

**WILKES-BARRE AREA SCHOOL DISTRICT**  
**Wilkes-Barre, Pennsylvania 18711-0375**

**ELEMENTARY SCHOOLS**  
**HANDBOOK**



## A Message from our Superintendent

It is the goal of the Wilkes-Barre Area School District to provide a safe, productive learning environment for each of our students. This handbook serves as a guide to help both students and parents become familiar with the policies and procedures of our district's elementary schools. Since schools, by nature, differ so widely in need, it is our intention to achieve consistency in striving to meet the diverse needs of our students and our school community. It is my sincere belief that this student handbook achieves this result. In addition, we encourage our parents/guardians to become familiar with this document to assist their children in their day-to-day academic career. By providing a well-structured, disciplined environment in our schools, we strive to achieve good school citizenship while maintaining strong academic achievement. Students, I hope you take advantage of the many opportunities that our district presents to you. You can be proud of what you achieve during your years in the Wilkes-Barre Area School District. Good luck in your pursuit of educational excellence.

Brian Costello

Superintendent  
Wilkes-Barre Area School District

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# **DAILY SCHEDULE**

School Hours  
Inclement Weather or Emergency Dismissal

## **DAILY SCHEDULE**

8:25 A. M.

Students report to homerooms.

2:30 P. M.

Students Dismissed. ☺☺

### **SCHOOL HOURS**

School hours are from 8:25 a.m. until 2:30 p.m. each day. Please have your child at school no later than 8:25 am. each day. Children should NOT arrive earlier than 8:25 a.m. or remain on the school grounds later than 2:45 p.m. unless they are participating in a supervised activity. These procedures are designed for the safety and well-being of the children.

Calendar: A school calendar is sent home each month that contains important information such as early dismissals and special school events. Additional information regarding important dates and information can be found on the school's web page

### **INCLEMENT WEATHER OR EMERGENCY DISMISSAL**

There is always the possibility that school may be dismissed early because of inclement weather or some other type of emergency. Should this happen and you are not at home, your child should be aware of a definite secondary home to go to where there is adult supervision. Emergency dismissals will be broadcasted over the local radio stations and television stations, Skylerts and the District Web Page.

When schools are dismissed early because of dangerous weather conditions, please give your child instructions as to where he/she should go if you would not be at home. Please give sufficient time for the children to arrive home safely.

When an emergency dismissal occurs, all children will be dismissed. Nobody can remain at school.

In the event of inclement weather, there may be a delay of 1, 2 or 3 hours in the opening of school, an early dismissal, or a school closing. For information, please turn to the local television stations such as WBRE and WNEP. In addition, messages will be sent via the District's SKY ALERT SYSTEM and posted on the District Website.

Inclement weather announcements will be broadcasted before 6:30 a.m. when possible. Early dismissal, because of dangerous weather conditions, will be broadcasted 30 minutes before dismissal.

If there is a delay in starting school, bus schedules will be altered. Student pick-up times will always be delayed. For example, if the school district is delayed 1 hour and the normal pick-up time is 8:00 a.m., the delayed student pick-up time will then be 9:00 a.m. Please note these time adjustments regarding busing.

# **STUDENT DISCIPLINE**

Corporal Punishment  
Suspension/Expulsions  
Student Behavior  
Bullying Policy

## **WILKES-BARRE AREA SCHOOL DISTRICT POLICIES ON CORPORAL PUNISHMENT, SUSPENSIONS AND EXPULSIONS**

The following are excerpts from published policies of the Wilkes-Barre Area School District on Corporal Punishment, Suspension, and Expulsions. The entire article is available in the main office for inspection.

### **POLICY ON CORPORAL PUNISHMENT**

Please be advised of the following change to the District's Corporal Punishment Policy. Due to the recent revision of the Pennsylvania School Code, Chapter 12, Sec.5, the use of Corporal Punishment is prohibited as a form of student discipline.

However, teachers and school authorities may still use reasonable force:

- a. to quell a disturbance.
- b. to obtain possession of weapons or dangerous objects.
- c. for self-defense.
- d. for the protection of person or property.

### **POLICY ON SUSPENSIONS AND EXPULSIONS**

One of the most important lessons education should teach is discipline. While it does not appear as a subject, it underlies the educational structure. It is this training that develops self-control, character, orderliness, and efficiency. It is the key to good conduct and proper consideration for the rights of other people. With an understanding of the purposes of discipline in a school, the students may help form a correct attitude toward it and not only do their part in making their school an effective place of learning, but develop the habits of self-restraint that make them better persons.

Purpose:

to encourage all students to act in a socially acceptable manner.

to discourage actions which interfere with classroom control, the educational process, or the orderly operation of the school.

### **Offenses Leading to Suspension**

1. Acts of incorrigibility, fighting, insubordination, or other bad conduct such as: profanity, disobedience or physical abuse to school personnel or other students, defacing or damaging school property, larceny, or other unlawful acts.
2. Cutting classes, or leaving school without the permission of the administration.
3. A pupil may be suspended from school for any act on a school bus that endangers the health, safety or property of a student, teacher, chaperone, or bus driver. The type of suspension is governed by the severity of the offense, and the principal will make the decision. This also applies to all extracurricular activities.
4. The school board prohibits any act that interferes with the student's rights to an education and the teacher's rights to teach without any unwarranted interference by a student.

It is realized that offenses listed are not all inclusive, and other acts of misconduct could merit suspension or assessment of other forms of punishment.

## **POLICY ON STUDENT BEHAVIOR**

The following are some examples of student behavior that violate school policy when they occur at school and/or during school activities. This list is not intended to be all-inclusive. Students may be disciplined or suspended for any on the following:

1. Insolence, disrespect, or insubordination.
2. The use of improper language.
3. Fighting.
4. Rowdy behavior such as: running, shoving, yelling, etc.
5. Leaving a classroom or leaving school without permission.
6. Class tardiness.
7. Vandalizing, damaging, or stealing school or private property.
8. Threatening, intimidating, or causing bodily harm to any person.

### **Inflammatory, Unacceptable Behavior and Criminal Acts**

Any language, gesture, or act by a student that creates an offensive situation, disruption, or disturbance in the school, classroom, to or from school or at a school sponsored activity, will be dealt with in accordance with its seriousness. The Principal's judgment for appropriate discipline will be administered. Possible forms of discipline will include parental conference, parent notification, central detention, overnight suspension, suspension from 1-10 school days, recommendation for expulsion, legal action to include summary citation, and petition to juvenile court: The following is a list of frequent offenses but is not limited to:

- Skipping classes
- Walking out of school without authorization
- Walking out of a classroom without authorization
- Disruptive behavior
- Smoking
- Fighting
- Bullying
- Threatening faculty, administration or staff
- Vandalizing school property or possessions of others
- Using profanity
- Failure to report to central detention
- Failure to identify oneself to a teacher, administrator, or staff member, **including a school police officer or security officer** especially during a crisis situation.
- Use of a beeper/cell phones/music device/apple watch
- Possession of weapons of any nature as defined by the Pennsylvania Crimes Code
- Public Display of Affection – A student should not invade another student's personal space—holding hands, hugging, kissing, etc.—on school grounds. When these behaviors are observed by school personnel, referrals will be handled by the Guidance Department and Principal's Office.

### **BULLYING/CYBER BULLYING**

The Wilkes-Barre Area School District Board of Education strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the District to maintain an educational environment in which bullying and cyber bullying in any form are not tolerated.

**Authority**

The School Board prohibits all forms of bullying and cyber bullying behavior on school property, in school vehicles, at school-sponsored events, or during travel to and from school. Any violation of this policy shall be considered an infraction of the Student Code of Conduct, with discipline implemented accordingly. All bullying behavior that is a violation of the PA Crimes Code will be reported to law enforcement.

Students who have been bullied or cyber bullied shall promptly report such incidents to any staff member.

Complaints of bullying or cyber bullying shall be investigated promptly, and corrective action shall be taken when a complaint is verified. Neither reprisals nor retaliation shall occur as a result of the submission of a complaint.

The School District shall annually inform students that bullying or cyber bullying of students will not be tolerated.

**Definitions**

Bullying shall mean unwelcome verbal, written or physical conduct directed at a student by another student that has the effect of:

1. Physically, emotionally or mentally harming a student;
2. Damaging, extorting or taking a student's personal property;
3. Placing a student in reasonable fear of physical, emotional or mental harm;
4. Placing a student in reasonable fear of damage to or loss of personal property; or
5. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Cyber bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs) which has the effect of:

1. Physically, emotionally or mentally harming a student;
2. Placing a student in reasonable fear of physical, emotional or mental harm;
3. Placing a student in reasonable fear of damage to or loss of personal property; or
4. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

All forms of bullying are unacceptable and, to the extent that such actions are disruptive of the educational process of the Wilkes-Barre Area School District, offenders shall be subject to appropriate staff intervention, which may result in administrative discipline.

The term "bullying" and "cyber bullying" shall not be interpreted to infringe upon a student's right to engage in legally protected speech or conduct.

### **Delegation of Responsibility**

Each staff member shall be responsible to maintain an educational environment free of bullying and cyber bullying.

Each student shall be responsible to respect the rights of his/her fellow students and to ensure an atmosphere free from all forms of bullying and cyber bullying.

Students shall be encouraged to report bullying or cyber bullying complaints to any staff member.

Any staff member who receives a bullying or cyber bullying complaint shall gather information or seek administrative assistance to determine if bullying or cyber bullying has occurred. If the behavior is found to meet the definition of bullying or cyber bullying, the building principal must complete the appropriate written documentation.

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

### **Complaint Procedure**

A student shall report a complaint of bullying or cyber bullying, orally or in writing, to a staff member. If a parent initiates the complaint, the appropriate staff member will follow-up with the student.

The staff member will either gather the information or seek administrative assistance to determine if the alleged bullying or cyber bullying conduct occurred.

After the information has been gathered, the building principal shall be notified of the complaint. The building principal will determine the need for further investigation or the appropriate intervention, which may result in administrative discipline to ensure that the conduct ceases. If the behavior is found to meet the definition of bullying or cyber bullying, the building principal must complete the appropriate written documentation.

A violation of this Policy shall subject the offending student to appropriate disciplinary action, consistent with the student discipline code, which may include suspension, expulsion or notification to the appropriate law enforcement authorities.

### **Retaliation**

The District prohibits reprisal or retaliation against any person who reports a relevant act of bullying. The principal will determine the consequences and remedial actions. Any violation of the PA Crimes Code will be reported to law enforcement.

### **False Reports**

The principal will determine the consequences and remedial actions for a pupil found to have falsely accused another as a means of harassment, intimidation or bullying. Any violation of the PA Crimes Code will be reported to law enforcement.

**The following are specific things that teachers can do to help prevent bullying:**

1. Make it clear to students that bullying will not be tolerated in the classroom, in the hallways, on the playground, or anywhere at school.
2. Ensure students that if anyone has a problem with bullying, that s/he can talk to you about it in person or by writing you a note about what happened.
3. Immediately take action when you see bullying, name calling, or harassment happen in your presence.
4. Help students identify themselves as allies for victimized students.
5. If students report bullying, make sure that the bullies are confronted and that the victims, bystanders, and allies are protected.
6. Have students write what they think a bully is and discuss it out loud.
7. Work with other teachers to share ideas on what you are doing in your classroom to teach about and prevent bullying.
8. Compile with your students a list of strategies for dealing with bullies and post them in your classroom.

The following is a list of strategies to help students deal with bullies:

1. Walk away from a bully.
2. Ignore the bully.
3. Tell someone like a teacher, parent/guardian, or friend that can help.
4. Try to be nice to the bully.
5. Try to be tricky.
6. Go to class to talk about problems with bullies.
7. Stand behind the person being bullied.
8. Go out of your way to make new friends to make yourself feel better.
9. Use humor.
10. Stay with other people so that you are not alone.
11. Do not give the bully the power to change your life.
12. Do not fight back.



# **ATTENDANCE POLICIES**

Attendance Philosophy

Absences

Justification and Verification of Legal Absences

Illegal Absences

Tardiness

Early Release Time

Home and School Visitors

Changes in Student Information/Withdrawals

## ATTENDANCE POLICY AND INFORMATION

### ATTENDANCE PHILOSOPHY

The success of our schools in achieving the mandated standards and performance levels of education set forth by the PA Department of Education and the Wilkes-Barre Area School District is predicated on daily attendance by the students, continuity of instruction, and classroom participation.

It is the school's responsibility to develop, within the students, a sense of responsibility, discipline, and good work habits. These goals can be reached by maintaining close communication between the home and school and by encouraging, sustaining, and enforcing regular school attendance. Daily school attendance, including arriving to school on time, is necessary for the student's academic and social success.

It is expected that all parents will assist the school in ensuring that their child attends school on a daily basis. Frequent absences result in poor schoolwork and may contribute to the eventuality of a school dropout. Many times, the attendance patterns that a child develops in the elementary grades are carried over into the secondary level, and in some instances, become the foundation of his/her job absentee rate.

### PENNSYLVANIA COMPULSORY ATTENDANCE LAW

Compulsory school age begins when a parent/legal guardian enrolls a child in school, but no later than the age of six (6). Compulsory school attendance is required until the age of eighteen (18), or unless legitimately excused from attending as outlined by the Pennsylvania Department of Education (PDE) and existing school laws.

Once a student is enrolled in kindergarten, attendance is mandatory, and the school attendance laws apply to that student.

Students who are eighteen (18) years of age or older, and have not graduated, may not be asked to leave school merely because they have reached their eighteenth birthday, provided they are fulfilling their responsibilities as students.

Students who are sixteen (16) years of age or older and are employed full-time (35-40 hours a week) during school hours and hold a lawfully issued employment certificate may be excused from the requirements of attendance.

Pennsylvania Compulsory Attendance Law mandates that school districts are responsible for a student's attendance. Consequently, school administrators will determine the validity of a student's absence.

**Not every case can be covered in this policy. Administrators will interpret the policy with common sense and exercise good judgment in unusual cases. With this in mind, the following rules are provided as a guide in dealing with student absenteeism and tardiness:**

### ABSENCES

Absence from school is defined as the non-attendance by a student on a day when school is scheduled.

A student who is absent from school must present a note written and signed by his/her parent/legal guardian explaining why the student was absent. Absences shall be treated as unexcused until the written excuse is submitted to the homeroom teacher upon entering school. If a student fails to produce such a note within three school days, the day(s) missed will remain “illegal/unexcused”.

Excused/legal absences: The following is a list of, but not all inclusive, of excused/legal absences:

1. Illness/Medical
2. Death in the student’s immediate family
  - a. Parent/Legal Guardian
  - b. Sibling
  - c. Grandparent
  - d. Aunt/Uncle
3. Legal and exceptionally urgent reasons that may affect the child
  - a. Unsafe and hazardous road conditions
  - b. Quarantine of the home
  - c. Death in the family other than an immediate family member such as a close friend or relative
  - d. Suspension from school
4. Educational trips (see below requirements)

**Request for excused absence for educational trips:** The Wilkes-Barre Area School District recognizes that, from time to time, students may have the opportunity to participate in a pre-planned, educational trip during the regular school year. In order for your child to be legally excused and attend the educational trip, the following steps need to be taken and prerequisites met:

1. Parent/legal guardian must get the approval of the administrator by submitting, to the administrator, an official educational trip request form at least two weeks prior to the departure date of the trip. The administrator will evaluate the child’s academic standing, discipline history, attendance record, and the educational value of the trip. The form can be obtained in the main office.
2. If the educational trip is during the first semester of the school year, the child cannot miss five days or more of school. If the child’s absences exceed the five days, the request will be denied.
3. If the educational trip is during the second semester of the school year, the child cannot miss ten days or more of school. If the child’s absences exceed the ten days, the request will be denied.
4. The parent and student shall agree that all class work that is missed during the period of absence will be made up within a time frame established by the administrator.
5. No more than five excused absences for educational trips will be granted per school year.

**Unexcused/illegal absences:** The following is a list of, but not all inclusive, of unexcused/illegal absences:

1. Failure to wake up for school
2. Missing a scheduled school bus or not having a ride to school
3. Absence without a parent/legal guardian’s knowledge
4. Caring for a sibling in a non-emergency situation/babysitting
5. Running errands and/or shopping
6. Pursuing a talent or skill without the administrator’s prior approval
7. Temporary employment during school hours

8. Going on a vacation without the administrator's prior approval
9. Failure to provide a medical practitioner's excuse when requested or required
10. Failure to attend school either before or after a scheduled medical appointment. (For example: a dentist appointment, medicine check, court appearance, etc.)
11. School refusal
12. Failure to remedy head lice within three days

### **PROCEDURES FOR EXCUSED/LEGAL ABSENCES**

Absences shall be treated as unexcused until a written excuse is submitted to the homeroom teacher upon entering school. The excuse must be written and signed by the parent/legal guardian, explain why the student was absent, and submitted within three days of the absence. Failure to comply will result in the absence remaining as an illegal or unexcused absence.

**Three or more consecutive days:** If a student is absent three or more consecutive days, the absence must be justified by a written excuse from a medical practitioner. The medical practitioner must have seen the student or the parent/legal guardian must have had communication with the medical practitioner in regards of medical advice or medication. If the student does not present a medical note, all consecutive absences will remain illegal/unexcused.

**Ten cumulative days:** If a student is absent ten cumulative days, a written notification will be issued to the parent/legal guardian stating the amount of total absences and that a medical practitioner's excuse will be required for each subsequent absence. Each absence will remain illegal/unexcused if there is failure to comply.

### **PENALTIES FOR UNEXCUSED/ILLEGAL ABSENCES**

**Three unexcused/illegal absences:** The student is considered truant and a "Notice of Truancy" will be issued to the parent/legal guardian by the Home and School Visitor.

**Six unexcused/illegal absences:** The student is considered habitually truant. The parent/legal guardian and the student will be invited to participate in a School Attendance Improvement Plan meeting (SAIP) with Administration, Home and School Visitor, and a representative from The BRIDGE in attendance. Failure to attend this meeting will result in a plan being made without any parental input.

If there is no cooperation and/or the student continues to be absent without an excuse following the SAIP, a Summary Citation will be filed with the local magistrate's office where the proposed SAIP will become court ordered. Failure to comply with this court order may result in a maximum fine, approximately \$300.00 plus court costs, community service, and/or loss of driver's license. The case will also be sent to Luzerne County Truancy Court.

**Please note: if the student has six or more unexcused/illegal absences, he/she may lose the privilege to participate in any and all events and extra-curricular activities such as performances, clubs, field trips, participation on any athletic team sponsored by their school, fun day, field day, class trips etc.**

**Ten unexcused/illegal absences:** If a student has ten or more unexcused/illegal absences and is a senior student, he/she will not graduate on stage.

If it is determined that the student, 17 years old or older, has been absent for ten or more consecutive days without justification which includes, but not limited to: unable to locate family, unoccupied residence, student is beyond compulsory age of attendance, the student will be dropped from school roll.

## **HOMEWORK WHEN ABSENT FROM SCHOOL**

If an absence is classified as “excused” or “legal”, the student will be permitted to make-up work when absent from school. Students will be afforded one (1) day for each day of excused absence for work to be completed and submitted. This applies to assignments, quizzes, tests, and/or major projects. There will be no reduction in grade for make-up work turned in following this procedure; however, the assignment/assessment format may be modified or altered.

If an absence is classified as “unexcused” or “illegal”, the student will not receive credit for assignments, tests, quizzes, projects, etc. For example, if a student misses a test due to an “unexcused” or “illegal” absence, the student shall receive a zero. In addition, the teacher is not required to provide the student the opportunity to make up missed work if the absence is deemed illegal.

It is the student's responsibility to obtain the assignments from his or her teachers prior to approved educational trips.

## **ACTIVITIES WHEN ABSENT FROM SCHOOL**

The Wilkes-Barre Area School District maintains a policy that links consistently poor attendance with the loss of the privilege to participate in any extra- curricular activities. Therefore, any student absent from school, either excused or unexcused, may be prohibited from participating in any school activities during that same school day (during school hours and after school hours). Exceptions may be made by the discretion of the administration. Such events/activities include, but are not limited to: performances, clubs, field trips, participation on any athletic team sponsored by their school, sixth grade trip, fun day, field day, class night, class trips, school dances, the semi-formal, the prom, etc.

## **TARDINESS**

Tardiness is defined as the absence of a student at the time school session begins, provided the student reports to school and is in attendance for any portion of the school day. The school session begins as follows:

Elementary School:                      8:45 A.M.

Daily attendance and being on time are necessary components for students to achieve academically and become productive and responsible citizens.

**Legal tardiness:** A student arriving late for school for any of the following reasons will be considered an excused late:

1. Doctor’s appointment
2. Dentist’s appointment
3. Mental health care appointment
4. Court appearance
5. Funeral involving immediate family members, relatives, and close friends
6. School related activities pre-approved by the administrator

Excuses must accompany the student when arriving tardy from these appointments. Any other tardy will be considered unexcused and will accumulate on the student’s permanent record card. All tardies will be calculated and translated into equivalent illegal/unexcused absences. (see illegal absences)

**Procedures for when a student is tardy:** If a student reports to school tardy, the student must report directly to the main office and present a written excuse from a parent/legal guardian stating the reason for the tardiness. Elementary students must be accompanied by a parent/legal guardian. If the student does not have a written excuse or the reason is considered unexcused, disciplinary action will be taken by the administration. In addition, habitual tardiness will not be tolerated and will result in appropriate disciplinary/legal action.

Parents/legal guardians may not accompany their child to the classroom or pick up their child at the classroom. Violation of this procedure may result in legal action.

**Cumulative tardiness:** All unexcused/illegal tardies will be documented on skyward and will be calculated and translated into equivalent illegal/unexcused absences. Illegal/unexcused absences may result in a summary citation for violation of the Pennsylvania Compulsory School Attendance Law.

**Consequences for excessive tardiness:** The following are consequences for excessive tardiness per semester:

**Five illegal tardies:** parent notification letter sent home by administration

**Six to Nine illegal tardies:**

(elementary) loss of recess, lunch detention

**Ten illegal tardies:** parental conference

**Eleven and more illegal tardies:** loss of privileges and the duration of the loss of privileges will be determined by the administrator (field trips, sporting events, club activities, dances, and all other extracurricular activities).

When a student reaches the tenth illegal late, a parental conference will be required to discuss the policy and devise a plan ensuring that the student arrives at school on time. Any absences that result from the failure of the parent to attend this conference may initiate a legal action for truancy. The minutes late will be calculated and translated into equivalent illegal/unexcused absences. This may result in a summary citation for violation of the Pennsylvania Compulsory School Attendance Law.

**Consequences for illegal tardiness:** If a student is tardy two hours or more, the student will not be able to participate in any extracurricular activities for that day.

### **STUDENTS BEING RELEASED EARLY**

Students will only be dismissed from school for professional appointments, court appearances, emergencies or illnesses. The following procedures must be followed:

1. Upon arrival at school, a written request must be submitted to the main office. The request must include the justification, date, time, telephone number and signature of the parent/legal guardian.
2. **The parent/legal guardian must report to the office** at the appointed time and present proper valid ID. If someone other than the parent/legal guardian is picking the student up, the person's name must be written on the request, must be on the emergency contact card, and must have proper valid ID. The student will then be called to the main office. All parents/legal guardians must remain in the main office. No one may enter into the building and go directly to a classroom.
3. Prior to leaving school, the student must report to the main office in order to be signed out.

4. If the student is being released early from school due to a court or medical appointment, the student must present proof of the appointment upon returning to school.

**Students being released early for emergencies:** Requests for a student to be released early from school due to an emergency must be made in person by the parent/legal guardian. The administrator will then determine if the emergency is valid or not and then either approve or deny the request.

**Students being released early for illness/injury/medical reason:** Only the school nurse or administrator can approve an early dismissal due to illness/injury/medical reason. The parent/legal guardian will be notified when a student needs to be sent home. Students will not be permitted to leave without parent's/legal guardian's permission, and the parent/legal guardian must report to the main office before the student will be dismissed.

Please note the following:

1. No student will be excused via a telephone call
2. No student will be sent home alone
3. No student will be excused within the last fifteen minutes of the school day
4. Students being excused from school may be prohibited in participating in any after school extra-curricular activities that day

## **SCHOOL BUILDING OF ATTENDANCE**

All students are **required** to attend his/her home school building based on the student's residency and the boundaries set forth by the district. The boundaries are not based on bus stops. Boundaries are based on exact physical addresses.

The only exceptions are:

1. Special education placement
2. A note from a licensed psychiatrist. The note must include the diagnosis of the student's condition, a description of the treatment plan, and the signature of the psychiatrist, not a stamped signature. It then must be submitted to the office of Administration and Student Services for approval. Since the goal is to rehabilitate the student so that they can return to his/her home school, the student's treatment and progress must be monitored by an appropriately licensed psychiatrist and submitted to the office of Administration and Student Services each school year.

If a student is attending an incorrect school building, either by an error made by the parent/guardian or school district personnel, it will be rectified immediately, and the student will be required to attend his/her correct school building based on the physical address of the student. If a student moves within the district, the parent/legal guardian must inform the office at their child's current school AND provide two proofs of residency within one week of moving. Failure to do so will result in the student being dropped from the rolls until new proof is provided.

## **LEAVING SCHOOL WITHOUT PERMISSION**

If any student leaves the school without permission, by either the school nurse or the school administration, appropriate disciplinary action will be taken.

## **HOME AND SCHOOL VISITORS**

Pennsylvania Compulsory Attendance Law mandates that school districts are responsible for a student's attendance. Consequently, school personnel are used to determine the validity of a student's absence. In the Wilkes-Barre Area School District, the person to whom this task is assigned is the Home and School Visitor.

When a child is absent an inordinate amount of time, the administration may request the Home and School Visitor to contact his/her parents to verify the reason(s) as to why the child is not in school. The Home and School Visitor will determine if the child has excessive absences. If such a determination is made, the child and parent may be subject to a citation. This citation will require the parent and the child to appear before a Magistrate and if found guilty, pay a fine plus court costs.

It is hoped that all parents will assist the school in seeing that their child attends school on a regular basis. Frequent absences result in poor schoolwork and may contribute to the eventuality of a school dropout. Many times, the attendance patterns that a child develops in the elementary grades are carried over into the secondary level, and in some instances, become the foundation of his/her job absentee rate.

## **CHANGES IN STUDENT INFORMATION/WITHDRAWAL FROM SCHOOL**

New students registering at school must have proper medical and school records. Parents/guardians must also provide proof of residence. (i.e. copy of lease, utility bill, etc.)

It is imperative that the homeroom teacher and the school office be notified immediately in the event you have a change of address, home or work telephone number, or if emergency information changes during the academic school year.

If the change of address requires transferring the student to another school, parents should notify the school as early as possible. This will allow the teacher and office to properly prepare the papers necessary to ensure the least amount of interruption to the child's educational progress.

## **PROOF OF RESIDENCY POLICY**

To guard against enrolling students who are not legally living within the boundaries of Wilkes-Barre Area School District, the parent(s)/guardian(s) of all students who register are required to provide proof of residency. For the purpose of this policy, the term parent refers to a natural or adoptive parent/guardian who has a legal or court-ordered document indicating that they, for school purposes, are in legal custody of the student. Legally emancipated students are also required to provide the same proof of residency.

The following documents can serve as proof of residency. The document must be current, have the name of the parent/guardian, and an address within the boundaries of Wilkes-Barre Area School District. While the financial details of the document can be made unreadable, the name, date, and address must be discernable and unaltered. Acceptable documents include

1. A current copy of any 2 monthly or bi-monthly bills such as electric, gas, house insurance, telephone, cable, credit card, etc.
2. A copy of a dated lease agreement for the residence
3. A copy of a dated purchase agreement or mortgage for the residence
4. A copy of a dated court order directing a specific residence
5. A copy of a valid Pennsylvania driver's license with the address listed



For those families that are unable to provide any proof of residency, the home and school visitor will be dispatched to the residence to ascertain with a high degree of confidence the student and parent(s)/guardian(s) are in fact currently occupying that address. Failure to admit the home and school visitor into the home will result in the student not being enrolled into the Wilkes-Barre Area School District.

Any individuals attempting to enroll students without being able to establish a legal residency will be referred to Luzerne County Children and Youth Services.

Any individuals who are suspected of perpetrating fraud by registering a child in a school or school district in which they do not maintain a legal residency will be referred to the appropriate authorities.

# **CURRICULUM**

School Curriculum

Recess

Individual Teacher Conferences by Appointment

Parent Teacher Conferences

Parent Visitation

Educational Field Trips

Progress Reports

Report Cards

Student Teachers

Media Child Photography

## **CURRICULUM**

### **SCHOOL CURRICULUM**

Every child (K-5) has the following subjects as the core basis of his or her curriculum:

Mathematics	Social Studies
Reading/Language Arts	Music
Physical Education	Science

### **RECESS**

For those children participating in recess, the recess period is 15 minutes and is always supervised. It may be up to the discretion of the teacher and/or principal to have recess outdoors or indoors. Also, children may be kept from recess for the following reasons: inappropriate behavior, to complete make-up work, to receive extra help, etc.

In order for a student to be excused from recess, a doctor's note is required. The note should state the reason why the child is not to participate in recess and the date(s) it is to be in effect.

### **INDIVIDUAL TEACHER CONFERENCES BY APPOINTMENT**

Parents are encouraged to arrange individual conferences with teachers from 8:05 a.m. to 8:25 a.m. and 2:45 p.m. to 3:30 p.m. Please call the school in advance to make arrangements. Please make an appointment.

Parents are encouraged to call teachers from 8:05 a.m. to 8:25 a.m. and 2:45 p.m. to 3:30 p.m. Teachers do not leave their classes to take phone calls at other times. If it is necessary to get information to the teacher, call the school office and leave a message.

### **PARENT/TEACHER CONFERENCES**

District Parent/Teacher Conferences will be held twice a year. One will be held in the fall and one in the spring (dates to be announced).

### **PARENT VISITATION**

All visits require an appointment in writing at a minimum of one day in advance to the building administration. Administration reserves the right to reschedule the visit as needed.

### **EDUCATIONAL FIELD TRIPS**

Sometimes it may be necessary for a teacher to take his/her class on educational field trips. Parents will be informed about the trip and asked to complete a permission slip and return the slip to the child's teacher. If a signed permission slip is not returned to the teacher prior to the trip, the child will not be permitted to attend. Please note that field trips are a privilege and not a guarantee. Therefore, any student who was suspended due to behavior, in violation of the District Attendance Policy, or designated as a risk can be kept from any field trip by the Principal, Assistant Principal, Dean of Students, and/or teacher. Approval for any student with reasons for exclusion including suspensions will be determined by administration/teacher discretion. Any money paid directly by the student will be returned (not including fundraising). Also, all students attending the trip must remain for the entirety of the trip and use the same

type of transportation as designated by the teacher (i.e. school bus, walking, etc.) No child is to leave early from the trip unless there is a medical reason or an emergency.

### **PROGRESS REPORTS**

Progress reports are sent home in the middle of the marking period directly with the students. It is the school's desire to have every child working to the best of his/her ability at all times. This report alerts the parents of the child's progress in time for the child to work to improve his/her grade before the marking period ends. It is strongly recommended that when a Progress Report is sent home, parents review the report, sign and return it to the classroom teacher. All parents are encouraged to contact the child's teacher to discuss the progress report if needed.

### **REPORT CARDS**

The purpose of our reporting system is to give parents and children an indication of the student's progress. Report cards will be sent home four times. Parents are urged to study the child's report card and to sign and return it to school the following day. When questions arise, please feel free to make an appointment with the teacher.

### **STUDENT TEACHER & OBSERVER**

A student teacher or observer may be assigned to your child's teacher. During this assignment, the student teacher will gradually assume the teaching duties of the teacher.

Please be aware that the student teacher is closely supervised and works side by side with the professional staff member to which he/she has been assigned.

Any student teacher or student observer candidate participating in any classroom teaching, internship, clinical or field experience shall provide all up to date information required of an employee or prospective employee of the Wilkes-Barre Area School District including the following:

- 1) Pennsylvania Criminal History
- 2) Child Abuse History Clearance
- 3) Federal Criminal History Record
- 4) P.P.D. Tuberculin Test
- 5) Mandatory Reporting Certification

In addition, the college from which the student teacher has been placed also provides supervisory personnel. Frequently, the college personnel require a videotape of the student teacher teaching a lesson. If your child has a student teacher and you do not want your child video-taped, please send a note to his/her teacher requesting that he/she not be videotaped.

### **MEDIA/CHILD PHOTOGRAPHING**

If a parent/guardian does not want their child's picture forwarded to any form of media (newspaper, TV) they must notify the school in writing or complete the district supplied form. For additional information please contact the school's main office.

# **STUDENT SERVICES**

Title I Math and Reading  
Speech and Language Support  
Guidance Counselor  
Student Assistance Program  
Special Education Services  
Learning Support  
Emotional Support  
English Language Development  
Child Study/Child Find  
Parent Teacher Association/Parent Teacher Organization  
Nurse/Medical Information  
Health Requirements  
Food and Nutrition Services  
Transportation

## **STUDENT SERVICES**

### **ESEA TITLE 1 MATH AND READING SERVICES**

Title I is a federally funded remedial program available for grades 1-5 in reading and grades 2-5 in math. Title I teachers spend most of their time in the regular classroom working cooperatively with the classroom teacher to help those students in need of additional instruction in reading and/or math. Occasionally, upon the consent of the parent or guardian, those students qualifying for these services are pulled out once a week for even more specialized instruction.

### **SPEECH AND LANGUAGE SUPPORT**

Speech/Language support services offered in grades K-5 include remedial help for children diagnosed with articulation, language, fluency, or voice problems. Speech screenings are offered to Kindergarten students during scheduled registration days. Students can also be referred to by their classroom teachers through the Child Study program.

### **GUIDANCE COUNSELOR**

Students with a problem, question, or simply wanting to talk about something on their minds are encouraged to visit the guidance counselor. The counselor, through individual and/or group counseling, cooperative efforts with faculty, administration, and parents, helps students achieve their academic potential and help them cope with personal problems. In addition, the counselor administers testing programs and coordinates services with community agencies. Parents, teachers, and administrators are encouraged to alert the counselor of any special concerns regarding a child.

### **GUIDANCE SERVICES**

There is a guidance counselor available to help students with any problem that may arise during the school day.

Students are more than welcome to see the counselor at any time by notifying their classroom teacher or an administrator. Also, guidance appointments can be made by:

Requesting an appointment from the guidance secretary  
Teacher request  
Principal's recommendation  
Parental or community agency referrals  
Psychologist, nurse, or home and school visitor's request  
Student Assistance Program (SAP) referral

Guidance counselors are responsible for addressing the needs of all students in school. The duties of guidance counselors include admission, orientation and scheduling of new and transferring students, visiting the classroom to give important information to all grade levels, selecting students for advanced classes and special vocational technical classes, keeping accurate cumulative records, administering standardized tests, conferences with parents and teachers, group counseling sessions, counseling failing students, continually updating career information, and actively participating as members of the SAP team.

## **STUDENT ASSISTANCE PROGRAM**

The Student Assistance Program (SAP) provides an opportunity for educators and staff to identify and help students who have serious problems that interfere with achieving success in school. The main purpose of the program is to recognize students in crisis, to provide direction and support, and to give students information about helpful community agencies or support groups.

The SAP team is a group of trained school personnel, mental health professionals, and alcohol/drug consultants who compile data, provide appropriate assessments, share concerns, and meet with parents to disseminate helpful information.

An at-risk student may be referred to the CONCERN team by his/her family, friends, school staff, other students, or by any member of the school community. Wilkes-Barre Area School District encourages students to turn to the SAP team whenever assistance is needed.

## **CHILD FIND/CHILD STUDY**

Child find/Child Study is an educational program that is offered at the school. The goals of this program are twofold: (1) to maximize individual student success in the classroom and (2) to act as a screening process for students who may need additional educational services. The Child Study team may address academic concerns, as well as behavioral concerns.

The members of the team are the Child Find teacher, a primary and/or an intermediate teacher, the student's teacher, the guidance counselor, school psychologist (if needed), school nurse, the principal or assistant Principal, the speech and language teacher (if needed), and, the parent. Since parent input is critical in this process, parents will be encouraged to become an active player in the Child Study process. When there is a need for this intervention, a request for assistance is made by teachers, as well as parents. Please note: If a parent wants his/her child to go through the process, he/she is to call the guidance counselor at the school and make a request for assistance.

## **SPECIAL EDUCATION SERVICES**

The Wilkes-Barre Area School District provides the following special education services for exceptional/eligible students: speech and language support, gifted support, learning support, physical support, emotional support, autistic support, and life skills. The district also contracts services in occupational and physical therapy. These services will be provided to eligible/exceptional children who are identified through a Multi-Disciplinary Evaluation (MDE). A referral for an evaluation is made by the Instructional Support Team, parent/guardian, or guidance counselor. The Multi-Disciplinary Team meeting is followed by an Individual Education Plan (IEP) meeting with the parents and appropriate school personnel.

In addition to these services for children, the Wilkes-Barre Area School District, in cooperation with the Luzerne Intermediate Unit 18, provides the following services: deaf or hearing-impaired support, blind or visually impaired support, and multiple disabilities support.

## **LEARNING SUPPORT**

The Learning Support classes are part of the Special Education Department in the Wilkes-Barre Area School District. The resource teacher provides accommodations and adaptations when necessary and

appropriate. The regular education and resource teachers work cooperatively to educate students who are in need of learning support.

### **EMOTIONAL SUPPORT**

The emotional support classes are part of the Special Education Department in the Wilkes-Barre Area School District. The resource teacher provides accommodations and adaptations when necessary and appropriate. The regular education and the resource teacher work cooperatively to educate students who are in need of emotional support.

### **ENGLISH LANGUAGE DEVELOPMENT**

English Language Development (ELD) is a program that is available to any student whose parent indicates that English is not the student's primary language or not the primary language spoken in the home and meets the eligibility requirements for admission into the program. The program is designed to provide English Language Learners with the English Language skills necessary to be successful in meeting the demands of the district's curriculum.

### **THE MCKINNEY-VENTO HOMELESS EDUCATION ASSISTANCE IMPROVEMENT ACT**

This Act was enacted to make sure homeless youth have access to appropriate education while removing barriers that homeless children face. The Act defines the term "homeless children and youth" as individuals who lack a fixed, regular, and adequate nighttime residence. Its goal is to minimize interruptions to the education of homeless youth. The Wilkes-Barre Area School District is committed to working collaboratively with families and local agencies to support homeless youth in our school community. Please visit our website for more information and resources.

### **HOME SCHOOLING**

For parents/legal guardians interested in homeschooling his/her child, he/she must have a high school diploma (or equivalent) and not have been convicted of any major criminal offense in the previous five years. A notarized affidavit must be submitted by August 1 to the Student Services office yearly. All home-schooling requests must be made to the Student Services' office and details will be provided at that time on how to apply.

The affidavit must include the following information:

- \*The name of the parent/supervisor, name and age of child, address, and telephone number
- \*Assurance that subjects are taught in English
- \*Outline of proposed education objectives by subject area
- \*Evidence of immunization
- \*Evidence of health and medical services required by law
- \*Certification that the home education program will comply with 24 P.S. § 13-1327.1
- \*A certification that the supervisor, all adults living within the home, and persons having legal custody of the children have not been convicted of certain criminal offenses within the past five years.

### **Students identified with a disability**

If your child has been identified under the federal Individuals with Disabilities Education Act (IDEA) as needing special education services (not including those identified as gifted and/or talented), you must have your home education program approved by a state-certified special education teacher or a licensed clinical or certified school psychologist. The written approval must be submitted with your notarized affidavit.



In accompaniment to the Homeschool Affidavit, 28 Pa. Code §§ 23.81 through 23.87 requires that parents conducting a home education program submit a Certificate of Immunization or a record of immunization to school officials as proof of immunization.

**The required days/hours of instruction and required subjects**

You must teach 180 days or 900 hours at the elementary school level and 180 days or 990 hours at the secondary level. A breakdown of all subjects that must be taught will be given as soon as your request has been approved.

**PARENT TEACHER ASSOCIATION/PARENT TEACHER ORGANIZATION (P.T.A./P.T.O.)**

The P.T.A./P.T.O. is an integral part of the total school program. It serves the student in many ways. In order to function effectively, they need volunteer parents to help with their many projects. All parents are urged to become involved and must adhere to the district’s volunteer policy meeting all requirements including submission of required clearances.

**NURSE/MEDICAL INFORMATION**

A nurse is available each day for those students who are injured or who become ill. Students who become ill during the day or who sustain injuries should report to the nurse’s office for treatment. If the nurse is not available, the student is required to report to the Main Office.

Students who are injured during the school day must inform the teacher as soon as an accident or injury occurs. No student is allowed to leave the school for illness or injury without the approval of the nurse or a school principal. School personnel will notify the parent or guardian when a student needs to be sent home due to an illness or injury. Parents will be required to come to the school and pick up the student.

Please note: Wilkes-Barre Area School District and the school nurse will not be responsible for the diagnosis or treatment of any student’s illness/Injuries.

**Pandemics or Other Health Emergency**

The Wilkes-Barre Area School District will continue to follow the guidance and recommendations provided by the Pennsylvania Departments of Health and Education (PA-DOH and PDE), Center for Disease Control (CDC), and the Pennsylvania Governor as it becomes available. Please visit our website or contact the school nurse for updated information.

**Communicable Diseases/Lice**

A student who is absent from school because of contracting a communicable disease such as: conjunctivitis, ringworm, impetigo, scabies, mumps, measles, etc., must present a doctor’s note to the nurse when returning to school. Also, please be certain to inform the school in writing of any health problems your child may experience.

No student with head lice, nits, and/or fleas shall be permitted to attend school in the Wilkes-Barre Area School District. The student will be excluded from school until all head lice, nits, and/or fleas are removed. Once the student is sent home, it is the parent’s responsibility to remove the head lice, nits, and/or fleas from the child as well as in the living environment. If this is not done, the child can be reinfested.

From the time the student is determined to have lice, the parents will have three days to resolve the problem. Any additional time beyond this will result in the student absence(s) being marked illegal. Each consecutive occurrence will be dealt with as if it is the student's first offense.

It is also the parent's responsibility to bring the child back the next school day, after completion of successful treatment. The school nurse must inspect the student before returning to school. A parent or guardian must accompany the child to be checked before he or she is re-admitted into school. This inspection must occur between 8:05 A.M. and 8:45 A.M. only. Students will be checked for three consecutive weeks for preventive treatment.

### **Medication Over the Counter or Prescription**

Wilkes-Barre Area School District recognizes that it is more desirable for a student to receive medication at home. However, students who are required to take medication during school hours must comply with Wilkes-Barre Area's policies regarding medication administration. Medication to be taken during school hours must be prescribed by a medical professional licensed by the state of PA. Such prescribed medication shall include patented drug, over-the-counter medicine, vitamins, and herbal medicines. Wilkes-Barre Area School District will not be responsible for the diagnosis or treatment of any student's illness. Due to the legal liability of administering medication to students during the school day, the following policy will be in effect:

1. The parent/guardian must meet with the school nurse or principal (if the nurse is not available) to obtain the Wilkes-Barre Area School District medication form(s). The prescribing doctor must complete this form, and a Wilkes-Barre Area School District medication form must be completed for each medication to be administered during school hours.
2. The parent/guardian must transport a supply of medication in the pharmacy-dispensed container for the student to the school. The medication must be labeled in the pharmacy-dispensed container with the student's name, name of medication, dosage to be given, and time to be given. An improperly labeled container of medication will not be accepted because the risk of liability is great.
3. If a nurse is not present, the parent/guardian or other person authorized by the parent/guardian should administer the medication.

Please note: The ultimate responsibility for administration of medication belongs to the parent/guardian. The parent/guardian is responsible to ensure that the school nurse has the correct medication in the pharmacy-dispensed container, the correct dosage, and the correct documentation on file.

### **Insurance**

Student accident insurance may be purchased early in September for the current school year. For late entries, student accident insurance may also be purchased upon arrival.

### **HEALTH REQUIREMENTS**

#### **Immunizations**

Pennsylvania law requires the following immunizations, with their appropriate dosage intervals, before registration or transfer into school:

- 4 doses of Diphtheria, Tetanus, Pertussis (DTP) (4th dose given on or after the 4th birthday)
- 4 doses of Polio (IPV) (4th dose given on or after the 4th birthday)
- 2 doses of Measles, Mumps & Rubella (MMR)
- 3 doses of Hepatitis B (HepB)
- 2 doses of Varicella (Var)

NOTE: Per Pennsylvania Department of Health law, if any of the above state-required immunization courses are not complete before beginning school, the student is given a 5-day grace period from his/her first day of school to obtain the needed immunizations or he/she will be excluded from school until proof of such immunizations are provided to the school nurse.

### **Health Examinations and Screenings**

The school nurse performs health screenings throughout the school year as follows:

- Height, Weight and Body Mass Index (BMI): grades Kindergarten through 12
- Vision screenings: grades Kindergarten through 12
- Hearing screenings: grades K, 1, 2, 3, 7, 11
- Scoliosis screenings: grade 6
- Physical exams conducted by Family Doctor or School District Doctor in grades K, 6, 11

### **Gym Excuses**

Students will be allowed to use a parent's/guardian's note for one gym class per quarter. The nurse must approve this note. A doctor's note will be required for all other excuses. The nurse will only accept gym excuses before classes begin in the morning of that day. Before an adaptive physical education program is established, a student must be excused from regular gym class due to a medical reason for six weeks or longer and present a required doctor's note with a diagnosis and approximate length of time in which that student will be excused.

### **Additional Health-Related Requirements**

Emergency Contact Card/Confidential Medical Information Card: On the first day at your child's new school, he/she will be given an Emergency Contact Card/Confidential Medical Information Card to take home, which needs to be completed by parents/guardians. Please complete this card fully and return it to the school nurse as soon as possible, in case of an emergency during school hours.

Immunizations: By state law, all students entering school for the first time are required to have proof of immunization against diphtheria, pertussis, tetanus, polio, mumps, measles, rubella, varicella (chicken pox), and hepatitis B as required by the state of Pennsylvania. In addition, by state law, students will be required to receive any additional immunizations directed by state law.

### **FOOD AND NUTRITION SERVICES**

Wilkes-Barre Area School District offers Breakfast and Lunch daily to all students under the Community Eligibility Program. Households no longer need to apply for free/reduced meals as under the provisions of CEP all students are eligible for Breakfast and Lunch at no cost to the household regardless of income. The only requirement is that the student chooses a complete meal. Partial meals would be charged per item if the student refuses the complete meal or for extra portions.

Upon entrance into our district, each student is assigned an account in the cafeteria for access to the program. Each student is assigned a PIN (Personal Identification Number) that is used to access their account.

\*All students are asked to memorize his/her pin. Make sure not to share this number with anyone. If there are any questions, please contact the Food Service Director at 570 826-7111 ext. 1113.

Ala carte, milk and snacks are available for students to purchase. Students may make deposits to their accounts in advance. When sending in money for your child's food service account, please place the money in an envelope with your child's name, section, the amount of money enclosed, and account number. If you are enclosing a check, please do the same and include your child's name in the memo area on the check. Checks should be made out to Wilkes-Barre Area Cafeteria Fund. Your child can make deposits directly to the cashier at either breakfast or lunch services or give the envelope to his/her homeroom teacher in the morning.

All balances held at the end of the school year will transfer to the next school year.

### **Using Cafeteria Debit System**

SKYWARD, a computerized debit system, is designed for counting the meals served to the students and where money is deposited in advance for purchases of partial meals, and/or snacks. Partial meals and snacks will be deducted from the account. The deduction occurs when the child enters his/her identification number on a pin pad. When the balance is low, the cafeteria's cashier will remind students that a deposit is due, or if there is no money in the account, the cashier will ask for money to cover the cost of the purchase. To avoid this from happening to your child, it is recommended that you periodically ask your child if his/her account is low. Your student's account activity can be viewed via Family Access on Skyward.

### **Outstanding Lunch/Breakfast Balances**

If a child owes money to the cafeteria (for his/her menu account or tickets), the cashier will remind the student that a deposit is due and a notice will be sent to your home. Also, a conference may be required with the parents and Assistant Principal. Students will not be allowed to charge a la carte items until the balance is current. All deposits received will be credited to the negative balance first then the excess funds will be available for a la carte purchases. All negative and positive balances will carry forward to the next school year.

### **MENUS/NUTRITION INFORMATION**

School menus are published by Nutrition Inc. and posted on the school website, in every classroom, and NUTRISLICE site. Menus are subject to change without advance notice. For students carrying their lunches, milk may be purchased.

**\*Breakfast will not be served on days when the start of school is delayed due to inclement weather.** In addition, lunch is served daily including early dismissals unless otherwise noted on the school calendar. While in the cafeteria, students are not allowed to leave the lunchroom without the permission of a school official. If a student is found to be missing from the cafeteria without permission, proper disciplinary action will be taken. There will be no shouting, running, pushing, throwing of objects, or any other disorderly conduct permitted within the cafeteria. Students are responsible for throwing away all garbage and for keeping the immediate area neat. No food or drink is to be taken out of the cafeteria.

### **Special dietary needs**

Special dietary needs and restrictions are handled on an individual basis. The Food Service Director, Nutritionist, and School Nurse work closely with the parents/guardians and students. The medical plan of care for school food service should be completed each year or if changes occur during the current year. Forms are distributed at the beginning of the school year; also, the forms are available in the school nurse's office year-round.

### **Debts/Obligations**

All debts/obligations must be paid, or the item(s) returned, each semester. Student debt will follow him/her through their career at the Wilkes-Barre Area School District. If a senior has an outstanding debt/obligation, transcript requests will not be processed until the debt is satisfied.

### **CAFETERIA RULES**

Stay in assigned seats at all times.

Ask the teacher, assistant principal, or adult on duty for permission to go to the lavatory.

No throwing of any objects or food.

No exchanging or sharing food.

Snacks purchased during lunchtime are not permitted outside of the cafeteria.

Only one snack may be purchased.

Always clean up after yourself and throw trash away on the way out of the cafeteria.

Dismissal from the cafeteria will be by table and will be conducted by the teacher or assistant principal.

Carbonated beverages and glass containers are not allowed due to safety issues.

All lunches are closed, and students must remain in school for lunch.

### **TRANSPORTATION**

#### **GUIDELINES**

Students in kindergarten or first grade must have a parent/guardian at the bus stop with them. If one is not there at the time the child is being dropped off from school, the child will be returned to school and the parent will be required to come to the school to pick the child up.

If there is a permanent change in busing, due to moving, daycare, etc., please notify the homeroom teacher and the office. Parents using daycare services for their child will be required to submit authorized documentation of the daycare service being utilized.

If a child must ride a different bus, rather than the regular assigned bus, for daycare purposes, a note must be sent in stating the bus that is to be taken, the exact stop the child will be dropped off, and the date this is to take place.

Please note: School buses are used to transport the student from his/her home or daycare to school and from the school to his/her home or daycare. They are not to be used for recreational purposes.

#### **SAFETY PATROLS**

The school safety patrol, directed by a member of our professional staff, is part of our school safety program. Respect and obedience to safety rules are expected at all times.

Some of our children walk to school and many of them must cross busy streets and intersections. Parents are asked to encourage their children to use all safety precautions.

## **STUDENTS WHO WALK**

Students are to cross major thoroughfares only where adult school guards are stationed. Safety patrol members will assist children crossing intersections where an adult school guard is not needed. Parents are asked to remind their children to be consistent with their route to and from school. Adult crossing guards are stationed at certain corners from 8:00 A.M. to 9 A.M. and from 2:00 P.M. to 3:00 P.M.

## **SCHOOL BUS CONDUCT**

In order to provide for the health and safety of our transported students, it has become necessary to adopt the following policy concerning conduct on buses and other vehicles carrying students of the Wilkes-Barre Area School District. Because of insurance concerns and to prevent overcrowding, it is necessary that students ride only the bus to which they have been assigned.

### **Students may be refused transportation on any school bus/van for any of the following reasons:**

- Students should be at the bus stop 10 minutes prior to the scheduled time and be ready to board with the least possible delay.
- Students should look for traffic in both directions before crossing the street and should cross at crosswalk areas and where crossing guards are posted.
- Students should not stand in the street while waiting for the bus.
- Students should remain in line at least five feet from the curb when the bus stops to pick up students and should not move towards the bus until the bus is at a complete stop and the door is open.
- Students may not bring animals or any unlawful items onto the bus.
- Students may ride only the bus to which they are regularly assigned.
- Students must always conduct themselves in an acceptable manner. Foul or unusually loud language or any other improper conduct (fighting, pushing, tripping, hitting, spitting, etc.) will not be tolerated.
- Students may not block the aisle or emergency door with materials (lunch boxes, books) clothing, or themselves, etc.
- Students must not extend arms, heads, or any or any other appendage out of the bus windows at any time.
- Students must remain seated while the bus is in motion, or if the bus is delayed on the road. This includes bus monitors and bus patrols.
- Students may not operate the bus door or tamper with the emergency door.
- Students may not use the emergency door except in case of an emergency, or during a drill.
- Students may not eat, drink or smoke on bus. This includes cigarettes, E-cigarettes, vapor cigarettes & illegal drugs.
- Students may not use electronic devices such as cell phones, cameras, or access objectionable or offensive sites while on the bus.
- Students must not litter, damage, or deface any part of the bus. The student will be responsible for all repairs in the event this occurs.
- Students may not litter or throw things out of the bus windows.

- The principal or bus driver may assign students seats on the bus.
- Students may not depart the bus in the morning before it arrives at the school.
- Students may not depart the bus in the afternoon except at designated bus stops.
- Students must cross the street after exiting the bus and shall cross approximately 10 feet in front of the bus while the eight-way lighting system is flashing.
- Students may not stand on the highway or the street.

### **DISCIPLINARY ACTIONS**

To ensure students safety, students must always obey the bus driver while under his/her supervision. Students riding any bus should be aware that video and audiotapes might be made of their activities on the buses at any time. The driver must report, in writing, all violations of safety regulations as well as any behavior problems to the principal or designee at the first opportunity. The principal has the authority to deny any student the privilege of riding a school bus. Consequences include but are not limited to:

First, second and third offenses will include a conference with the student and notification to the parents. The principal of each school will determine the action taken for each offense, which can include loss of bus privileges for a set number of days or for the remainder of the school year, after-school detention or out-of-school-suspensions. Please consult the school's handbook for specific actions that may be taken according to the school's principal. Serious offenses, even if a first offense, will be dealt with more severely and the student may be denied busing privileges for an appropriate time. **Reports of serious offenses may be forwarded to law enforcement for investigation and criminal prosecution.**

Such serious offenses include, but are not limited to, the following:

- Fighting
- Use of illegal substances, items, or products
- Destroying property
- Any improper behavior that may endanger the safety and welfare of the students and/or bus driver.

# **PARENT AND STUDENT RESPONSIBILITIES**

Damage

Dress Code

Non-Custodial Parent Information

Homework Guidelines

Gum Policy

Party Treats/Invitations

Personal Items



## **PARENT AND STUDENT RESPONSIBILITIES**

### **DAMAGE**

Students who lose or damage books or other school property will be assessed the cost of repairing or replacing such loss or damage. Student report cards can be withheld from the student and parent until this is completed.

### **DRESS CODE (Revisions Implemented February 2024)**

#### **February 2024 Updated Dress Code**

All Wilkes-Barre Area School District Registered Students (who attend any District School or the W-B Area Career Technical Center (CTC)) will be required to adhere to this Board approved dress code. Additionally, Wilkes-Barre Area Students who attend the CTC are required to adhere to the District's dress code when being transported to and from the technical training facility. Upon arrival at the CTC, students will be allowed to change into their proper vocational technical training attire. It is also required that CTC students change back to the District's approved attire before leaving for their home schools.

#### **Guidelines:**

The Wilkes-Barre Area Dress code will allow the following:

1. Collar-less shirts
2. Jeans
3. Sweatpants/Joggers with drawstring tied

Not allowed:

1. No excessively tight pants
2. No crop tops/tank tops
3. No sheer/see through clothing
4. No Short Shorts
5. No Sleeveless shirts without shirt underneath
6. No bandanas
7. No excessive rips/frays that reveal skin or under garments
8. No garments with drug/alcohol/profanity/any other items deemed offensive
9. No hats/ball caps/do rags/skull caps
10. No pajama bottoms/bedroom slippers/blankets
11. Hoods must remain down/completely off the head

Only clear transparent backpacks are permitted in all school buildings.

All backpacks, coats, hats/caps must be kept in the students' lockers.



### **Exemptions**

Parents/Guardians who object to the policy based on religious or medical grounds must complete and present to the building principal a copy of the Wilkes-Barre Area Dress Code Exemption Form signed by their religious leader or physician, identifying the reason(s) for the objection. The form must be filed

within 14 days of registration. The parent/guardian and the building principal will meet to discuss the exception.

### **Board Discretion**

The dress code may be amended at any time at the discretion of the Wilkes-Barre Area 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 disciplinary action.

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

#### **Secondary Level**

	<b>Offense</b>	<b>Disciplinary Action</b>
	<b>1<sup>st</sup> Offense</b>	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.
	<b>2<sup>nd</sup> Offense</b>	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.
	<b>3<sup>rd</sup> and Successive Offenses</b>	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 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.

### **NON-CUSTODIAL PARENT INFORMATION**

The non-custodial parent may request, in writing, all reports, announcements and happenings concerning his/her child. This written request must include the name, address, and grade of the child as well as the name and mailing address of the parent making the request. This request must be submitted to the principal at the beginning of or at any time during every school term. Non-custodial parents may visit with their child with the consent of the custodial parent only.

## **HOMEWORK GUIDELINES**

A child's education is enhanced when home and school work together in a partnership for learning. Homework is an integral part of the learning process and an important component of the curriculum. Evaluation of school progress includes performance in home assignments as well as in class work.

Homework assignments have these important purposes:

1. Homework provides practice in skills and tasks that require mastery for further developmental progress.
2. Homework develops initiative, responsibility, and self-direction.
3. Homework provides parents with opportunities to see first hand what learning is happening in school.

## **FLAG SALUTE, PLEDGE OF ALLEGIANCE, AND THE NATIONAL ANTHEM**

Every citizen has a responsibility to show proper respect for his/her country and its flag. Students may decline to salute the flag or sing the National Anthem based on personal beliefs or religious convictions. However, students who choose not to participate must remain quiet and respect the rights and interests of those who wish to participate.

Pennsylvania House of Representatives Bill 592, now Act 157 of 2002, amends the school code to require students to recite the Pledge of Allegiance at the beginning of each school day. The legislation allows students to decline reciting the Pledge of Allegiance, however the school is required to notify parent/guardian in writing of their child's refusal to do so.

## **GUM POLICY**

Chewing gum is not allowed in the school or on school property, and we urge parents to see that students do not bring gum to school.

## **PARTY TREATS/ INVITATIONS**

The teacher and the school office must approve any party treats sent to school in advance. All party treats must be commercially prepared (bakery, store, or restaurant). All treats should be delivered through the office. Napkins, cups, and utensils should be provided if needed for the treat. Treats are to be passed out to all members of the student's classroom. No other classrooms are to be included. Party Invitations must be given to the entire class or it can be limited to all boys in the class or to all girls in the class. Invitations to a select few students are not allowed to be passed out in the school.

## **CARE OF BOOKS AND TECHNOLOGY**

All students are responsible for books and technology devices assigned to them. Students who damage or lose books or technology devices will be fined. Students are required to fill out book slips & computer documentation when books and technology are distributed. Students are to fill out the appropriate slip with name, homeroom, and subject teacher's name on the page corresponding with the present school year. The minimum fine is \$5.00 for lost or damaged books or technology.

## **PERSONAL ITEMS**

It is recommended to mark rainwear, boots, and other personal items of clothing for identification purposes. This is especially true of eyeglasses.

The school does not take responsibility for any item that is lost or stolen. Items of value should not be brought to school.

### **SENDING MONEY TO SCHOOL**

When sending money to school for lunch, milk, pictures, and other activities, please send the exact amount in an envelope marked with the child's name, section, and teacher. **EXCESSIVE AMOUNTS ARE NOT RECOMMENDED.**

## **Wilkes-Barre Area School District Title I Parent and Family Engagement Policy**

The entire process of education is improved when the home and schoolwork collaboratively as a team. The Wilkes-Barre Area School District's Federal Programs Department values the contributions of parents and has developed this policy with their input. Parents will have an opportunity to approve this policy, and it will be evaluated each year. The purpose of this policy, which is distributed to Title I parents, is to describe how the Wilkes-Barre Area School District will carry out the following requirements:

- A.** Parents will be involved in the development, the review, and improvement of the Title I program and parent policy through:
  - 1. answering questionnaires and surveys including phone surveys and google forms
  - 2. offering formal or informal suggestions or complaints
  - 3. serving on committees at the school level or county level
  - 4. approving completed policies and compacts
  - 5. attending                      Parent                      Advisory                      Council                      Meetings
  
- B.** The Wilkes-Barre Area School District will help the school plan and carry out Parent and Family Engagement activities which meet the needs and desires of parents through providing:
  - 1. support from the Wilkes-Barre Area School District parent coordinator
  - 2. opportunities for opinions to be expressed at Title I meetings
  - 3. resources such as videos, resource people, and printed materials
  - 4. incentives for attending meetings
  - 5. materials for some parent activities and training
  - 6. Parent and Family Engagement Resource Center materials available
  
- C.** The Wilkes-Barre Area School District will provide support, training, and helpful information to school staff and parents for the purpose of involving parents with their children's education at home and at school by providing:
  - 1. information on curricular objectives to parents
  - 2. tips and timely information through monthly newsletters, e-mail, Title I Google Classrooms, and Wilkes-Barre Area School District web page
  - 3. promoting parenting classes

4. staff development promoting parent involvement and learning strategies – SPAC information
  5. meet with family members needing assistance as requested
  6. minimum of two district-wide meetings annually
  7. Title I handbooks explaining the program and Parent and Family Engagement
  8. brochures, handouts, and other resource material dealing with topics related to education and parenting
- D.** The Wilkes-Barre area School District will work with other agencies, organizations, and businesses to provide help for students and their families by:
1. coordinating with Head Start in parent engagement and training
  2. referring families to agencies for assistance with special needs
  3. collaborating with programs within the school system to meet special needs
- E.** E. Parents will be involved in evaluating the Parent Policy to see if parent involvement has improved and to see why some parents are not involved.
- F.** The Wilkes-Barre Area School District will use the findings of the evaluations to assist in designing necessary changes and strategies for improving the School Plan and Parent and Family Engagement Policy. This evaluation and plans for change will be handled through:
1. attending and serving on committees
  2. responding and evaluating surveys
  3. submitting suggestions which shall be considered and to which a response will be made \* surveys and feedback forms the individual schools

### **NON-CUSTODIAL PARENT INFORMATION**

The non-custodial parent may request, in writing, all reports, announcements and happenings concerning his/her child. This written request must include the name, address, and grade of the child as well as the name and mailing address of the parent making the request. This request must be submitted to the principal at the beginning of or at any time during every school term. Non-custodial parents may visit with their child with the consent of the custodial parent only.

# **STUDENT SECURITY POLICIES & PROCEDURES**

These policies and procedures have been designed so that the Wilkes-Barre Area School District and Area Law Enforcement can prevent or respond effectively and appropriately to criminal activity on school property.

School Visitors  
School Police Officer Program  
Building Security  
Backpacks, Purses, Sports Bags, and Instrument Cases  
Fire Drill and Emergencies  
Drug & Alcohol Policy  
Handling Drug Related Incidents  
Search and Seizure Policy  
Use and Operation of Metal Detector Policy  
Hazing Policy  
No Smoking Policy  
Weapons Policy  
Breathalyzer Policy  
Acceptable Use Policy  
Electronic Device Policy

## **STUDENT SECURITY POLICIES & PROCEDURES**

### **SCHOOL VISITORS**

The District welcomes and encourages visits to school by parents/guardians, other residents of the community, and interested educators. To assist in providing for a safe and optimum learning environment, these guidelines are established for school visits.

### **GUIDELINES**

1. A visitor shall immediately report and register at the main entrance with the security/greeter to go through metal detectors, obtain authorization for a visitation with the RAPTOR System, and shall abide by these guidelines.
2. A visitor shall schedule all conferences and visits in advance.
3. Conferences concerning student progress shall be scheduled with the teacher. Other visits shall be scheduled with the school's Principal.
4. Each visitor shall receive a visitor pass to be worn so it is easily seen.
5. Visitors shall not interrupt the educational process of the school.
6. No visitor shall be permitted to photograph or videotape any part of any school or to tape record any conversation of any kind at the school, without prior approval of the Principal.
7. The Principal or designee shall be present during an unscheduled (emergency) meeting in which a student is called to the main office to meet with a visitor who is not the child's parent/guardian.
8. A school employee shall immediately report to the Principal or designee any unauthorized visitor and/or any visitor not behaving in a manner consistent with these guidelines.

### **SCHOOL POLICE OFFICER PROGRAM**

It is the policy of the Wilkes-Barre Area School District to be committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency and criminal activity. The function of the school police officer (SPO) is to promote an effective law enforcement program and school-community relations program directed at preventing juvenile delinquency and criminal activity in the District.

The Wilkes-Barre Area School District has adopted these operating procedures to help protect the safety of the district's students, faculty and staff.

Parents and students are reminded of the following regulations:

Hand-held and walk-through metal detectors will be used throughout the school year. Students, who for medical reasons, should not be scanned with a metal detector, should inform the principal of the school.

Students who repeatedly disregard school rules, as viewed by the administration, will be denied the opportunity to participate in school-sponsored functions.

Students are reminded to:

1. act in an orderly manner when transported on a school bus.
2. act in a responsible, ethical and legal manner with the use of the school computer.
3. respect the rights of teachers, administrators, and other students.
4. dress and groom yourself to meet safety and health standards.
5. exercise proper care when using public facilities and equipment.
6. comply with all state, local, and school laws.

In addition to this:

1. The school district will conduct unannounced drug and weapon searches.
2. Vulgar obscene language and gestures will not be tolerated.
3. Fighting will not be tolerated.
4. Assaults on staff members or on fellow students will not be tolerated. Students who are accused of assault will be arrested.
5. Any parent wishing to obtain the full text of any district policy should contact the building principal.

### **BUILDING SECURITY**

Maintaining building security is of the highest priority. Students must enter district buildings through the Main Doors only. The main doors will be unlocked at designated starting time for students to enter. All other doors will remain locked. Video surveillance and/or staff members cover the Main Doors. Metal detectors will be used at random or when reasonable suspicion exists for such a search.

Any student found to be compromising building security could face disciplinary and/or legal action.

The interior and exterior of the building will be monitored by a 24-hour passive video surveillance system. The system includes cameras, multiplexers, monitors, and video recorders.

Even though the system has the capability of being used for real-time monitoring, no one is assigned to actively view the images generated by the cameras. The system will be used to review an incident, as it was recorded, after the fact. In an emergency, you should react to the emergency as you would if such a video system was not in place.

Be advised that the images can and will be used as evidence, both for in-house disciplinary action and courtroom proceedings, should the need arise.

### **BACKPACKS, PURSES, GYM BAGS, ETC.**

All students are required to use clear/transparent backpacks except for sports bags. Backpacks must be placed in student lockers after arrival to school. They are not allowed to be carried throughout the building during the school day, and purses must be smaller than an 8.5x11 book. Bags for sports and instrument cases must be stored in a monitored area before admittance to school. Students are required to check with a coach or advisor as to the procedures for storing your equipment. The student is to check with his or her coach, advisor or director about the procedures for storing equipment.

Purses that can be worn on the back in the style of a backpack or are able to contain an 8.5 x 11 size book are prohibited. Please note that the administration reserves the right to determine when a purse is considered to be in violation of the policy.



Any student refusing to allow their bags or cases to be searched will not be admitted to school.  
**All metallic items and large binders are to be removed from a backpack prior to screening.**

## **FIRE DRILL AND EMERGENCIES**

Fire drills are held approximately once every month as required by law. When a fire alarm sounds, students should leave the building quickly, quietly, and in an orderly manner without running. They are to proceed to the fire exits as directed by their teacher in accordance with the exit charts located in the front of the classroom.

Everyone is to leave the building and is not to return until the principal or an authorized representative gives the signal. Under no circumstance should the students leave the designated safety area until instructed to do so by the principal or his authorized representative.

**Evacuation/Relocation** drills are held once a year. An announcement will be made when this evacuation will be held. At the time of the evacuation, directions as to where the students are to evacuate to will be given.

Lockout/down drills, **Restricted Movement and** Active Shooter Protocol procedures are held throughout the school year. If there is a lockout or lockdown, everyone in the school will remain in the building until the lockdown is over. Parents are not to come to the school to pick up their child at this time.

## **DRUG AND ALCOHOL POLICY**

The Wilkes-Barre Area School District is committed to insuring that every student is provided with a safe, learning environment. Therefore, the District has enacted a strict zero tolerance drug and alcohol policy. Students are reminded that the District will not tolerate the use of drugs or alcohol at any time. This means at school, during school sponsored events, functions, activities, clubs, sporting events, etc., either on or off school property.

In addition to the development of a stringent drug and alcohol policy, the District maintains a strong working relationship with the local drug and alcohol prevention agencies to insure that students have the opportunity to access help at any time.

## **DEFINITION OF TERMS**

### **DRUGS**

Shall include alcohol or any malt beverage inclusive of wine coolers, designer drugs, anabolic steroids, and any drug from any of the four classes of drugs, hallucinogens, narcotics, amphetamines, barbiturates, and any volatile solvents or inhalants such as, but not limited to, glue, varnish remover, lighter fluid, etc., and any chemical manufactured in a clandestine laboratory such as, but not limited to, amyl and butyl nitrate, and any drug covered by the Pennsylvania Drug Device and Cosmetic Act and Controlled Substance Act of 1970.

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

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

### **OVER-THE-COUNTER DRUGS**

The use of over-the-counter drugs is prohibited by this policy if they are used contrary to manufacturer's directions or in an abusive manner with the intention to achieve a mind-altering effect.

### **PRESCRIPTION DRUGS**

All prescription drugs must be presented to the school nurse or building principal according to the district's medication policy. The possession or use of prescription drugs outside of the district's medication policy will be deemed illegal.

### **INHALANTS**

Nitrous Oxide - Laughing Gas, Whippets, CO2 Cartridge

Amyl Nitrate - Locker Room, Rash, Poppers, Snappers

Butyl Nitrate - Bullet, Climax

Chlorohydrocarbons - Aerosol propellants, gasoline, glue, other chemicals containing petroleum distillates such as benzene, acetone, toluene, xylene, carbon tetrachloride, etc.

### **STIMULANTS**

Cocaine

Crack Cocaine

Amphetamines - capsules, pills, tablets

Methamphetamines

Additional Stimulants - Preludin, Didrex, Tenuate, etc. DEPRESSANTS

Barbiturates

Tranquilizers

Alcohol

Rohypnol

### **HALLUCINOGENS**

Marijuana

PCP

LSD

Mescaline

Peyote

Psilocybin

### **NARCOTICS**

Heroin

Methadone

Codeine

Morphine

Meperidine

Opium

Other Narcotics - Percodan, Darvon, Percocet, Talwin, Lomotil, Fentanyl

### **CLUB DRUGS**

MDMA (Ecstasy)

GHB

Rohypnol

Ketamine

### **DISTRIBUTION**

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

**POSSESSION**

Possess or hold or have within immediate control alcohol, drugs, or drug paraphernalia defined by this policy. It should be noted that students found with alcohol, drugs, or drug paraphernalia in school lockers, desks, student automobiles, school bus, lavatories, or any other school property are in direct violation of this drug policy and will be charged with possession. Additionally, possession by students at any school-sponsored function shall be considered in violation.

**DRUG PARAPHERNALIA**

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

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

**SCHOOL JURISDICTION**

The school property including, but not limited to, school bus, desk, lavatory, lockers, etc., to/from school, its surroundings, and all school-related events such as proms, class trips, football games, etc. Therefore, this policy remains in effect for all school-sponsored activities regardless of their location.

**ASSESSMENT/TREATMENT**

The Wilkes-Barre Area School District has a signed “Affiliation Agreement” with local drug and alcohol prevention agencies for purposes of providing confidential assessment services to students and their families when a violation of the drug and alcohol policy has occurred. Additionally, students and families can access the services of the agency at any time.

**REASONABLE SUSPICION**

In what is called a “Landmark Case,” New Jersey vs. T.L.O. the United States Supreme Court decided that school officials only require reasonable suspicion to search a student. The Courts have concluded that school officials are exempt from the normal dictates of the fourth Amendment (Unreasonable Searches) by virtue of the special nature of their authority over school children. Teachers and school administrators act in loco parentis and, therefore, are acting as a parent, not the state, and, therefore, are not subject to the restrictions of the fourth Amendment. Reasonable Suspicion means more than “mere” suspicion. The school authorities must apply an objective test in determining whether reasonable suspicion exists. The basis for reasonable suspicion should include one or more of the following:

1. eyewitness testimony
2. a student’s past record or reputation for use or possession of drugs and alcohol
3. information obtained through an informant or through reliable statements that incriminate the student

4. any other independent evidence that gives rise to a reasonable conclusion that the student has engaged in a violation of the policy
5. the exigency to make the search without delay

### **DUE PROCESS REQUIREMENT**

These review procedures provide for students and/or parents the right to contest a charge that the student has violated the District drug and alcohol policy.

1. The student and parents will be entitled to meet with the designated school administrator(s) at an initial informal hearing.
2. Should a formal hearing before the School Board be in order, the following will be adhered to:

- A reasonable time and date for the hearing
- Notice of the hearing
- The charges to be stated in clear, concise terms
- Opportunity to offer evidence and cross-examine witnesses
- The right to have an attorney present at the hearing

### **HANDLING DRUG RELATED INCIDENTS**

#### **1. STUDENT SUSPECTED OF BEING UNDER THE INFLUENCE OF DRUGS AND ALCOHOL**

In such instances, the student shall not be left alone. The building principal or designee shall be summoned immediately and he/she, in turn, shall summon the school nurse; and, if necessary, secure additional medical help since a medical assessment is imperative to ascertain the condition of the student. The medical assessment shall further determine the need for possible transportation to community hospital.

Parents shall be notified immediately and symptoms of their child described.

In such an emergency, the building principal or designee shall be responsible for all necessary investigations to be carried out. The principal or designee shall search the student's locker and desk and remove any apparent drug substances.

Should any substance be discovered, it shall be shown to medical personnel for identification and aid in the treatment of the emergency.

### **PROCEDURES TO BE FOLLOWED FOR DRUG/ALCOHOL SCHOOL VIOLATIONS**

If the District determines that a student is under the influence of drugs/alcohol, the following disciplinary procedures will be followed:

1. Law enforcement authorities are to be notified and confiscated drugs shall be turned over to them. Criminal prosecution will occur if applicable.
2. Parents are to be notified and asked to report to school as soon as possible.
3. Referral to a local drug and alcohol prevention agencies, for assessment/evaluation. NOTE: Acceptance of referral is a condition for student continuance in school. Additionally, the student shall be required to accept and comply with all treatment recommendations.

4. Suspension for ten (10) school days.
5. Ten (10) page report on personal consequences of student's drug use and violation of school policy must be submitted to a local drug and alcohol prevention agencies.
6. Student suspension from sporting events and school activities for ten (10) days after student returns from serving ten (10) day suspension.

Please note: Subsequent violations will follow the same procedures listed above and the student will not be allowed to represent the school or participate in any school activity as a member of a team or club for one calendar year and may face the possibility of expulsion.

## **2. STUDENT IN POSSESSION OF ALCOHOL AND/OR DRUGS/DRUG PARAPHERNALIA**

If the District determines that a student is in possession of alcohol and/or drugs/drug paraphernalia, the following disciplinary procedures are to be followed:

1. Confiscation of alcohol and/or drugs/drug paraphernalia from student by school personnel. Confiscated items will be turned over to police.
2. Parents are to be notified and asked to report to school as soon as possible.
3. Law enforcement notification resulting in criminal prosecution.
4. Suspension for ten (10) school days.
5. Fifteen (15) page report on personal consequences of student's decision to possess alcohol and/or other drugs must be submitted to a local drug and alcohol prevention agencies.
6. Student suspension from sporting events and school activities for sixty (60) school days after student returns from serving ten (10) school days suspension.
7. Referral to a local drug and alcohol prevention agencies, for assessment/evaluation. WYADS, Inc. will work in cooperation with in-school Student Assistance Program. (NOTE: Proper release forms must be signed by student and legal guardian to allow for communication with WVADS, Inc. and SAP designate). Acceptance of a referral for assessment/evaluation is a condition for student's re-entry into school after ten (10) school day suspensions. Additionally, student shall be required to accept and comply with all treatment recommendations.

Please note: Subsequent violations will follow the same procedures listed above and the student will not be allowed to represent the school or participate in any school activity as a member of a team or club for one calendar year and may face the possibility of expulsion.

## **3. STUDENT POSSESSION WITH INTENT TO SELL OR DELIVER**

If the District determines that a student is in possession of drugs/alcohol with intent to sell or deliver to another student of the District, the following procedures will be followed:

1. Notification of law enforcement authorities with criminal prosecution. School personnel will confiscate all alcohol and/or drugs by school personnel. All confiscated materials shall be turned over to authorities.

2. Parents are to be notified and asked to report to school as soon as possible.
  - A. Immediate suspension for ten (10) school days and suspension from all sporting events and school activities.
  - B. Expulsion proceedings will be initiated.
  - C. Referral to a local drug and alcohol prevention agencies, for assessment/evaluation.  
NOTE: Even though the school shall move for student expulsion, it still believes that referral to a treatment facility will provide assistance to student.

#### **4. STUDENTS SEEKING ASSISTANCE FOR SELF-REFERRAL**

Since all school personnel must be sensitive to the needs of those students who are experiencing problems with drugs and alcohol, it is important to give the student the feeling that they can come forward to seek assistance without retribution.

When a student voluntarily requests assistance for their own drug and alcohol use, they shall be fully informed of services available. Local drug and alcohol prevention agencies works cooperatively with the school district in insuring for student access to assessment and treatment in a timely manner. Students will be encouraged to include their parent(s) in any treatment experience.

Please note: Students who seek assistance from the District and who have not violated the school's drug and alcohol policy, will not face disciplinary action.

#### **MEDICAL ASSESSMENT/EVALUATION OF STUDENT BELIEVED TO BE UNDER THE INFLUENCE OF DRUGS AND/OR ALCOHOL**

In the event that the District believes that a student's medical health is in question, arising out of the possibility that the student may be under the influence of drugs and/or alcohol, the District shall arrange for a medical assessment/evaluation at a community hospital, community emergency center, or reserves the right to contact 911 for paramedics or EMT's to respond on site.

#### **CONCLUSION**

NOTE #1 – Athletic coaches may add additional specific requirements to this policy as conditions of participation or continued eligibility in sporting activity (Veronia School District vs. Acton; 1995).

NOTE #2 – The policy contained herein shall be considered the core policy of the District and all conditions specified in the policy must be adhered to at all times.

## **SEARCH AND SEIZURE POLICY**

### **SEARCH AND SEIZURE OF STUDENTS RELATED TO REASONABLE SUSPICION**

It is the policy of the Wilkes-Barre Area School District that public school officials can conduct a search of a specific individual school student and his/her belongings without a warrant, as long as: (1) REASONABLE SUSPICION exists to believe that a student is violating the law or rules of the school; and (2) the SCOPE of the conducted search is reasonably related to the circumstances justifying the search in the first place.

### **REASONABLE SUSPICION**

In what is called a “Landmark Case,” New Jersey vs. T.L.O., the United States Supreme Court decided that school officials only require reasonable suspicion to search a student. The Courts have concluded that school officials are exempt from the normal dictates of the fourth Amendment (Unreasonable Searches) by virtue of the special nature of their authority over school children. Teachers and school administrators act in loco parentis and, therefore, are acting as a parent/guardian, not the state, and, therefore, are not subject to the restrictions of the fourth Amendment. Reasonable Suspicion means more than “mere” suspicion. The school authorities must apply an objective test in determining whether reasonable suspicion exists. Reasonable suspicion should be based on one or more of the following:

1. eyewitness testimony
2. a student’s past record, reputation, age and history
3. information obtained through an informant or through reliable statements that incriminate the student
4. any other independent evidence, which gives rise to a reasonable conclusion that, the student has engaged in a violation of school policy
5. the exigency to make the search without delay

### **JUSTIFICATION OF ANY SEARCH AND/OR SEIZURE SHALL BE BASED ON**

1. Reasonable suspicion that the law or a school rule has been violated.
2. Information, facts, or circumstances that would lead a reasonable person to conclude that evidence of a crime or rule violation would be found in the search.
3. The relationship between the extensiveness of the search and the evidence being sought.
4. The relationship between the severity of the threat and the degree of intrusiveness in conducting the search.
5. The presence of any special legal considerations, such as whether the student did not have a reasonable expectation of privacy; the object(s) seized fell within the plain view of an official who had a right to be at that location; or the student voluntarily consented to the search.

## **SEARCH OF STUDENT'S BELONGINGS**

The Wilkes-Barre Area School District is committed to insuring that all students and staff members are provided a safe environment in which to teach and learn. To ensure this commitment, it is the policy of the Wilkes-Barre Area School District that public school officials can conduct a search of school student's belongings when he/she is on school grounds, attending any school sponsored events, or in conveyance providing transportation to and from school or school sponsored events. All belongings may be searched without warning and at any time pursuant to a school-wide regulatory search without reasonable suspicion, to seize any illegal material or materials, which pose a threat to the health, safety or welfare of the students, staff, and faculty in the school. The belongings are, but not limited to, sport bags, lunch bags, purses, musical instrument cases, (book bags and backpacks in elementary schools), trappers, or any item capable of concealing illegal, unauthorized, contraband, or other prohibited articles. Any illegal, unauthorized, contraband, or other prohibited articles found in students' belongings shall be seized and used for evidence in disciplinary, juvenile, or criminal proceedings. Seized items will be turned over to the school police officer to begin a chain of evidence. Law Enforcement shall be notified if applicable.

## **BODY SEARCHES**

Strip searches invade the most private sphere of students, their bodies. To comply with New Jersey vs. T.L.O., a strip search should be performed only under the most extreme circumstances.

## **SEARCH AND SEIZURE OF LOCKERS AND DESKS**

It is the policy of the Wilkes-Barre Area School District that lockers and desks belong to the school district and not the student. They are assigned to students, and students have the responsibility to properly care for this school property. Students shall not store any drugs and or alcohol or drug devices, equipment, and/or paraphernalia or any type of weapons as defined in the weapon policy in lockers or desks. The school reserves the right to inspect student's lockers or desks under the following circumstances:

1. To make general repair at any time to any locker or desk without prior notice to the student.
2. Pursuant to school-wide regulatory search of all lockers and desks without reasonable suspicion, at any time, without prior notice to the student, to seize any illegal material or materials which may pose a threat to the health, welfare, and safety of the students and the staff in the school.
3. Based upon reasonable suspicion, a search of any lockers and desks without prior notice to the student to seize illegal material or materials that may pose a threat to the health, safety, or welfare of the students and the staff in the school.

## **GUIDELINES**

- A. Prior to conducting a school-wide student locker/desk search, school officials shall document facts showing a substantial problem affecting the health, safety, or welfare of the student to justify conducting a school-wide locker/desk search. (i.e. facts widespread drug activity among students on school property).
- B. The actual search shall be conducted pursuant to the following:



1. School officials shall supervise the search to avoid unbridled discretion by police officers conducting the search.
  2. If a police dog is used, school officials shall accompany each dog handler during the search. Every student locker checked by the drug dog shall be done in the same manner. In the event of an alert by the drug dog, that locker and three (3) adjacent lockers on each side shall be searched.
  3. The date and time of the search shall be scheduled in advance. School officials shall meet with the police department prior to the search to review the policy and guidelines to ensure that the search is properly conducted.
- C. The school wide searches using a police drug detection dog shall be limited to the search of PROPERTY ONLY! The drug dog shall not be used to perform “SNIFF” searches of persons. The canine sniff searches shall be limited to student property, school property, and vehicles owned or leased by the District, and shall include any conveyance providing transportation to and from any school or school sponsored event.

## **ENFORCEMENT**

Any illegal, unauthorized, contraband, or other prohibited articles found in student lockers or desks or on students or in students’ belongings, shall be seized and used for evidence in disciplinary, juvenile, or criminal proceedings. Seized items will be turned over to the school police officer to begin a chain of evidence. Law enforcement shall be notified if applicable.

## **USE AND OPERATION OF HAND-HELD METAL DETECTORS AND PORTABLE METAL DETECTION SYSTEM**

### **Policy**

It is the policy of the Wilkes-Barre Area School District to be committed to insuring that every student and staff member are provided a safe environment in which to teach and learn. Therefore, the District has enacted the use of handheld metal detectors and portable metal detection system to assist and aid in the safety of our students and staff. Adults, visitors, students and staff are reminded that bringing a weapon to school will not be tolerated by the District at any time.

### **Training**

Prior to the initiation of handheld metal detectors and the portable metal detection system all personnel who will be conducting the scans will be trained in the calibration, operation, and maintenance of the equipment.

## **HAND-HELD METAL DETECTORS**

### **Purpose**

The purpose of using a handheld metal detector is to increase security in our District buildings and to aid in protecting the students and staff.

Handheld metal detectors will only be used at the following times:

1. To search a student when “reasonable suspicion” has been determined that the student may be carrying a weapon.
2. When a parent consent form has been signed as part of a behavior contract.
3. Randomly select a classroom and scan every person in the room. Keep a log of classrooms scanned.
4. Randomly scan students while in school buildings, on school buses, on school grounds or school sponsored events.
5. Scan student’s sport bags, lunch bags, purses, musical instrument cases, lockers, desks, (book bag and backpack in elementary schools), or any item capable of concealing a weapon.

### **Exceptions**

Students who should NOT be scanned for medical reasons shall contact the Principal of the school. It is the responsibility of the student to notify the District of any exceptions to the use and operation of hand held metal detectors.

### **Operation of Hand-Held Metal Detectors**

1. The person operating the hand metal detector shall always operate this equipment in a professional manner and shall remain observant and committed to task.
2. The person shall be careful not to be distracted by the student being searched or by other activity in the area. The person shall stand in an area where he/she can approach the subject of the search from four sides.
3. The person shall test the metal detector on a known metal object prior to beginning each search of a person. This is to verify that the equipment is working and to notify the subject of the search that the equipment is working.

It is not recommended that the scanning process take place in a private room or area. To avoid possible misconduct, accusations of misconduct, or a confrontation with a visitor or student who does end up actually having a weapon, all of the weapon detection programs functions should be performed in view of everybody else. The exception is the unusual circumstance wherein a person is suspected of hiding some type of contraband in a private area of their body. At this point the Principal, **Chief** of Police Operations and the School **Police** Officer shall be notified.

### **PORTABLE METAL DETECTION SYSTEM**

#### **Purpose**

The purpose of the Administrative Entry Search program is to prevent weapons and illegal contraband from being brought into the buildings of the Wilkes-Barre Area School District. It is designed to deter violence and serious physical injury in District buildings by inhibiting the access of persons in possession of weapons and/or other contraband into school facilities.

## Procedures

Any individual who enters a Wilkes-Barre Area School District building is subject to an administrative entry search. An administrative entry search requires all persons subject to the search to be scanned with a walk-thru metal detection system. **The search can be conducted randomly.**

The search procedure may include all individuals entering a school building during the regular school day and when school is not in session. **The procedure will not be used to single out any individuals or any profile for a search.**

Any person who refuses to cooperate in the scanning process will be referred promptly to the principal, if a student, or his/her designee for appropriate action. Any other person who refuses to cooperate in the scanning process will be denied entry into the building.

Walk-thru Metal Detectors will be used in all Wilkes-Barre Area School District buildings whenever available. **All visitors and students are subject to the search.**

## Operation of Portable Metal Detectors

ADULTS/VISITORS/STUDENTS/STAFF will be asked to remove all metal object (s) from their person and place them in a tray that is provided for their convenience.

When a person walks through the metal detector and the alarm sounds, he/she shall be instructed to remove all metal objects from his/her person and shall be instructed to walk through the metal detector again. If the alarm does not sound the articles which have been removed will be examined, then returned to the person, and the individual will be allowed to pass into the secure area.

Persons should never be allowed to enter the secure area until they can walk through the metal detector without sounding the alarm or until some form of secondary search using a handheld metal detector can identify the item causing the alarm.

## Enforcement

Any illegal, unauthorized, contraband, weapons or other articles found on adults/visitors/students or in adult's/visitor's/student's belongings shall be seized for evidence in disciplinary, juvenile or criminal proceedings. Seized items will be turned over to the school **police** officer to begin a chain of evidence.

In cases when there is reasonable suspicion that a weapon may be present, the school **police** officer shall be present at the time of the screening.

Searches are conducted for district's purposes and not for the primary purpose of gathering evidence or instituting criminal proceedings; however, if a weapon is found, the school **police** officer shall be notified and the student or visitor with a weapon shall face disciplinary action and or criminal charges.

Signs shall be posted notifying students and visitors that they are subject to unannounced electronic screenings for weapons.

The person using the metal detector may be of either gender, regardless of the gender of the person subject to the electronic screening for weapons.

In conjunction with using the metal detectors, school personnel may inspect the contents of any backpack, bookbag, purse, or parcel for the limited purpose of determining whether a weapon is concealed therein.

If individuals being screened activate the detector and they refuse to reveal the metal object, the school **police** officer shall be notified.

If a weapon is discovered, the school **police** officer shall be notified immediately, and the weapon shall be held by the school official who discovers it until the school **police** officer arrives at the scene.

## **HAZING POLICY**

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

## **DEFINITIONS**

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

Endangering the physical health shall include, but not limited to, any brutality of a physical nature such as: whipping, beating, branding, exposure to the elements, forced consumption of any food, alcoholic beverage, drug, or controlled substance or other activity that creates or results in an unreasonable risk of harm or that adversely affects the physical health or safety of an individual or individuals.

Endangering the mental health shall include, but not limited to, any activity that would subject an individual to extreme mental stress such as: prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct, forced conduct which could result in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of an individual or individuals.

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

## **AUTHORITY**

The Board does not condone any form of initiation or harassment known as hazing as part of any school sponsored activity. No student, coach, volunteer, or district employee shall permit, condone, tolerate, plan, direct, encourage, assist, or engage in any hazing activity.

The Board encourages students who have been subjected to hazing to promptly report such incidents to school personnel.

School personnel shall investigate promptly all complaints of hazing and administer discipline to any individual who violates this policy. School personnel shall report immediately to law enforcement if the findings necessitate this action.

## **GUIDELINES**

When a student believes she/he has been subject to hazing, the student shall promptly report the incident to school personnel.

School personnel shall conduct a timely, impartial, thorough, and comprehensive investigation of the alleged hazing.

School personnel shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The report shall be filed with the Superintendent.

If the investigation results in a substantiated finding of hazing, school personnel shall impose appropriate disciplinary action. The student may be subject to disciplinary action by the coach, up to and including, removal from the activity.

## **TOBACCO AND VAPING PRODUCTS POLICY**

It is the policy of the Wilkes-Barre Area School District to be committed to ensuring that every student is provided with a safe environment in which to learn. Therefore, the District has enacted a strict smoking, tobacco, and vaping policy of **ZERO TOLERANCE**.

## **DEFINITIONS**

Tobacco - A lighted or unlighted cigarette, cigar, pipe or other lighted smoking product and smokeless tobacco in any form.

Vaping product use shall be defined as use and/or possession of an atomizer or other device that vaporizes a flavored solution that may or may not contain nicotine. Such products include, but are not limited to, electronic cigarettes or e-cigarettes, personal vaporizers, and electronic nicotine delivery systems (ENDS).

Pupil - a person who is enrolled in school.

School - a school operated by a joint board, board of directors or school board where pupils are enrolled in compliance with Article XIII the Act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, including area vocational-technical schools and intermediate units.

## **OFFENSE DEFINED**

A pupil who possesses or uses tobacco and or vaping products in a school building, a school bus, or on school property owned by, leased by, or under the control of a school district commits a summary offense.

## **GRADING**

A pupil who commits an offense under this policy shall be subject to prosecution initiated by the Wilkes-Barre Area School District and shall, upon conviction, be sentenced to pay a fine, set by the court, for the benefit of the school district and to pay court costs. When a pupil is charged with violating this policy, the court may admit the offender to an adjudication alternative as authorized under 42 Pa.C.S. 1520 (relating to adjudication alternative program) in lieu of imposing the fine.

## NATURE OF OFFENSE

A summary offense under this policy shall not be a criminal offense of record, shall not be reportable as a criminal act and shall not be placed on the criminal record of the offending school-age person if any such record exists.

## WEAPONS POLICY

### POLICY

It is the policy of the Wilkes-Barre Area School District to be committed to ensuring that every student is provided a safe environment in which to learn. Therefore, the District will enforce a strict weapons policy of **ZERO TOLERANCE**.

1. The Wilkes-Barre School District recognizes that the possession of weapons, facsimiles or look alike on school premises threatens the safety of our entire school community.
2. It is, therefore, the district's policy to prevent and prohibit the possession, transmission, handling, use, or storage of any weapons, facsimile, or look-alike on school property, at school sponsored events, or in any conveyance providing transportation to or from any school, school event, or function by any student. This policy shall apply with equal force to vehicles parked on school property.
3. Weapon offenses shall be reported to the principal or designee who shall in turn report such offenses to the Superintendent.
4. Any person discovering the possession, transmission, handling, or use of a weapon, facsimile or look-alike, or a threat to use a weapon shall immediately notify the principal or designee of the apparent violation.
5. Violations of this policy involving possession, transmission, handling, or use of weapon will result in immediate suspension and recommendation for expulsion.
6. In addition to the school discipline outlined above, the Superintendent shall have the ultimate discretion to refer such offenses for the filing of criminal charges against the person.

## DEFINITION OF A WEAPON

Anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. In addition, the term includes a firearm which is not loaded or lacks a clip or other component to render it immediately operable, or components which can readily be assembled into a weapon. The term "weapon", as used in this policy, shall also include but not limited to, any knife, cutting instrument, cutting tool, nun-chuck stick, firearm, shotgun, rifle, bomb, grenade, machine gun, sawed-off shotgun, firearm specially made or specially adapted for concealment of silent discharge, any blackjack, sandbag, metal knuckles, dagger, knife, razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, any facsimile or look-alike, **any conducted energy weapon or taser**, and any other tool, instrument or implement capable of inflicting serious bodily injury. In addition, tear gas, pepper spray, bullets, smoke bombs, or an explosive device, including fireworks and other pyrotechnic devices are further construed as a weapon.

## **POSSESSION OF WEAPONS**

No weapons shall be permitted on any School District property unless in connection with an instructional or student activity program under the supervision of a staff member. For the purpose of this policy, the term “weapon” is defined above.

The policy shall apply to all persons who, for whatever reason, are on District property, whether or not during regular school hours or days. This policy shall be and remain in effect twenty-four (24) hours a day, seven (7) days a week.

The fact that a federal, state, or local license or permit may have been issued authorizing a person to own, possess, or operate a weapon does not constitute an exception to this policy or otherwise constitute permission for such a person to bring such a weapon upon Wilkes-Barre Area School District property. The intent of this policy is to prohibit all weapons on any School District property, whether or not a permit or license has been issued with respect to such a weapon, and with respect to all persons, except as discussed below.

This policy shall not include sworn school police officers, police, or other law enforcement officers who enter upon the School District property in response to a call for assistance, in response to another emergency, or as part of their official duties as police or law enforcement officers. School police officers are exempt from this policy only with prior approval from the District’s School Board.

## **EXPULSION FOR POSSESSION OF WEAPONS**

Any student who is determined to have violated this Weapon Policy shall be expelled for a period of not less than one year as outlined in Section 1317.2 of the Public School Code of 1949.

## **BREATHALYZER POLICY**

The Board of Education and the Wilkes-Barre Area School District staff intend that this policy will keep students safe and discourage and eliminate students’ use of alcohol during school or at any other school functions or activities. The Wilkes-Barre Area School District acknowledges that the unlawful use of alcohol and other illicit drugs is wrong, harmful, and illegal.

Breathalyzer tests: If a school staff member has reasonable suspicion that a student has used alcohol before or during the school day or prior to or during an extracurricular, interscholastic, or other school-related function, the staff member may require the student to submit to a breathalyzer test. This policy applies to all school-related events, whether on or off school property.

Reasonable suspicion: Indications of reasonable suspicion include, but may not be limited to, alcohol odor, slurred speech, unsteady gait, lack of coordination, presence of an alcohol container, bloodshot or glazed eyes, or other information.

Who may administer tests: The breathalyzer test shall be administered by a school district official properly trained to administer such a test or any law enforcement officer.

Where test will be administered: School staff members shall administer the test in a secure location away from other students. At least two staff members shall be present during the test.

Test results: A result of .02% blood alcohol content or above shall be considered a failure of the test.

Contact parents: School staff members shall contact parents/guardians of students who test positive and ask them to pick up students from school or the location of the activity. Students who test positive will not be sent home alone.

Discipline: Students who test positive shall be subject to the disciplinary consequences set forth in the Wilkes-Barre Area School District's Drug and Alcohol Policy.

Student refusal to take test: If a student refuses to take a breathalyzer test when requested, school officials will take appropriate disciplinary action for alcohol consumption pursuant to the Wilkes-Barre Area School District Drug and Alcohol Policy based upon existing information, observable behavior and circumstances.

## **ACCEPTABLE USE POLICY**

**The Wilkes-Barre Area School District**

**Policy No. : 815**

**SECTION: 1**

**TITLE: ACCEPTABLE USE OF COMPUTER NETWORK AND THE INTERNET**

**ADOPTED: July 11, 2012**

**REVISED: August 9, 2020**

### **815. ACCEPTABLE USE OF COMPUTER NETWORK AND THE INTERNET**

#### ***1. Purpose***

The Wilkes-Barre Area 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 Wilkes-Barre Area School District's information technology tools and network facilities shall be consistent with the district's mission and the curriculum adopted by The Wilkes-Barre Area School District.

#### ***2. 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 items:

1. **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.



2. **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.
3. **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 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. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. Definition from Section 2256 of Title 18, United States 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 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 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:

1. Taken as a whole, and with respect to minors, appeals to an inappropriate interest in nudity, sex, or excretion.

2. 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.
3. 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 -**

1. 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.
2. Network bandwidth including Internet bandwidth and other devices necessary to facilitate network connectivity such as e-mail services, file servers, routers, switches, hubs, firewalls, premise wiring network data ports, ext.
3. 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).
4. Computers, electronic connections, electronic devices and other information technology tools while they are connected remotely (from home or elsewhere) to the district’s network.

**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 Wilkes-Barre Area School District.

**Technology Protection Measure** - a specific technology that blocks or filters Internet access.

**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, videoconference 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, e-mail, Internet-based discussion groups and bulletin boards.

### **3. 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.

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 Wilkes-Barre Area School District and any external entity administrating 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 Wilkes-Barre Area 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.

#### ***4. 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 Wilkes-Barre Area 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 programs.

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:

1. 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.

2. Maintaining and securing a usage log.
3. 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.

### **5. 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:

1. Use of the network for commercial or for-profit purposes, product advertisement, political lobbying or to facilitate illegal activity.
2. 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.
3. The illegal installation, distribution, reproduction or use of copyrighted material on district information technology or network facilities.
4. Accessing or transmitting files dangerous to the integrity of the district's information technology or network facilities.
5. Attempting to circumvent or disable any filter, information security or other security measure.

6. Attempting to use network facilities while access privileges are suspended or revoked.
7. Use of the network to access materials, images or photographs that are obscene, pornographic, lewd or otherwise illegal.
8. Use of the network to transmit material likely to be offensive, objectionable or inflammatory to recipients such as hate mail, harassment or discriminatory remarks.
9. 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.
10. Loading or use of unauthorized games, programs, files or other electronic media.
11. 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.
12. 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.
13. 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.
14. Revealing personal information or passwords related to any users on the network other than by district staff in the performance of assigned duties.
15. 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).
16. 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:

1. 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.

2. 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.
3. Any user identified as a security risk or having a history of problems with other electronic resources may be denied access to the network.
4. 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 Wilkes-Barre Area School District, regardless of where the access to that technology tool has taken place.
5. 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.
6. Student users shall not reveal personal information to other users, including through email, Internet, etc. that could identify themselves or other users or allow a person to locate a user.
7. Users shall not intentionally seek information on, obtain copies of or modify files, other data or passwords belonging to other users.
8. Users shall not transfer or download confidential data or data that contains sensitive personally identifiable information via any portable storage devices including USB devices.
9. 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 technological 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.

Internet safety measures shall effectively address the following:

1. Control of access by minors to inappropriate matters on the Internet and World Wide Web.
2. Safety and security when using electronic communications and other forms of direct electronic communications.

3. Prevention of unauthorized online access, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information.
5. Restriction of access deemed by the district to be harmful to minors.
6. 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 parents(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 or older, or, in the case of a user under eighteen (18), the parents(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 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 or employee, may be responsible for restitution 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:

1. 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.
2. Revocation of district issued technology tools, including all mobile devices owned by the district. 3. Employment suspension; school suspension
3. Employment termination; school expulsion.



4. 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.

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 ensuring 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:

1. Control of access by minors to inappropriate matters on the Internet.

2. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
3. Unauthorized disclosure, use and dissemination of personal information regarding minors.
4. 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:

1. All complaints to staff members shall be reported to the building principal, whether received by telephone, letter or in personal conversation.
2. 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.
3. If the complaint is not resolved informally, the complainant shall be supplied with The Wilkes-Barre Area 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.
4. When the request is returned, the reasons for selection of the specific information shall be reestablished by the appropriate staff.
5. In accordance with the 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.
6. 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.

7. 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.
8. 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.
9. 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.

References:

School Code – 24 P.S. Sec. 1303.1-A

Children Internet Protection Act – 47 U.S.C. Sec. 254

Enhancing Education through Technology Act of 2001 – 20 U.S.C. Sec.6777 Internet Safety – 47 U.S.C. Sec. 254

Code of Best Practices in Fair Use for Media Literacy Education - Temple University Board Policy – 815

## **AUP – Addendum 1 Email Policy – Student**

The Wilkes-Barre Area School District (“District”) provides electronic resources for students in grades 3-12, including Gmail accounts used to access the District’s Google Apps, which is an integral part of the curriculum. The District’s expectations for behavior and language in the use of these Gmail accounts must be consistent with classroom standards. The guidelines listed below govern the use of District-provided Gmail account and Google Apps whether accessed in or outside the school environment or on school-owned, public, or personal computers.

### **Proper Use of District-provided Gmail**

- Students should use their E-mail accounts to communicate with their classmates, teachers, or other school community members about school related topics only.
- While students can E-mail teachers throughout the District, they should not expect teachers to E-mail assignments to them or to provide private tutoring through E-mail.
- Students should not ask for or respond to E-mails requesting personal information.
- Parents should not use their children's accounts as a way of communicating to their children’s classmates, teachers, or other members of the school community.

### **Account Capabilities**

- All accounts will be accessible from both inside and outside the school network. All accounts will be password protected.
- Accounts will be "closed" accounts. Closed accounts can E-mail students and staff within the District, but they cannot receive or send E-mails from outside the system.
- These accounts are provided as is, with size limits, attachment limits, and uniform features. The District reserves the right, at its discretion, to update the software or add additional features.
- All incoming E-mail will be filtered for spam. While the District has installed filtering software for all E-mail accounts, no filtering software is foolproof. There remains the possibility, however slim, that despite these safeguards, a student may access material that parents and/or District officials might find inappropriate.
- As the owner, District reserves the right to monitor its computer systems to ensure that they are being used in accordance with the Acceptable Use Policy and related Administrative Regulations.
- The district reserves the right to terminate any individual's use of the District’s computer systems. Misuse of the computer systems resulting in violations of these guidelines will be treated in accordance with existing procedures.
- Students must understand that the District has reserved the right to conduct monitoring of these computer systems and can do so despite the assignment of passwords to individual students for system security. Any password systems implemented by the District are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user.

## **Student Responsibilities**

- Students are entirely responsible for the confidentiality of their E-mail accounts, passwords, personal information, and for any activities that occur in the use of their accounts. □ Students should have no expectation of privacy when using district-provided E-mail accounts. □ The student agrees to notify his/her teacher or principal immediately if any unauthorized use is made of his/her District-provided E-mail account.
- The student agrees to report immediately to his/her teacher or principal the receipt of any unwanted or inappropriate E-mails.
- Most importantly, the District urges any student who receives any harassing, threatening, intimidating, or other improper message through the computer systems to report it immediately. It is the District's policy that no student should be required to tolerate such treatment, regardless of the identity of the sender of the message. Please report these events!
- While E-mailing, students are responsible for following all parts of the District Acceptable Use Agreement.

**AUP – Addendum 2****User Account and File Management Policy****Introduction**

This addendum is to establish a standard for the creation, administration, and removal of accounts that are utilized to gain access to resources made available on the Wilkes-Barre Area School District data network and other networks used by the Wilkes-Barre Area School District. Additionally, this addendum will address responsibilities of data security and file protection.

**Scope**

This policy pertains to all account holders on the Wilkes-Barre Area School District data network as well as those listed in the AUP. This policy covers all accounts including generic accounts created for specific access requests.

**Definitions**

AUP – An acceptable use policy (AUP) is a document that outlines a set of rules to be followed by users of computing resources, which could be a computer network, website or large computer system. An AUP clearly states what the user is and is not allowed to do with these resources.

User Account - A collection of data associated with a particular user of a multiuser computer system. Each account comprises a username and password, and defines security access levels, disk storage space, etc.

Data Stewardship - Data stewardship is the management and oversight of data assets to help provide users with high-quality data that is easily accessible in a consistent manner.

**Procedures**

User accounts that access information resources require a set of procedures that allow for the creation, disabling and termination of access rights to the Wilkes-Barre Area School District data network and related resources.

**1. User Account Administration****a. Accounts**

There are five types of accounts that are created; each have a unique set of procedures to insure security. Users are responsible for all activity performed with their Wilkes-Barre Area School District user account. These accounts may not be utilized by anyone other than the individual or group to whom they have been issued.

**i. Administrators/Teachers/Staff**

Requests are created by Human Resources and/or building principals. Once the request is made, the technology department will create a username, password and email account. The password will initially be a generic password and the user will be required to change their password the first time they logon. All first time logons must be on a district workstation. All users must read and sign an AUP prior to receiving their account logon information.

**ii. Student**

Student accounts and passwords are generated by the Student Management System. Accounts are created via an automated processes. Building administrators and classroom teachers have access to the student's username and password via the Student Management System. Requests for changing of student accounts must be provided by the building principal. Accounts are activated only after receipt of a valid AUP signed by a parent or guardian.

**iii. Passwords**

Regardless of the circumstances, passwords must remain confidential and should never be shared or revealed to anyone besides the authorized user. If such action takes place, the authorized user assumes the responsibility for actions that the other party takes with their password.

**iv. Generic Lab Account**

Generic accounts are created for special projects and groups in which students are in a restricted lab environment. The accounts are generated by the Technology Department and passwords are provided at the time of creation. No AUP is provided as this is a restricted account for a specific educational project.

**v. Contracted Services Account**

Contracted Services Accounts are created for users that provide specific services to the district. These accounts are restricted to the function of the service and are created and maintained by the Technology Department on an individual basis. All individuals receiving a Contracted Services Account must read and sign an AUP prior to receiving their account credentials.

**vi. Guest Accounts**

Guest Accounts are temporary accounts generated when the district or the building has visitors that require Internet access. Special accounts are created for these guests and will expire at 11:59 pm on the day of creation. All guests are required to read and sign an AUP prior to receiving an account from the Technology Department. Guest accounts will initially be created with the same limited access rights as a student account

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## **2. File Management**

Administrators, teachers, staff and students have the ability to create and save files. The primary designated storage space for all files may be one of the following: district "H" drive, cloud services such as Google Drive or Office 365 One Drive, or USB stick.

## **3. Local Computer Storage**

The Wilkes-Barre Area School District does not support or recommend that any file created by an account holder be stored on the local workstation. This includes but not limited to the local "C" drive, desktop or "My Documents". Files located on the local workstation are not backed up and are subject to removal during upgrade procedures or if a machine becomes infected with malicious software.

## **4. Privacy Notice**

Pennsylvania has an "Open Records Law" that allows any member of the public to inspect most records maintained by the District. Both Pennsylvania and Federal law identify select records that are confidential or that may be disclosed only for limited purposes such as student records and personal information.

Any file created with a district user account carry no expectation of privacy and is subject for review.

## **5. Cloud and District Applications**

Applications that are cloud or district based and require user authentication are subject to the same guidelines and procedures as outlined in this policy, regardless of the location that access has been obtained.

## **6. Compliance**

All Wilkes-Barre Area School District Account holders are required to comply with this policy. The District reserves the right to deny, to limit, to restrict or extend privileges and access to its Information Technology Accounts and Resources.

## **7. Review/Amendment**

The Wilkes-Barre Area School District, through review and amendment, reserves the right to amend this policy at any time without prior notice in order to provide better information and technology access to administrators, teachers, staff, students or any other individual using these accounts at the Wilkes-Barre Area School District.



**AUP – Addendum 3  
Online Code of Conduct**

**ATTENDANCE:**

Students are expected to log into their course(s) daily at their scheduled class time in order to keep up with the course materials. Faculty, staff and administration are able to track the students' activities online. If an unexpected situation such as illness should arise and there is an extended leave from the course, it is the student's responsibility to contact the teacher and report the problem.

**ONLINE CLASS SESSIONS:**

Online class sessions are an important component of Remote Learning. In large measure, they provide the needed interaction of a live traditional class. Given the constraints of the medium, all participants in the online class sessions are expected to adhere to the following rules and best practices in order to ensure the best possible learning environment.

**Preparation**

- Never enter, or attempt to enter, a live session fraudulently using the name of another student, faculty or staff member.
- Never enter a live session for a class that is not part of the regular schedule.
- Class meeting IDs are never to be shared with others outside of the class.
- Students should only use the meeting IDs that pertain to the classes on their schedule.
- The background for a live class session must be the student's setting and not a virtual image. This setting must be appropriate to the other participants and offer enough light for the student's face to be visible.

**Participation**

- Arrive on time for the class session.
- Report to your live session properly groomed and dressed for class. Though in-school dress code will not apply, it is not acceptable to wear pajamas, provocative clothing, and offensive clothing.
- This is a virtual classroom; therefore, all classroom rules apply.
- The device being used should be identified by the student's full name, which is the name the teacher will see. Changing your name to something inappropriate is unacceptable behavior and will be addressed immediately.
- Posture before the camera must be conducive to active learning and participation (e.g., no reclining). The student's full face must be visible in the camera frame.
- As expected of any class interaction, participants are to treat each other with courtesy and respect.
- Offensive or inappropriate language is not to be used in any form of communication. This extends to emails, discussion postings, group projects, and submitted assignments which may be part of or an extension of the class interaction.
- Use of any profanity - written, drawn, displayed or spoken - during a meeting is unacceptable.
- Taking screenshots or screen recordings of virtual classrooms without the explicit permission from the teacher and class members is unacceptable.

### **Disciplinary Action for Unacceptable Behavior**

- Disruptions to a live class session may lead to the removal of the student from a remote learning session for part or the entire session.
- Students with an unexcused absence or who are removed from a live class session for disruptive behavior may not receive any credit for the activity, class work, assessment, or participation that took place during his/her absence.
- Repeated disruption will be reported to the school administration and may lead to suspension from live class sessions altogether.

### **Students may face immediate suspension or expulsion from school for any of the following major infractions:**

- Entering a meeting fraudulently.
- Creating negative images of meetings using screenshots or screen recordings of any member of the faculty, staff or administration.
- Using profanity or obscenities in any form.
- Verbal or physical abuse in the form of intimidation, harassment, or threatening behavior directed toward the teacher, fellow students or administrative staff.

### **Academic Dishonesty/Plagiarism**

Students are expected to conduct themselves honestly and with integrity in their work. All forms of cheating and plagiarism are prohibited. Behavior that is unacceptable includes, but is not limited to:

- Copying another student's homework;
- Working with others on projects that are meant to be done individually;
- Looking at or copying another student's test or quiz answers;
- Allowing another student to look at or copy answers from your test or quiz;
- Using any other method to get/give test or quiz answers;
- Taking a test or quiz in part or in whole to use or to give to others;
- Copying information from a source without proper attribution;
- Taking papers from other students, publications or the Internet

Violators of this policy will be disciplined on a case-by-case basis depending on the seriousness of the violation, prior violations, and other factors. Disciplinary measures include, but are not limited to redoing assignment/retaking tests, receiving a failing grade/zero on the project/test, receiving a lower overall grade in the class, detention, suspension, and expulsion.

**In addition to the guidelines listed above students participating in remote/distance learning and cyber programing must comply and are bound by all district rules, regulations, and polices documented in the district's Elementary and Secondary Student Handbooks. The student Handbooks can be viewed on the district website. Hard copies are available in the main office of each school building.**

**ACCEPTABLE USE OF COMPUTER DATA NETWORK AND THE INTERNET  
DISTRICT INFORMATION TECHNOLOGY TOOLS, NETWORK FACILITIES AND INTERNET ACCESS  
Student / Parent / Guardian**

The Wilkes-Barre Area School District offers network and Internet access to students and staff as part of the instructional process. This document contains the Acceptable Use Policy (AUP) Agreement for Users of the Wilkes-Barre Area School District data system. This document must be signed by all Users.

Written parental consent is required before any student is given access to network resources. However, educators may use the Internet during class-directed group demonstrations with or without parental consent. Students will be held accountable for violations of the Acceptable Use Policy and Procedures. Disciplinary action may be taken if the Acceptable Use Policy is violated. Users should notify the District Technology Personnel, building principal, or any other Administrator of any violations of this contract. By signing this form, you hereby accept and agree that your child’s rights to use electronic resources provided by the District and are subject to the terms and conditions set forth in district policy/procedure. Please also be advised that the data stored in relation to such services are managed by the district pursuant to policy #815 and accompanying addendums. You also understand that the e-mail address provided to your child also can be used to access other electronic services that provide features such as online storage, online communications and collaboration, and instant messaging. Use of those services is subject to either standard consumer terms of use, or a standard consent model Data stored in those systems, where applicable may be managed pursuant to the agreement between Wilkes-Barre Area and designated service providers or between the end user and the service provider. Before your child can use online services, he/she must accept the service agreement and, in certain cases, obtain your consent.

**Please sign and check YES or NO for each statement below.**

I give permission for my student to use the Internet under teacher supervision for educational purposes.

YES <input type="checkbox"/>	No <input type="checkbox"/>

I give permission for my student to have an electronic mail account and use collaborative tools (e.g. blogs, podcasting, cell phones, and wikis) for educational purposes.

YES <input type="checkbox"/>	No <input type="checkbox"/>

I give permission for my student’s picture, work, and name to appear on the district website and/or in the school or local newspaper.

YES <input type="checkbox"/>	No <input type="checkbox"/>
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I give permission that while in the school setting my student may be videotaped and/or broadcast live on television (e.g. News channels that broadcast sport or school events/activities, or school productions).

YES <input type="checkbox"/>	No <input type="checkbox"/>

**Student Name (PRINT):** \_\_\_\_\_

Student User Directions:

**After reading the Wilkes-Barre Area School District Acceptable Use Policy (AUP) and Procedures Agreement, please complete this form to indicate that you agree with the terms and conditions outlined. The signatures of both the student and parent/guardian are mandatory before access may be granted to electronic mail and/or Internet. The attached document reflects the entire agreement and understanding of all parties.**

As a user of the Wilkes-Barre Area School District computer network, I have read and hereby agree to comply with the Acceptable Use Policy and Procedures.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

**Parent or Guardian**

As a parent/legal guardian of the student signing above, I have read and agree to the Acceptable Use Policy and Procedures. I understand that some materials on the Internet may be objectionable; therefore, I agree to accept responsibility for advising my child, and conveying to her/him appropriate standards for selecting, sharing, and/or exploring information and media. I understand and agree that it is necessary for school personnel to supervise student use of this form of technology and support their efforts to ensure appropriate use.

\_\_\_\_\_  
Parent/ Guardian (please print)

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

## **Non-Discrimination Policy and Procedures**

### **Disciplinary Actions for Violations**

Board Approved: May 21, 2010 WBASD Board Meeting

Reviewed: May 19, 2014

Reviewed: April 21, 2017

Reviewed: August 12, 2019

### **Nondiscrimination Policy and Procedure**

The Board declares it to be the policy of this District to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the District regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, familial status, handicap/disability, union membership, or any other legally protected classification. The District shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities.

The Board declares it to be the policy of this District to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, familial status, handicap/disability, union membership, or any other legally protected classification.

Further, in all other respects, the Board declares it to be the policy of this District that no person shall be excluded from participation in, be denied the benefits of, or otherwise subjected to unlawful discrimination on the ground of race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin, handicap/disability or any other legally protected classification with respect to any of its programs or activities or in the employment of any personnel.

The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.

Sexual Harassment and other types of unlawful Harassment (as defined below) are forms of unlawful discrimination and are expressly prohibited under this policy.

The Board encourages students, employees, and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated.

The Board recommends that any District staff member who observes acts of harassment based on race, color, age, creed, religion, gender, sexual orientation, ancestry, national origin or handicap/disability intervene to stop the harassment unless circumstances would make such intervention dangerous.

No reprisals or retaliation may be taken against any person for making any report of discrimination or filing any complaint under this policy in good faith, or for providing truthful information as a witness in any investigation under this policy or in any related proceeding. Any such reprisal or retaliation is in itself unlawful discrimination prohibited by this policy and constitutes an independent violation of this policy.

## A. Harassment

For purposes of this policy, "harassment" shall consist of verbal, written, graphic, or physical conduct relating to an individual's race, color, national origin/ethnicity, ancestry, gender, age, disability/handicap, sexual orientation, religion, creed, or any other legally protected classification when such conduct:

1. Is sufficiently severe, persistent, or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or to perform job functions, or creates an intimidating, threatening, or abusive educational or work environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance.
3. Otherwise adversely affects an individual's learning or employment opportunities.

The term "harassment" also includes all activity which constitutes "sexual harassment."

## B. Sexual Harassment

For purposes of this policy, "sexual harassment" shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic, or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status or an individual's employment.
2. Submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services, or treatment.
4. Such conduct is sufficiently severe, persistent, or pervasive that it has the purpose or effect of substantially interfering with a student's school performance or on employee's job performance, or creating an intimidating, hostile, or offensive educational or working environment.

Examples of conduct that may constitute sexual harassment include, but are not limited to, sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile, or offensive learning or working environment.

This policy covers, without limitation, sexual harassment by a student to another student; a student to an employee; an employee to a student; an employee to an employee; a third party to a student or employee; a student or employee to a third party; a male to a male; a female to a female; a male to a female; and a female to a male.

### C. Racial Harassment

Racial harassment is harassment of a person due to race, color or national origin. A racially hostile environment may be created by oral, written, graphic or physical conduct related to an individual's race, color or national origin that is sufficiently pervasive, persistent or severe so as to limit the ability of an individual to participate in or benefit from the District's programs or activities.

Examples of racial harassment include racially motivated physical attacks, racial epithets, either verbal or in written form, or organized hate activities directed due to race.

In order to maintain a program of nondiscrimination practices and a learning and working environment that is in compliance with applicable laws and regulations, the Board designates the Superintendent as the District's Compliance Officer to serve as the coordinator and/or compliance official for purposes of Title IX of the Educational Amendments Act of 1972, the Americans with Disabilities Act of 1990, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other nondiscrimination statutes and regulations.

The Compliance Officer shall publish and disseminate a notice of this policy and complaint procedure at least annually to students, parents/guardians, employees, and the public, together with either a copy of this policy or a statement how to obtain a copy of this policy. A copy of this policy will be distributed to all buildings and facilities within the district, and included or referenced in all student or employee handbooks. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to identify and alleviate problems of discrimination and unlawful harassment. Provision of training to all building principals to investigate complaints under this policy.
3. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District Support -- Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related matters.
5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
6. Employment Relations -
  - a. Development of position qualifications, job descriptions and essential job functions.
  - b. Recruitment materials and practices.



- c. Procedures for screening, interviewing and hiring.
- d. Promotions.
- e. Disciplinary actions, up to and including terminations.
- 7. Reports and Complaints - Administration of the reporting and complaint procedure provided in this policy.

Each employee shall be responsible to maintain a learning and working environment free from all forms of unlawful discrimination and harassment, and to report all incidents of unlawful discrimination or harassment which he/she observes or is informed about to the building principal or Compliance Officer.

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an environment free from all forms of unlawful discrimination and harassment, and to report all incidents of unlawful discrimination or harassment which he/she observes or is informed about to the building principal or Compliance Officer.

**A. Reporting Violations; Filing Complaints**

A student (or his/her parent/guardian), employee, or third party who believes he/she has been subject to conduct that constitutes a violation of this policy is encouraged to report the incident to the building principal or Compliance Officer as soon as possible. A student may also report incidents/violations to any teacher, coach/advisor, counselor, or administrator.

Any school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy, shall report the incident to the building principal or Compliance Officer as soon as possible (not later than twenty- four (24) hours unless extenuating circumstances justify a reasonable extension of that deadline). If it is not possible to contact the building principal in a timely fashion, the school employee shall report the incident to the Compliance Officer or another building principal as soon as possible.

If the building principal is the subject of the complaint or otherwise not impartial, the student, third party, or employee shall report the incident directly to the Compliance Officer. If the Compliance Officer is also a subject of the complaint or otherwise not impartial, the report shall be made to another building principal.

All complaints by a student (or his/her parent/guardian), employee, or third party who asserts that he/she has been subject to conduct that constitutes a violation of this policy shall be made in writing on the form attached to this policy (which will be made available by the building principal or Compliance Officer). If the incident was initially reported orally, the building principal or Compliance Officer shall inform the student, parent/guardian, employee, or third party of the right to file a complaint and the complaint procedure and shall promptly provide all necessary forms and assistance to enable the complainant to file an appropriate written complaint if he/she so desires.

Complaints shall be filed within thirty (30) calendar days after any incident alleged to constitute a violation of this policy or they shall be deemed untimely, unless special circumstances exist which justify a later filing.

Even if no formal written complaint has been filed by or on behalf of a person who alleges he/she has been subjected to conduct that constitutes a violation of this policy, any building principal or Compliance Officer who receives a report of a possible violation of this policy shall cause an informal investigation to be made, and take all necessary interim actions reasonably calculated to prevent any violations during the period before the completion of informal and formal procedures under this policy. If this informal investigation suggests that there has been a violation of this policy, the Compliance Officer shall be informed. The Compliance Officer shall review the matter, conduct such further investigation as he/she deems appropriate, and, if he/she concludes that there has been a violation of this policy, the Compliance Officer shall take prompt, corrective action to ensure that conduct violating this policy ceases and will not recur, and to remedy any effects of the violation for which the District is responsible. The Compliance Officer shall also initiate such disciplinary procedures as he/she deems appropriate.

**B. Appointment of Initial Investigator**

Upon receiving a written complaint of discrimination, the building principal shall immediately notify the Compliance Officer. (If the Compliance Office is the subject of the complaint or otherwise not impartial, the building principal shall notify the District Solicitor.) The Compliance Officer (or Solicitor) shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint, is otherwise not impartial, or is unable to conduct the investigation. In the later case, the Compliance Officer or Solicitor shall authorize another building principal or administrator who is not the subject of the complaint and who is impartial to conduct the initial investigation. If no administrators are able to conduct the investigation, the Solicitor shall designate a qualified and willing administrator from the Luzerne Intermediate Unit No. 18 or school district within that Intermediate Unit to conduct the initial investigation.

District employees and officials shall ensure that the initial investigator shall be appointed and initiate a formal investigation within forty-eight (48) hours after the filing of a written complaint under this policy, unless extenuating circumstances justify a reasonable extension of that deadline.

In the event the person designated to conduct the initial investigation shall be unable to complete the investigation in a timely manner, the Compliance Officer (or Solicitor) shall authorize another appropriate person to complete the initial investigation

**C. Rights During Complaint Procedure**

The building principal or other person designated to conduct the initial investigation shall be responsible to:

1. Provide the opportunity for participation by the parents/guardian of a minor student and representation by counsel at any conference, meeting, or hearing with a student and in presenting information.
2. Permit an employee to be accompanied by a representative at any conference, meeting, or hearing with the employee.
3. Provide an opportunity for the complainant and the accused to present witnesses and other evidence.

4. Take all necessary interim actions reasonably calculated to prevent any other violations of this policy prior to the completion of the complaint procedure.
5. Comply with the confidentiality requirements of this policy.
6. Notify the complainant and the accused of the status of the investigation and complaint procedure on a periodic basis and at appropriate stages of the procedure.
7. Insure that when a complaint of sexual harassment has been filed by or on behalf of a female student or employee, a female counselor shall be present at all discussions and meetings with the student or employee (unless waived by the student or employee); and that when a complaint of sexual harassment has been filed by or on behalf of a male student or employee, a male counselor shall be present at discussions and meetings with the student or employee (unless waived by the student or employee).

After the initial investigation has been completed, the Compliance Officer shall be responsible to implement the above requirements until the conclusion of the complaint procedure.

**D. Investigation**

The formal investigation shall include individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation, and shall consider all information presented by the complainant and the accused. Every attempt will be made to conduct and complete the investigation as thoroughly and speedily as possible. The District will apply a preponderance of the evidence standard to all investigations performed under this policy.

The obligation to conduct this investigation shall not be negated by the fact that a criminal or insurance investigation of the incident is pending or has been concluded.

**E. Investigative Report**

The building principal or other person designated to conduct the initial investigation shall prepare a written report within fifteen (15) calendar days after commencing the investigation, unless additional time to complete the investigation is required. In that case, the investigator shall report on the status of the investigation to the complainant, the accused, and the Compliance Officer at the expiration of the fifteen (15) day period and every five (5) calendar days thereafter. Although the District may extend the investigation when necessary, it must insure that the completion provides a prompt and equitable resolution.

The written report shall include: (1) the name, race, and national origin of the alleged victim and, if different, the name and race of the person reporting the allegation; (2) the nature of the allegation, a description of the incident, and the date and time (if known) of the alleged incident; (3) the names and races of all persons alleged to have committed the alleged harassment, if known; (4) the names and races of all known witnesses to the alleged incident; (5) any written statements of the reporter, the victim (if different from the reporter), the accused student (s), and any known witnesses; (6) the outcome of the investigation; and (7) the response of school personnel and, if applicable, District-level officials, including the date any incident was reported to the police.

Copies of the report shall be provided to the complainant, the accused, and the Compliance Officer. Any such copies shall be redacted as necessary to comply with the confidentiality requirements of this policy.

#### F. Appeal

If the complainant is not satisfied with any finding or recommended corrective action proposed in the investigative report, he/she may submit a written appeal to the Compliance Officer within fifteen (15) calendar days after receipt of the investigative report. If the Compliance Officer is the subject of the complaint or otherwise not impartial, the appeal shall be submitted to the District Solicitor who shall designate another administrator to conduct the appeal. If an appropriate administrator cannot be designated, the District Solicitor shall designate a qualified and willing administrator from the Luzerne Intermediate Unit No. 18 or a school district within that Intermediate Unit to conduct the appeal.

An appeal may also be initiated by the Compliance Officer if he/she does not accept without further review the recommended corrective action proposed in the investigative report. In that event, the Compliance Officer shall notify the complainant and the accused that an appeal will be conducted and shall discuss alternative corrective actions with the complainant. (The Compliance Officer may not initiate an appeal if he/she is the subject of the complaint or is otherwise not impartial.)

The Compliance Officer (or other designated appeal official) shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation.

The Compliance Officer (or other designated appeal official) shall prepare a written determination with respect to the appeal within fifteen (15) calendar days after initiation of the appeal, unless additional time to complete a supplemental investigation is required. In that case, the appeal officer shall report on the status of the supplemental investigation to the complainant and the accused at the expiration of the fifteen (15) day period and every five (5) calendar days thereafter. Although the District may extend the investigation when necessary, it must insure that the completion provides a prompt and equitable resolution.

The written determination shall include a summary of any supplemental investigation; findings of fact and an explanation of the evidence in support of such findings (including a determination with respect to the factual allegations of the complaint); conclusions whether there have been any violations of this policy based on the factual findings and a discussion of the reasons for such conclusions; and a recommended disposition of the complaint, including any recommended district action.

Copies of the determination on appeal shall be provided to the complainant, the accused, and the person who conducted the initial investigation. Any such copies shall be redacted as necessary to comply with the confidentiality requirements of this policy.

#### District Action

If the investigation or appeal results in a finding that the complaint is factual and constitutes a violation of this policy, the District shall take prompt, corrective action reasonably calculated to ensure that such conduct ceases and will not recur, and to remedy any effects of the violation for which the District is responsible. District action within the authority of administration shall be implemented as recommended in the investigation and appeal process. Recommendations for District action which require Board approval and/or the approval of persons or entities other than the District or its officers or employees shall not be implemented unless so approved.

Any student or employee who is found to have engaged in conduct constituting unlawful discrimination or harassment in violation of this policy shall be subject to discipline up to and including expulsion from school or termination of employment. Disciplinary actions and procedures shall be consistent with the Student Code of Conduct, Board policies and district procedures, applicable collective bargaining agreements, the Public School Code, and other applicable state and federal laws, rules, regulations, and constitutional requirements.

The District will offer counseling and/or academic services to any person found to have been subjected to harassment in violation of this policy, and, where appropriate, counseling services to the person(s) who committed the harassment.

H. Confidentiality

Confidentiality of all parties shall be maintained with respect to the filing, investigation, and disposition of all complaints under this policy, consistent with the District's legal and investigative obligations. The District shall not disclose the name of a complainant (or the student on whose behalf a complaint has been filed) to an alleged violator/perpetrator/harasser if the complainant or the parent/guardian of a minor student so requests, but the scope of a reasonable response to the complaint may be limited as a result (e.g., disciplinary action against an accused individual may be limited or precluded).

Notwithstanding anything to the contrary in this policy, while a complainant has the right to learn the outcome of his/her complaint (*i.e.*, to learn whether the complaint was investigated and whether discrimination/harassment was found), the District shall not disclose to a complainant any sanction or discipline recommended or imposed upon a student or employee to the extent such disclosure is prohibited by the Family Educational Rights and Privacy Act (FERPA) or other applicable laws, regulations, rules, constitutional requirements, or orders. (An exception may apply, for example, in the case of a sanction that directly relates to the victim, such as an order that a violator/perpetrator/harasser stay away from the victim.)

**Wilkes-Barre Area School District**

**Disciplinary Actions for Violations of the Nondiscrimination Policy**

**On or Off School Grounds, on a School Bus, as a School or Sponsored Function**

Grades 7-12

<b>Behavior</b>	<b>1st Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
<b>Level 1</b>		<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>
Hurtful teasing or demeaning name calling*	Verbal warning and read age appropriate literature on HBI	Written warning	1 day in school loss of privileges (computer time, recess, etc.)	1 day out of school suspension
Spreading rumors*	Read literature on HBI	Read literature on HBI	Student writes report on HBI	1 day out of school suspension
Use of insulting or obscene gestures (giving the finger, staring/glaring, etc.)*	Student writes letter of apology to victim	Student creates poster about HBI	1 day in school loss of privileges (computer time, recess, etc.)	1 day out of school suspension
Intimidating on any level*	Verbal Warning	Written warning	1 day in school loss of privileges (computer time, recess, etc.)	1 day out of school suspension
Social isolation or exclusion (i.e. refusing to let students sit next to them; telling other not to be friend with another, etc.)	Verbal warning and read literature on HBI	Meeting with the School Counselor to discuss	Meeting with the School Counselor to discuss	1 day out of school suspension
<b>Level 2</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>
Harassing other based upon race, color, age creed, religion, gender sexual orientation, ancestry, national origin, familial status, handicap/disability protected classification*	Read literature on HBI; referred to School Counselor	Student writes a report on HBI; referred to School Counselor	2 day out of school suspension	Out of school suspension for a period of time to be determined by principal; referral to Child Study Team; Community service TBD School Counselor or Resource Officer

**Wilkes- Barre Area School District**

**Disciplinary Actions for Violations of the Nondiscrimination Policy**

**On or Off School Grounds, on a School Bus, as a School or Sponsored Function**

**Grades 7-12**

<b>Level 2 Continued</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>
Hate or nasty notes*	Student writes letter of apology to victim	1 day in school loss of privileges (computer time recess, etc.)	Meet with School Counselor and/or Principal	Out of school suspension for a period of time to be determined by principal
Insulting remarks, (verbal or written)*	1 day in school loss of privileges (computer time, recess, etc.)	Community serviceTBD School Counselor or Resource Officer	1 day out of school suspension	Out of school suspension for a period of time to be determined by Principal
Physical acts (pushing, bumping, tripping, spitting)	Community serviceTBD School Counselor or Resource , Officer	Out of school suspension TBD	Out of school suspension TED	Out of school suspension TBD
Stalking or, following another	Written warning	Written warning- referral to School Counselor	Meeting with administrator and family	1 day out of school suspension
Threatening violence	Written warning	1 day out of suspension	Out of school suspension TBD	Out of school suspension TBD  **Alternate placement and/or expulsion may be considered.

<b>Level 3</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>
Inflicting bodily harm (i.e. kicking, hitting slapping, pinching or punching)	Out of school suspension 1 day	Out of school suspension 2 days	Out of school suspension 3 days	Consequences to be determined on an individual basis, based on severity and patterns of behavior; refer to Child Study Team

<b>Level 3 continued</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>	<b>Parental Notification</b>
Destroying property	Parental conference	Parental conference before returning to school	1 day out of school suspension	Consequences to be determined on an individual basis, based on severity and• patterns of behavior, Refer to Child Studv Team
Threatening with a weapon*	Violation of Safe School Act-follow procedures	Violation of Safe School Act-follow procedures	Violation of Safe , School Act-follow procedures	Violation of Safe School Act-follow procedures ** Alternate placement and/or expulsion should be considered at this time.

\*Verbal, written, or via any electronic media, including but not limited to telephones, computer, cell phones, pagers, picture messages, emails or posting on a website.