the LIU member school

districts and Dr. Anthony Grieco, Executive Director. The documentation and preparation was completed by Ms. Elizabeth Krokos,

Assistant to the Executive Director for Student Services. Information is based on interpretation of Public Laws including "No Child

Left Behind”, Individuals Disabilities in Education Act”, Pa. Chapter 14 Special Education Regulations, Chapter 4, Section 504,

Chapter 15, and Chapter 16.

District Contacts for Information Concerning Special Education Services:

Crestwood School District

Courtenay Degnon, Director of Special Education

281 South Mountain Boulevard

Mountaintop, PA 18707-1913

Dallas School District

Andrea Dennis, Director of Special Education

2000 Conyngham Ave.

Dallas, PA 18612-0720

Greater Nanticoke Area School District

Meghan Buckley, Director of Special Education

425 Kosciuszko Street

Nanticoke, PA 18634-2690

Hanover Area School District

Shannon Bennett, Director of Special Education

1600 Sans Souci Parkway

Hanover Township, PA 18706

Hazleton Area School District

Jeff Weed, Director of Special Education

1515 West 23rd Street

Hazleton, PA 18202

Lake Lehman School District

Tina Antonello-Porteé, Director of Special Education

P. O. Box 38

Lehman, PA 18627-0038

Northwest Area School District

Mary Agnes Kratz, Special Education Consultant

243 Thorne Hill Rd.

Shickshinny, PA 18655-9201

Pittston Area School District

Amy Billow, Director of Special Education

5 Stout Street

Pittston, PA 18640-3399

Tunkhannock Area School District

Jeff Craig, Director of Special Education

41 Philadelphia Avenue

Tunkhannock, PA 18607

Wilkes-Barre Area School District

James Geiger, Director of Special Education

730 South Main Street

Wilkes-Barre, PA 18711-0375

Wyoming Area School District

Stephanie Anuszewski,

Director of Special Education

252 Memorial Street

Exeter, PA 18643-2698



Wyoming Valley West School District

Marya Baratta, Director of Special Education

450 North Maple Ave.

Kingston, PA 18704-3683

Bear Creek Community Charter School

Bridget Deeble, Director of Intervention & Support Services

30 Charter School Way

Wilkes-Barre, PA 1870

Luzerne Intermediate Unit #18

Northeast Secure Treatment Facility

Elizabeth Krokos, Assistant to the Executive Director for Student Services

368 Tioga Ave.

Kingston, PA 18704-0649