

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
SCHOOL AND CLASSROOM  
PRACTICES

ADOPTED: October 19, 2005

REVISED: December 4, 2006  
November 14, 2007  
July 15, 2009

<p>103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES</p>	
<p>1. Authority SC 1310 Title 22 Sec. 4.4, 12.1, 12.4, 15.1 et seq 24 P.S. Sec. 5004 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 20 U.S.C. Sec. 6321 29 U.S.C. Sec. 794 Title VI 42 U.S.C. Sec. 2000d et seq 42 U.S.C. Sec. 12101 et seq</p>	<p>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 schools regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.</p> <p>The district shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of district resources is one means the district shall use to ensure all students receive a quality education. The district shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.</p> <p>The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.</p>
<p>2. Delegation of Responsibility</p>	<p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent as the district's Compliance Officer.</p>

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CLASSROOM PRACTICES - Pg. 2

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

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

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to identify and alleviate problems of discrimination.
3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas.
5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

1. Inform the student or third party of the right to file a complaint and the complaint procedure.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

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<p>3. Guidelines</p>	<p><u>Complaint Procedure – Student/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.</p> <p>A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal.</p> <p>If the building principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.</p> <p><b>Step 2 – Investigation</b></p> <p>Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.</p> <p>The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.</p> <p>If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building principal shall inform law enforcement authorities about the incident.</p> <p>The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.</p> <p><b>Step 3 – Investigative Report</b></p> <p>The building principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.</p>
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<p>20 U.S.C. Sec. 6321</p>	<p>Findings of the investigation shall be provided to the complainant, the accused, and the Compliance Officer.</p> <p><b>Step 4 – District Action</b></p> <p>If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur.</p> <p>Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.</p> <p><u>Appeal Procedure</u></p> <ol style="list-style-type: none"><li>1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.</li><li>2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.</li><li>3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.</li></ol> <p><u>Equivalence Between Schools</u></p> <p>The Board directs that services in Title I schools and programs, when taken as a whole, shall be substantially comparable to services in schools and programs that do not receive Title I funds.</p> <p>Curriculum materials, instructional supplies and percentages of highly qualified personnel shall be equivalent between all district schools when compared on a grade-span by grade-span basis or a school-by-school basis. Records documenting such compliance shall be updated biannually.</p> <p>The Board understands that equivalence between programs and schools shall not be measured by:</p> <ol style="list-style-type: none"><li>1. Changes in enrollment after the start of the school year.</li><li>2. Varying costs associated with providing services to students with disabilities.</li></ol>
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<p>Pol. 906</p>	<p>3. Unexpected changes in personnel assignments occurring after the beginning of the school year.</p> <p>4. Expenditures on language instruction education programs.</p> <p>5. Other expenditures from supplemental state or local funds consistent with the intent of Title I.</p> <p>Complaints by individuals and organizations regarding implementation of equivalence between schools shall be processed in accordance with Board policy.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1310</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4, 15.1 et seq.</p> <p>Unfair Educational Practices – 24 P.S. Sec. 5004</p> <p>Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 6321</p> <p>Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Federal Anti-Discrimination and Civil Rights Laws –</p> <p>    20 U.S.C. Sec. 1681 et seq. (Title IX)</p> <p>    42 U.S.C. Sec. 2000d et seq. (Title VI)</p> <p>Federal Anti-Discrimination and Civil Rights Regulations –</p> <p>    28 CFR Part 35, Part 41</p> <p>    34 CFR Part 100, Part 104, Part 106, Part 110</p> <p>Board Policy – 000, 701, 906</p>
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**REPORT FORM FOR COMPLAINTS OF DISCRIMINATION**

Complainant: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
School Building: \_\_\_\_\_  
Date of Alleged Incident(s): \_\_\_\_\_

Alleged discrimination was based on: \_\_\_\_\_

Name of person you believe violated the district's nondiscrimination policy:  
\_\_\_\_\_

If the alleged discrimination was directed against another person, identify the other person:  
\_\_\_\_\_

Describe the incident as clearly as possible, including any verbal statements (i.e. threats, derogatory remarks, demands, etc.) and any actions or activities. Attach additional pages if necessary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When and where incident occurred: \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
EMPLOYMENT AND  
CONTRACT PRACTICES

ADOPTED: October 19, 2005

REVISED: July 15, 2009

<p>1. Authority 43 P.S. Sec. 336.3 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 206 29 U.S.C. Sec. 621 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 1981 et seq Title VII 42 U.S.C. Sec. 2000e et seq 42 U.S.C. Sec. 12101 et seq</p> <p>2. Delegation of Responsibility</p>	<p style="text-align: center;">104. NONDISCRIMINATION IN EMPLOYMENT AND CONTRACT PRACTICES</p> <p>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, sex, sexual orientation, ancestry, national origin or handicap/disability. 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.</p> <p>The Board encourages employees and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.</p> <p>No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.</p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent as the district's Compliance Officer.</p> <p>The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.</p>
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CONTRACT PRACTICES - Pg. 2

<p>3. Guidelines</p>	<p>The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p> <ol style="list-style-type: none"><li>1. Development of position qualifications, job descriptions and essential job functions.</li><li>2. Recruitment materials and practices.</li><li>3. Procedures for screening, interviewing and hiring.</li><li>4. Promotions.</li><li>5. Disciplinary actions, up to and including terminations.</li></ol> <p>The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination:</p> <ol style="list-style-type: none"><li>1. Inform the employee or third party of the right to file a complaint and the complaint procedure.</li><li>2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</li><li>3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.</li></ol> <p><u>Complaint Procedure – Employee/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.</p> <p>If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Officer.</p> <p>The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.</p>
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**Step 2 – Investigation**

Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building principal shall inform law enforcement authorities about the incident.

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

**Step 3 – Investigative Report**

The building principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

Findings of the investigation shall be provided to the complainant, the accused, and the Compliance Officer.

**Step 4 – District Action**

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

Disciplinary actions shall be consistent with Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.

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CONTRACT PRACTICES - Pg. 4

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

References:

Human Relations Commission Regulations – 16 PA Code Sec. 44.1 et seq.

Pennsylvania Equal Pay Law – 43 P.S. Sec. 336.3

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

Equal Pay Act – 29 U.S.C. Sec. 206

Age Discrimination In Employment Act – 29 U.S.C. Sec. 621 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq. (Title IX)

42 U.S.C. Sec. 1981 et seq.

42 U.S.C. Sec. 2000e et seq. (Title VII)

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Federal Anti-Discrimination Regulations, Title 28, Code of Federal Regulations –  
28 CFR Sec. 35.140, Part 41

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of  
Federal Regulations – 29 CFR Parts 1600-1691

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR  
ACTIVITIES

ADOPTED: October 19, 2005

REVISED: December 4, 2006

<p>122. EXTRACURRICULAR ACTIVITIES</p>	
<p>1. Purpose</p>	<p>The Board believes that the district's goals and objectives are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular curricular program of the schools.</p> <p>All learning experiences offered by the schools, curricular and extracurricular, shall be planned and integrated toward attainment of the district's educational objectives.</p>
<p>2. Definition Title 22 Sec. 12.1</p>	<p>For purposes of this policy, <b>extracurricular activities</b> shall be those programs that are sponsored or approved by the Board and are conducted wholly or partly outside the regular school day; are marked by student participation in the processes of initiation, planning, organizing, and execution; and are equally available to all students who voluntarily elect to participate.</p>
<p>3. Authority SC 511 20 U.S.C. Sec. 4071 et seq Pol. 103</p>	<p>The Board shall make school facilities, supplies and equipment available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with the Equal Access Act.</p> <p>Any extracurricular activity shall be considered under the sponsorship of this Board when it has been approved by the Board upon recommendation of the Superintendent, approved by the Superintendent and reported to the Board for its review, and/or approved by the Superintendent upon recommendation of the building principal.</p> <p>The Board shall maintain the program of extracurricular activities at no cost to participating students, except that:</p>
<p>Pol. 110</p>	<ol style="list-style-type: none"> <li>1. The Board's responsibility for provision of supplies shall carry the same exemptions as listed in the Board's policy on regular school supplies.</li> <li>2. Students may assume all or part of the costs for travel and attendance at extracurricular events and trips.</li> </ol>

<p>Pol. 218</p>          <p>4. Delegation of Responsibility</p> <p>5. Guidelines</p>          <p>Title 22 Sec. 12.1, 12.4</p>	<p>Where eligibility requirements are necessary or desirable, the Board shall be informed and must approve the establishment of eligibility standards before they are operable.</p> <p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if:</p> <ol style="list-style-type: none"><li>1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.</li><li>2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.</li><li>3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.</li><li>4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Code of Student Conduct.</li><li>5. The conduct involves the theft or vandalism of school property.</li></ol> <p>The Superintendent or designee shall develop and disseminate procedures to implement the extracurricular activities program.</p> <p>Guidelines shall ensure that the program of extracurricular activities:</p> <ol style="list-style-type: none"><li>1. Assesses the needs and interests of and is responsive to district students.</li><li>2. Involves students in developing and planning extracurricular activities.</li><li>3. Ensures provision of competent guidance and supervision by staff.</li><li>4. Guards against exploitation of students.</li><li>5. Ensures that all extracurricular activities are open to all students and that all students are fully informed of the opportunities available to them.</li></ol>
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<p>20 U.S.C. Sec. 4071 et seq</p>	<p><u>Equal Access Act</u></p> <p>The district shall provide secondary students the opportunity for noncurriculum related student groups to meet on the school premises during noninstructional time for the purpose of conducting a meeting within the limited open forum on the basis of religious, political, philosophical, or other content of the speech at such meetings. Such meetings must be voluntary, student-initiated, and not sponsored in any way by the school, its agents or employees. <b>Noninstructional time</b> is the time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.</p> <p>The meetings cannot materially and substantially interfere with the orderly conduct of the educational activities in the school.</p> <p>The Superintendent or designee shall establish the length of sessions, number per week, and other limitations deemed reasonably necessary.</p> <p>The district retains the authority to maintain order and discipline on school premises in order to protect the well-being of students and employees and to ensure that student attendance at such meetings is voluntary.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 511</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.1, 12.4</p> <p>Equal Access Act – 20 U.S.C. Sec. 4071 et seq.</p> <p>Board Policy – 103, 110, 218</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: INTERSCHOLASTIC  
ATHLETICS

ADOPTED: October 19, 2005

REVISED: December 4, 2006

123. INTERSCHOLASTIC ATHLETICS	
1. Purpose	The Board recognizes the value of a program of interscholastic athletics as an integral part of the total school experience for all district students and as a conduit for community involvement.
2. Definition	For purposes of this policy, the program of <b>interscholastic athletics</b> shall include all activities relating to competitive or exhibition sport contests, games or events involving individual students or teams of students when such events occur between schools within this district or outside this district.
3. Authority Title 22 Sec. 4.27 34 CFR Sec. 106.41 Pol. 103  SC 511	<p>It shall be the policy of the Board to offer opportunities for participation in interscholastic athletic programs to male and female students on as equal a basis as is practicable and without discrimination, in accordance with law and regulations.</p> <p>The Board shall approve a program of interscholastic athletics and require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.</p> <p>The Board shall determine the standards of eligibility to be met by all students participating in an interscholastic program. Such standards shall require that each student, before participating in any interscholastic activity, be covered by student accident insurance; be in good physical condition; and be free of injury, as determined by the district physician.</p> <p>The Board further adopts those eligibility standards set by the Constitution of the Pennsylvania Interscholastic Athletic Association.</p>

<p>Pol. 218</p> <p>4. Delegation of Responsibility</p>	<p>The Board directs that no student may participate in interscholastic athletics who has not:</p> <ol style="list-style-type: none"> <li>1. Met the requirements for academic eligibility.</li> <li>2. Maintained a record of academic proficiency sufficient to ensure that participation in interscholastic athletic activities will not interfere with academic achievement.</li> <li>3. Attended school regularly.</li> <li>4. Been in attendance on the day of the athletic event or practice.</li> <li>5. Returned all school athletic equipment previously used.</li> </ol> <p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if:</p> <ol style="list-style-type: none"> <li>1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.</li> <li>2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.</li> <li>3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.</li> <li>4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Code of Student Conduct.</li> <li>5. The conduct involves the theft or vandalism of school property.</li> </ol> <p>The Superintendent or designee shall annually prepare, approve and present to the Board for its consideration a program of interscholastic athletics, which shall include a complete schedule of events.</p> <p>S/He shall inform the Board of changes in that schedule as they occur.</p>
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<p>Title 22 Sec. 12.1, 12.4</p>	<p>The Superintendent or designee shall prepare rules for the conduct of students participating in interscholastic athletics. Such rules shall be in conformity with regulations of the State Board of Education, the P.I.A.A. and the school district.</p> <p>The Superintendent shall ensure that similar athletic programs are offered to both sexes in proportion to the district's enrollment.</p> <p>The Superintendent shall ensure that interscholastic athletics are open to all eligible students and that all students are fully informed of the opportunities available to them.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 511</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.27, 12.1, 12.4</p> <p>Title 34, Code of Federal Regulations – 34 CFR Sec. 106.41</p> <p>Board Policy – 103, 218</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SUMMER SCHOOL

ADOPTED: October 19, 2005

REVISED:

124. SUMMER SCHOOL	
<p>1. Authority SC 502, 1901, 1906</p>	<p>It is the policy of the Board that the district may conduct a summer program of remedial and enrichment instruction for resident students of this district.</p>
<p>SC 1903</p>	<p>In order to support a program of summer instruction, the Board shall employ teaching and administrative staff, provide necessary books, materials, supplies, and equipment, and utilize schools or other facilities as required.</p>
<p>Title 22 Sec. 4.41</p>	<p>Planned instruction offered in summer school may be designed as credit or noncredit offerings.</p>
<p>2. Guidelines</p>	<p>Students eligible for the district's summer school program shall include resident students who are eligible for regular attendance in district schools.</p> <p>Tuition fees established by the Board shall be charged to resident students and nonresident students.</p> <p>With regard to transportation, the Board does not accept responsibility for any student.</p>
<p>3. Delegation of Responsibility</p>	<p>The Superintendent or designee shall be responsible for:</p> <ol style="list-style-type: none"> <li>1. Planning the summer school curriculum.</li> <li>2. Recommending appropriate staff appointments.</li> <li>3. Assigning students and staff.</li> <li>4. Evaluating and reporting on student progress.</li> <li>5. Utilizing facilities.</li> <li>6. Developing and enforcing rules for student behavior.</li> </ol>

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<p>School Code 502, 1901, 1903, 1906</p> <p>PA Code Title 22 Sec. 4.41</p>	<p>Guidelines for the operation of summer school shall be consistent with Board policies, and the operation of summer school shall not conflict in any way with the administration of the regular school sessions.</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ADULT EDUCATION

ADOPTED: October 19, 2005

REVISED:

125. ADULT EDUCATION	
1. Purpose	The Board recognizes the value of educational growth and advancement to adult members of the community and the need of both adults and minors for educational programs.
2. Authority SC 502, 1901, 1903, 1906, 1923	The Board may establish and maintain a program of adult education based upon the needs and interests of the residents, consistent with the educational goals and policies of the district. The Board may employ staff, utilize available facilities, supply instructional and supplementary materials, and provide administrative leadership required to maintain the adult education program. The Board shall establish the tuition rate for each course offered in the adult education program.
3. Guidelines	Admission to an adult education program shall be open to:  <ol style="list-style-type: none"><li>1. All adult residents of this district.</li><li>2. Adult residents of other districts who apply and whose admittance will not deprive admittance to a district resident.</li></ol>
4. Delegation of Responsibility	The Superintendent or designee shall:  <ol style="list-style-type: none"><li>1. Utilize appropriate staff members.</li><li>2. Assess the needs and resources of the community.</li><li>3. Develop a program of adult education and present that program to the Board for approval.</li><li>4. Prepare a calendar of adult education activities.</li><li>5. Develop and implement means to inform the public of adult education offerings.</li></ol>

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School Code 502, 1901, 1903, 1904, 1905, 1906, 1923	
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CLASS SIZE

ADOPTED: October 19, 2005

REVISED:

<b>126. CLASS SIZE</b>	
<p>1. Authority</p>	<p>Class size shall be determined by the Board after consultation with the Superintendent and principals.</p>
<p>2. Delegation of Responsibility</p>	<p>The Superintendent shall prepare guidelines for class size, which shall take into account:</p> <ol style="list-style-type: none"><li>1. Subject matter.</li><li>2. Type of instruction.</li><li>3. Ability of students.</li><li>4. Age group of students.</li><li>5. Use of aides.</li><li>6. Use of special facilities and equipment.</li></ol>

SECTION: PROGRAMS

TITLE: ASSESSMENTS

ADOPTED: October 19, 2005

REVISED:

# AVELLA AREA SCHOOL DISTRICT

127. ASSESSMENTS	
<p>1. Purpose Title 22 Sec. 4.52</p>	<p>The Board recognizes its responsibility to develop and implement an assessment plan that will determine the degree to which students are achieving academic standards and will provide information for improving the educational program.</p>
<p>2. Authority Title 22 Sec. 4.13, 4.51, 4.52</p>	<p>The Board shall approve an assessment plan for use in district schools that is aligned with the adopted academic standards and state assessments. The assessment plan shall be described in the district's Strategic Plan.</p>
<p>Title 22 Sec. 4.52</p>	<p>The Board reserves the right to review district assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or parents/guardians.</p>
<p>Title 22 Sec. 4.4</p>	<p>The Board shall grant requests by parents/guardians to review the state assessments two (2) weeks prior to their administration, during regular district office hours. The district shall ensure the security of the assessment documents.</p>
<p>Title 22 Sec. 4.4</p>	<p>The Board shall grant parents/guardians the right to have their child excused from state assessments that conflict with their religious beliefs, upon receipt of a written request to the Superintendent.</p>
<p>3. Delegation of Responsibility</p>	<p>The Superintendent or designee shall recommend methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, and staff input.</p>
<p>Pol. 919</p>	<p>The Superintendent or designee shall annually disseminate to parents/guardians and the public information regarding student assessment results, as required by federal and state law and regulations.</p> <p>The Superintendent shall recommend improvements in the curriculum and instructional practices based upon student assessment results.</p>

<p>4. Guidelines Title 22 Sec. 7.11 20 U.S.C. Sec. 6311</p> <p>Title 22 Sec. 4.52</p> <p>PA Code Title 22 Sec. 4.4, 4.13, 4.51, 4.52, 7.11</p> <p>PA Code Title 22 Sec. 403.1, 403.3</p> <p>20 U.S.C. Sec. 6311</p> <p>Board Policy 919</p>	<p>Parents/Guardians shall receive information regarding their child's state assessment scores and may obtain an explanation of assessment results from qualified school personnel.</p> <p>The district shall provide assistance to students not attaining academic standards at the proficient level.</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: HOMEWORK

ADOPTED: October 19, 2005

REVISED:

	<p style="text-align: center;">130. HOMEWORK</p> <p>1. Purpose</p> <p>Homework assignments should complement classroom instruction. Assignments should develop student responsibility, good study habits and organizational skills.</p> <p>The purpose of homework assignments should be to:</p> <ol style="list-style-type: none"><li>1. Provide practice and reinforcement of skills presented by the teacher.</li><li>2. Broaden areas of interest through enrichment.</li><li>3. Provide opportunities for parents/guardians to know what their child is studying.</li><li>4. Encourage parent/guardian and child interaction.</li></ol> <p>2. Guidelines</p> <p>Homework shall be planned and evaluated with respect to its purpose, appropriateness, and completion time. The demand of homework upon the students' time shall be consistent with the best interests of the students in regards to other valuable experiences to be gained outside of school.</p> <p>Homework should not interfere with the proper development of the student's health, nor should it interfere with the student assuming responsibilities in the home.</p> <p>Homework will not be assigned as a form of punishment.</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR  
PARTICIPATION BY HOME  
EDUCATION STUDENTS

ADOPTED: February 15, 2006

REVISED:

<p>1. Authority SC 511, 1327.1 Pol. 137</p> <p>Pol. 122, 123</p> <p>2. Guidelines</p>	<p style="text-align: center;">137.1. EXTRACURRICULAR PARTICIPATION BY HOME EDUCATION STUDENTS</p> <p>The Board shall approve participation in the district’s extracurricular activities and interscholastic athletic programs by a student enrolled in a home education program if all of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. The student is a resident of the school district.</li> <li>2. The student fulfills all eligibility criteria, or their equivalent, required for participation in an activity or program by district students, in accordance with Board Policy 122 Extracurricular Activities and/or Policy 123 Interscholastic Athletics.</li> </ol> <p>The Board shall not provide individual transportation for students enrolled in home education programs who participate in the district’s extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.</p> <p>Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district extracurricular activities and interscholastic athletic programs.</p> <p>A home education student may participate only in extracurricular activities and interscholastic athletic programs at the school building the student would be assigned to if s/he was enrolled in the school district.</p> <p>Prior to trying-out or joining an activity, a home education student shall submit required documents and written verification of eligibility to the building principal or designee.</p>
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137.1. EXTRACURRICULAR PARTICIPATION BY HOME EDUCATION STUDENTS - Pg. 2

<p>Pol. 204</p>	<p>To be considered in attendance in accordance with Board Policy 204 Attendance, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program.</p> <p>The following guidelines shall govern participation in the district’s extracurricular activities and interscholastic athletic programs by home education students, who shall:</p>
<p>Pol. 122, 123</p>	<ol style="list-style-type: none"> <li>1. Meet the same eligibility criteria, or their equivalent, required of district students, in accordance with applicable Board policies and administrative regulations.</li> <li>2. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.</li> </ol>
<p>Pol. 122, 123, 204, 218</p>	<ol style="list-style-type: none"> <li>3. Comply with Board policies and school rules and regulations regarding extracurricular activities, interscholastic athletics, and student discipline.</li> </ol>
<p>SC 511</p>	<ol style="list-style-type: none"> <li>4. Comply with policies, rules and regulations, or their equivalent, of the activity’s governing organization.</li> <li>5. Meet attendance and reporting requirements established for all participants of the activity or program.</li> <li>6. Meet the requirements for physical examinations and physical fitness and any height and/or weight restrictions.</li> <li>7. Comply with all requirements and directives of the district staff, coaches and administrators involved with the extracurricular activity or interscholastic athletic program.</li> </ol>
<p>3. Delegation of Responsibility</p>	<p>The building principal or designee shall receive and review verification from the parent/guardian that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.</p> <p>The district shall distribute information regarding eligibility criteria and student participation in extracurricular activities and interscholastic athletics to all affected by them.</p> <p>The district shall develop a procedure to ensure that home education students have access to information regarding the district’s extracurricular activities and interscholastic athletic programs.</p>

References:

School Code – 24 P.S. Sec. 511, 1327.1

Board Policy – 122, 123, 137, 204, 218

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: HOME EDUCATION  
PROGRAMS

ADOPTED: April 19, 2001

REVISED: October 19, 2005  
September 20, 2006

<p>137. HOME EDUCATION PROGRAMS</p>	
<p>1. Authority SC 1327, 1327.1 Title 22 Sec. 11.31a</p>	<p>Home education programs for students residing in the school district shall be conducted in accordance with state law and regulations.</p>
<p>2. Definitions SC 1327.1</p>	<p><b>Home Education Program</b> - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.</p> <p><b>Supervisor</b> - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.</p> <p><b>Hearing Examiner</b> - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.</p> <p><b>Appropriate Education</b> - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.</p>
<p>3. Guidelines  SC 1327.1</p>	<p><u>Eligibility/Affidavits</u></p> <p>A notarized affidavit of the parent/guardian or person having legal custody of the child shall be filed prior to commencement of the home education program and annually thereafter on August 1 with the Superintendent. The affidavit shall set forth:</p> <ol style="list-style-type: none"> <li>1. Name of the supervisor of the home education program who will be responsible for the provision of instruction.</li> <li>2. Name and age of each child who will participate in the home education program.</li> </ol>

<p>Pol. 203, 209</p>	<p>3. Address and telephone number of the home education program site.</p> <p>4. That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.</p> <p>5. Evidence that the child has been immunized and has received the health and medical services required for students of the child's age or grade level.</p>
<p>SC 111</p>	<p>6. Certification signed by the supervisor that the supervisor, all adults in the home and persons having legal custody of a child in the home education program have not been convicted of criminal offenses as enumerated in the School Code.</p>
<p>SC 1327.1</p>	<p><u>Transfers</u></p> <p>In the event of the home education program relocating to another school district, the supervisor must apply, by registered mail, to the Superintendent of the district in which s/he currently resides, requesting a letter of transfer for the home education program to the district to which the home education program is relocating. The letter of transfer must be filed by the supervisor with the Superintendent of the new district of residence. The letter of transfer shall be issued no later than thirty (30) days after receipt of the registered mail request of the supervisor.</p>
<p>SC 1327.1</p>	<p><u>Program</u></p> <p>A student who is enrolled in a home education program shall be deemed to have met the requirements if the program provides a minimum of one hundred eighty (180) days of instruction, or nine hundred (900) hours of instruction per year at the elementary level, or nine hundred ninety (990) hours per year at the secondary level.</p> <p>At the elementary level, the following courses shall be taught: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art.</p> <p>At the secondary level, the following courses shall be taught: English, to include language, literature, speech and composition; science; geography; social studies, to include civics, world history, history of the United States and Pennsylvania; mathematics, to include general mathematics, algebra and geometry; art; music; physical education; health; and safety education, including regular and continuous instruction in the dangers and prevention of fires.</p>

<p>Title 22 Chapter 4</p>	<p>Courses of study may include, at the discretion of the supervisor: economics; biology; chemistry; foreign languages; trigonometry; or other age appropriate courses required by the State Board of Education.</p>
<p>SC 1327.1</p>	<p><u>Requirements Of Supervisor</u></p> <p>In order to demonstrate that appropriate education is occurring, the supervisor shall provide and maintain on file for each student enrolled in the home education program a portfolio of records and materials.</p> <p>The portfolio shall consist of a log, made contemporaneously with the instruction, that designates by title the reading materials used; samples of any writings; worksheets, workbooks or creative materials used or developed by the student; and in grades three, five and eight results of nationally normed standardized achievement tests in reading, language arts and mathematics or results of statewide tests administered in these grade levels.</p> <p>The supervisor shall ensure that the nationally normed standardized tests or the statewide tests are not administered by the child's parent/guardian.</p>
<p>SC 1327.1</p>	<p><u>Evaluation Requirements</u></p> <p>A teacher or administrator who evaluates a portfolio at the elementary level or secondary level shall meet the requirements established in law.</p> <p>Annually, the work in the portfolio must be reviewed by a licensed clinical or school psychologist, a teacher certified by the Commonwealth of Pennsylvania, who possesses appropriate experience in evaluating student performance, or a nonpublic school teacher or administrator with at least two (2) years experience within the past ten (10) years in a Pennsylvania public or nonpublic school who possesses appropriate experience in evaluating student performance. A written evaluation of the student's educational progress must be prepared by the individual who reviews the portfolio. The written evaluation must also be based upon an interview with the child and must contain a written certification of whether an appropriate education is occurring. At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent. In no event shall the evaluator be the supervisor or his/her spouse.</p>

<p>SC 1327.1</p>	<p>At the conclusion of each school year, the portfolio and annual written evaluation must be submitted to the Superintendent or designee. The Superintendent shall determine whether the child is receiving appropriate education, as defined in this policy and law, as a program consisting of instruction in the required subjects for the time required and in which the student demonstrates sustained progress in the overall program.</p> <p>At any time the Superintendent or designee has reasonable belief that appropriate education may not be occurring in the home education program during the course of the school year, the Superintendent or designee may, by certified mail with return receipt requested, require submission of the portfolio within fifteen (15) days and the written evaluation and certification within thirty (30) days.</p> <p>If the Superintendent or designee determines, based on the documentation provided, at the end of or during the school year, that appropriate education is not taking place, the Superintendent or designee shall send a letter by certified mail with return receipt requested to the supervisor stating that in his/her opinion appropriate education is not taking place and shall return all documentation, specifying what aspect(s) of the documentation are inadequate.</p> <p>Upon receipt of the certified letter, the supervisor shall have twenty (20) days to submit additional documentation demonstrating that appropriate education is taking place. If documentation is not submitted within that time, the home education program shall be out of compliance with the compulsory attendance requirements and the student shall be promptly enrolled in the district of residence or a nonpublic school or licensed private academic school.</p> <p><u>Right Of Hearing</u></p> <p>The Board shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The examiner shall render a decision within fifteen (15) days of the hearing, except that s/he may require the establishment of a remedial education plan, mutually agreed to by the Superintendent and supervisor of the home education program, which shall continue the home education program. The decision of the examiner may be appealed by either the supervisor or the Superintendent to the Secretary of Education or Commonwealth Court.</p> <p>If the hearing examiner finds that the documentation does not indicate that appropriate education is taking place in the home education program, the home education program shall be out of compliance; and the student shall be promptly enrolled in the district or nonpublic school or licensed private academic school. At</p>
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	<p>such time as the child's home education program has determined to be out of compliance, the supervisor shall be ineligible to supervise a home education program for that child for a period of twelve (12) months from the date of such determination.</p> <p><u>Loan Of Instructional Materials</u></p> <p>SC 1327.1 The district shall, at the request of the supervisor, lend to the home education program copies of the school's planned courses, textbooks, workbooks, and other curriculum materials appropriate to the student's age and grade level.</p> <p><u>Graduation Requirements</u></p> <p>SC 1327.1 The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; two (2) years of arts and humanities.</p> <p>The district will not grant credit for courses completed at home, and will not promote, advance, or graduate students based upon completion of in-home courses.</p> <p><u>Interscholastic And Extracurricular Participation</u></p> <p>Home education students are not enrolled in the district; therefore, they are not eligible to participate in school district courses, programs or extracurricular and interscholastic activities, except for the standardized testing program.</p> <p><u>Re-Entry</u></p> <p>Students enrolled in a home education program requesting re-entry to the district will be placed in the appropriate grade level, based upon proven academic achievement, as determined by an assessment administered by the district.</p> <p><u>Students With A Disability</u></p> <p>SC 1327 A home education program shall meet compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid education certificate from the Commonwealth to teach special education, or a licensed clinical or certified school psychologist. Written notice of such approval must be submitted with the required affidavit.</p>
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The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in the public schools or in a private school licensed to provide such programs and services.

References:

School Code – 24 P.S. Sec. 111, 1327, 1327.1

State Board of Education Regulations – 22 PA Code Chapter 4, Sec. 11.31a

Board Policy – 203, 209

AVELLA AREA SCHOOL DISTRICT

Administrative Offices

1000 Avella Road  
Avella, PA 15312  
(724) 356-2218 - Phone  
(724) 356-2207 - Fax

HOME SCHOOL

\_\_\_\_\_ SCHOOL YEAR

The following home school information was received:

Affidavit(s) For:

\_\_\_\_\_  
\_\_\_\_\_

Other Items:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

Avella Area School District, Central Office

\_\_\_\_\_  
Date

AVELLA AREA SCHOOL DISTRICT  
HOME SCHOOL - LOAN OF BOOKS

NAME: \_\_\_\_\_ GRADE: \_\_\_\_\_

BOOKS LOANED:

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I HAVE RECEIVED THE ABOVE-LISTED BOOKS TO USE FOR THE HOME SCHOOLING OF MY CHILD.

PARENT/GUARDIAN: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

DATE LOANED: \_\_\_\_\_ DATE TO BE RETURNED: \_\_\_\_\_

NOTE: PLEASE SEND A COPY OF THIS INFORMATION TO THE OFFICE OF THE SUPERINTENDENT.

AVELLA AREA SCHOOL DISTRICT

Administrative Office

RECEIPT OF HOME SCHOOL PORTFOLIO

NAME OF STUDENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

CONTENTS OF PORTFOLIO (Check where applicable):

- \_\_\_\_\_ Log made contemporaneously with instruction.
- \_\_\_\_\_ Samples of student's work and materials used.
- \_\_\_\_\_ Evaluation of student's progress by teacher or psychologist.
- \_\_\_\_\_ Test results as required (Grades 3, 5, 8)
- \_\_\_\_\_ Additional Test Results (Optional)
- \_\_\_\_\_ Interview conducted.

SPECIAL EDUCATION SERVICES (Check if applicable):

\_\_\_\_\_ Student has been rendered eligible for special education services.

Portfolio delivered to administration office by: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR OFFICE USE ONLY:**

This is to acknowledge receipt of home school information for the \_\_\_\_\_ school year, for the purpose of review by the Superintendent.

\_\_\_\_\_  
Avella Area School District Representative

\_\_\_\_\_  
Date

This is to certify that I have reviewed this documentation as required by Section 1327.1 of the Pennsylvania School Code.

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date

\_\_\_\_\_ **Approved**      \_\_\_\_\_ **Not Approved**

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: ENGLISH AS A SECOND LANGUAGE/BILINGUAL PROGRAM

ADOPTED: December 16, 2002

REVISED: October 19, 2005

	<p>138. ENGLISH AS A SECOND LANGUAGE/BILINGUAL PROGRAM</p>
<p>1. Purpose</p>	<p>In accordance with the Board's philosophy to provide a quality educational program for all students, the district shall provide an appropriate planned instructional program for identified students whose dominant language is not English.</p> <p>The purpose of the program is to increase the English language proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success.</p>
<p>2. Authority</p> <p>Title 22 Sec. 4.26 42 U.S.C. Sec. 2000d 20 U.S.C. Sec. 6801 et seq</p>	<p>The school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards. The program shall include bilingual-bicultural or English as a Second Language instruction. The program shall meet the three-pronged test of program compliance: (1) sound research-based education theory, (2) sufficient resources and staffed by appropriately prepared personnel, and (3) periodic program evaluation.</p>
<p>Title 22 Sec. 4.13</p>	<p>The Board shall include provisions for the LEP programs in its Strategic Plan.</p>
<p>SC 1205.1, 1205.2 Pol. 100, 333, 433</p>	<p>The Board shall include provisions for the LEP professional education for ESL teachers, classroom teachers of LEP students and new teachers in its professional development plan.</p> <p>The Board may contract with Intermediate Unit No. 1 for LEP services and programs.</p>
<p>20 U.S.C. Sec. 6801 et seq Title 22 Sec. 11.11 Pol. 200</p>	<p>The Board shall establish procedures for identification of students whose dominant language is not English. The Home Language Survey shall be completed for every student in the district and filed in the student's permanent record folder through graduation. For students whose dominant language is not English, assessment of the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.</p>



<p>20 U.S.C. Sec. 1703</p>	<p>Students shall have access to and should be encouraged to participate in all academic and extracurricular activities available in the district.</p>
<p>20 U.S.C. Sec. 6801 et seq</p>	<p>At the beginning of each school year, the district shall notify parents/guardians of students qualifying for LEP programs regarding the instructional program of parental options, as required by law. Parents/Guardians will be regularly apprised of their student's progress. Communications with parents/guardians shall be in the language understood by the parents/guardians, whenever possible.</p>
<p>20 U.S.C. Sec. 6801 et seq</p>	<p>The district shall maintain an effective means of outreach to encourage parental involvement in the education of their children.</p>
	<p>References:</p> <p>Title VI, Civil Rights Act of 1964 – 42 U.S.C. Sec. 2000d</p> <p>Equal Education Opportunity Act, amending Education Amendments of 1974 – 20 U.S.C. Sec. 1703</p> <p>No Child Left Behind Act of 2001, P.L. 107-334, 115 Stat., Title III, Language Instruction For Limited English Proficient And Immigrant Students, amends Title III U.S.C. Sec. 6801 et seq</p> <p>School Code - 24 P.S. Sec. 1205.1, 1205.2</p> <p>State Board of Education Regulations - 22 PA Code Sec. 4.13, 4.26, 11.11</p> <p>Board Policy - 200</p>



# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR  
PARTICIPATION BY  
CHARTER/CYBER CHARTER  
STUDENTS

ADOPTED: October 19, 2005

REVISED: February 15, 2006

<p>1. Authority SC 1719-A, 1749-A Pol. 140</p> <p>Pol. 122, 123</p> <p>2. Guidelines</p>	<p style="text-align: center;">140.1. EXTRACURRICULAR PARTICIPATION BY CHARTER/CYBER CHARTER STUDENTS</p> <p>The Board shall approve participation in the district’s extracurricular activities and interscholastic athletic programs by a student enrolled in a charter or cyber charter school if all of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. The student is a resident of the school district.</li> <li>2. The charter or cyber charter school does not provide the same extracurricular activity or interscholastic athletic program.</li> <li>3. The student fulfills all eligibility criteria required for participation in an activity by district students, in accordance with Board Policy 122 Extracurricular Activities and Policy 123 Interscholastic Athletics.</li> </ol> <p>The Board shall not provide individual transportation for students enrolled in charter or cyber charter schools who participate in the district’s extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, charter/cyber students shall be required to use the transportation provided by the district.</p> <p>The Board may require the charter or cyber charter school to pay the cost of the expenses for its students’ participation in the district’s extracurricular activities or interscholastic athletic programs.</p> <p>Charter and cyber charter school students shall be given an equal opportunity to compete for positions and participate in extracurricular activities and interscholastic athletic programs.</p> <p>A charter or cyber charter school student may only participate in extracurricular activities and interscholastic athletic programs at the school building the student would be assigned to if s/he was enrolled in the school district.</p>
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<p>Pol. 122, 123</p> <p>Pol. 122, 123, 204, 218</p> <p>SC 511</p>	<p>The following guidelines shall govern participation in the district’s extracurricular activities and interscholastic athletic programs by eligible charter and cyber charter school students, who shall:</p> <ol style="list-style-type: none"> <li>1. Meet the same eligibility criteria required of district students, in accordance with applicable Board policies and administrative regulations.</li> <li>2. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.</li> <li>3. Comply with Board policies and school rules and regulations regarding extracurricular activities, interscholastic athletics, and student discipline.</li> <li>4. Comply with policies, rules and regulations of the activity’s governing organization.</li> <li>5. Meet attendance and reporting requirements established for all participants of the activity or program.</li> <li>6. Meet the requirements for physical examinations, physical fitness and any height and/or weight restrictions.</li> <li>7. Comply with all requirements and directives of the district staff, coaches and administrators involved with the extracurricular activity or interscholastic athletic program.</li> </ol>
<p>3. Delegation of Responsibility</p>	<p>The building principal or designee shall receive and review written verification from the charter or cyber charter school that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.</p> <p>The district shall distribute information regarding eligibility criteria and student participation in extracurricular activities and interscholastic athletics to all affected by them.</p> <p>The district shall develop a procedure to ensure that charter and cyber charter students have access to information regarding the district’s extracurricular activities and interscholastic athletic programs.</p>

	<p>References:</p> <p>Charter Schools – 24 P.S. Sec. 1719-A, 1749-A</p> <p>Board Policy – 122, 123, 140, 204, 218</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: CHARTER SCHOOLS

ADOPTED: October 19, 2005

REVISED: June 20, 2007

140. CHARTER SCHOOLS	
<p>1. Purpose SC 1702-A</p>	<p>In order to provide students, parents/guardians and community members an opportunity to establish and maintain schools that operate independently from this school district, the Board shall evaluate applications submitted for charter schools located within the district, in accordance with the requirements of law and those established by the Board.</p> <p>The Board shall work cooperatively with individuals and groups submitting proposals and applications for charter schools.</p>
<p>2. Definitions SC 1703-A, 1715-A, 1717-A</p>	<p><b>Charter School</b> means an independent, nonsectarian public school established and operated under a charter from the local Board and in which students are enrolled or attend. A charter school must be organized as a public, nonprofit corporation; and charters may not be granted to any for-profit entity nor to support home education programs.</p>
<p>SC 1703-A</p>	<p><b>Local Board of Directors (Board)</b> means the Board of Directors of the school district in which a proposed or approved charter school is located.</p>
<p>SC 1703-A, 1718-A</p>	<p><b>Regional Charter School</b> means an independent public school established and operated under a charter from more than one local Board and approved by an affirmative vote of a majority of all Board members of each of the school districts involved.</p> <p><b>Appeal Board</b> means the State Charter School Appeal Board established by the Charter School Law.</p>
<p>SC 1715-A</p>	<p><b>The Board of Trustees</b> of a charter school shall be classified as public officials.</p>
<p>3. Authority Title 22 Sec. 4.4, 4.12, 4.13</p>	<p>The Board shall ensure that each charter school application provides appropriate assurances of compliance with the requirements of the Charter School Law, State Board regulations, and any additional requirements established by the Board.</p>

SC 1717-A	The Board shall evaluate submitted applications for charter schools based on the criteria established by law and any additional criteria, as determined by the Board.
SC 1717-A 65 Pa. C.S.A. Sec. 701 et seq	A charter school application shall be approved or denied by a majority vote of all Board members at a public meeting, in accordance with the provisions of law. Written notice of the Board's decision shall be sent to the applicant, Department of Education and the Appeal Board, including reasons for denial and a clear description of application deficiencies if the application is denied. The Board shall evaluate denied applications that are revised and resubmitted.
SC 1720-A	Upon approval of a charter application, the Board and the charter school's Board of Trustees shall sign the written charter, which shall be binding on both. The charter shall be for a period of three (3) to five (5) years and may be renewed for five-year periods by the Board.
SC 1724-A	The Board may approve a leave of absence for up to five (5) years for a district employee to work in a charter school located in the district of employment or in a regional charter school in which the employing district is a participant, and the employee shall have the right to return to a comparable position in the district. The Board at its discretion may grant tenure to a temporary professional employee on leave from this district to teach in a charter school located in the district, upon completion of the appropriate probation period.
SC 1728-A Title 22 Sec. 4.13	The Board shall annually assess whether each charter school is meeting the goals of its charter and shall require each charter school to submit an annual report no later than August 1 of each year.
SC 1728-A	The Board shall conduct a comprehensive review prior to granting a five-year renewal of the charter.
SC 1728-A	The Board shall have ongoing access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter, Board policy and applicable laws.
SC 1729-A	In cases where the health or safety of the charter school's students, staff or both is at serious risk, the Board may take immediate action to revoke a charter.
SC 1727-A	The Board affirms that the Board of Trustees and the charter school shall be solely liable for any and all damages and costs of any kind resulting from any legal challenges involving the operation of a charter school. The local Board shall not be held liable for any activity or operation related to the program of a charter school.

	<p>A charter school shall execute a "hold harmless" agreement indemnifying and insuring/agreeing to defend the school district in any and all kinds of liability areas so that the school district and Board are protected in any litigation related to the operation of a charter school.</p>
<p>4. Delegation of Responsibility</p>	<p>Applications for charter schools shall be submitted to the Superintendent or designee, who shall be responsible for communicating and cooperating with all applicants.</p> <p>The Superintendent or designee shall be responsible to assist applicants with plans for technical assistance and contracted services that may be provided by the district.</p>
<p>5. Guidelines Pol. 103, 104</p>	<p>A charter school shall be subject to all federal and state laws and regulations prohibiting discrimination in admissions, employment and operation on the basis of disability, race, creed, color, gender, sexual orientation, national origin, religion, ancestry or need for special education services.</p>
	<p>A charter school shall submit monthly enrollment figures and other required reports to the district, as stated in the charter.</p>
<p>SC 1726-A</p>	<p><u>Transportation</u></p> <p>The district shall provide transportation to resident students attending a charter school located in the district, a regional charter school of which the district is a member, and a charter school located within ten (10) miles outside district boundaries, in accordance with distance requirements established for district students.</p>
	<p>Transportation shall be provided to charter school students on the dates and periods that the charter school is in session, regardless of whether transportation is provided to district students on those days.</p>
<p>SC 1717-A, 1719-A</p>	<p><u>Applications</u></p> <p>Applications for charter schools must contain all the information specified in the Charter Schools Law and any additional information required by the Board.</p> <p>Applications for charter schools shall be submitted to the Board by November 15 of the school year preceding the school year in which the school will be established.</p>

Within forty-five (45) days of receipt, the Board shall hold at least one (1) public hearing on the charter application, in accordance with law. At least forty-five (45) days must pass between the first public hearing and the final decision of the Board. No later than seventy-five (75) days after the first public hearing, the Board shall grant or deny the application.

Insurance/Risk Management

The charter school shall adequately protect against liability and risk through an active risk management program approved by the Board. The program shall include proof of purchase of insurance coverages as required by the Board.

Minimum coverages and levels of appropriate coverages shall be established in the charter.

A charter school shall operate in a manner that minimizes the risk of injury and harm to students, employees and others.

References:

School Code – 24 P.S. Sec. 1701-A et seq.

State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.12, 4.13

Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.

Board Policy – 103, 104

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: MIGRANT STUDENTS

ADOPTED: October 19, 2005

REVISED:

142. MIGRANT STUDENTS	
1. Authority SC 1326, 1327 20 U.S.C. Sec. 6391 et seq 34 CFR 200.81-200.88	The Board establishes a program to address the needs and provide appropriate services to migrant students attending district schools.
2. Guidelines          Pol. 105	<p>The district program for migrant students shall include procedures to:</p> <ol style="list-style-type: none"> <li>1. Identify migrant students and assess their educational and related health and social needs.</li> <li>2. Ensure migrant students have the appropriate educational opportunities to meet the same academic standards required of all students.</li> <li>3. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs and elective classes.</li> <li>4. Provide parents/guardians an opportunity for meaningful participation in the program.</li> <li>5. Provide advocacy and outreach programs for migrant students and their families.</li> <li>6. Provide professional development for district staff.</li> </ol> <p>The district shall provide materials to parents/guardians regarding their role in improving the academic achievement of their child.</p>
3. Delegation of Responsibility	The Superintendent or designee shall develop procedures to notify and involve parents/guardians in the development, implementation and evaluation of the district's program for migrant students.



142. MIGRANT STUDENTS - Pg. 2

School Code

1326, 1327

20 U.S.C.

Sec. 6391 et seq

34 CFR

200.81-200.88

PA Code

Title 22

Sec. 403.1

# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STANDARDS FOR  
PERSISTENTLY  
DANGEROUS SCHOOLS

ADOPTED: October 19, 2005

REVISED:

<p>1. Purpose Title 22 Sec. 403.6 20 U.S.C. Sec. 7912</p> <p>2. Definitions Title 22 Sec. 403.2</p>	<p style="text-align: center;">143. STANDARDS FOR PERSISTENTLY DANGEROUS SCHOOLS</p> <p>The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act of 2001 (Section 9532), hereby adopts the following standards for identifying persistently dangerous schools.</p> <p>As used in these standards, the following terms shall be defined as provided herein:</p> <p><b>Dangerous incidents</b> - shall include both weapons possession incidents resulting in arrest (guns, knives or other weapons) and violent incidents resulting in arrest (homicide, kidnapping, robbery, sexual offenses and assaults) as reported on the Violence and Weapons Possession Report (PDE-360).</p> <p><b>Department</b> - shall mean the Pennsylvania Department of Education.</p> <p><b>Local Educational Agency or LEA</b> - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.</p> <p><b>Persistently dangerous school</b> - shall mean any public elementary, secondary or charter school that meets any of the following criteria in the most recent school year and in one (1) additional year of the two (2) years prior to the most recent school year:</p> <ol style="list-style-type: none"> <li>1. For a school whose enrollment is 250 or less - at least five (5) dangerous incidents.</li> <li>2. For a school whose enrollment is between 251 to 1,000 - a number of dangerous incidents that represents at least 2% of the school's enrollment.</li> <li>3. For a school whose enrollment is over 1,000 - twenty (20) or more dangerous incidents.</li> </ol>
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<p>3. Guidelines</p>	<p><b>Safe public school</b> - shall mean a public school that has not been designated as a persistently dangerous school under these standards or that has had such designation removed by the Department.</p> <p><u>Student Opportunity To Transfer</u></p> <ol style="list-style-type: none"> <li>1. Except as provided below, a student who attends a persistently dangerous school must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.</li> <li>2. A student who attends a persistently dangerous school may apply to transfer at any time while the school maintains that designation.</li> </ol>
<p>4. Responsibility</p>	<p><u>Department Of Education's Responsibilities</u></p> <ol style="list-style-type: none"> <li>1. The Department shall identify those schools that meet or exceed the criteria for a persistently dangerous school by analyzing the Annual Report on School Violence and Weapons Possession (PDE-360). In identifying persistently dangerous schools, the Department will use the most recent data available to it from the reporting LEA, and will take all reasonable steps to verify that the data is valid and reliable.</li> <li>2. After review and verification of PDE-360 data, the Department shall promptly inform an LEA when any of its schools meets the definition of persistently dangerous school.</li> <li>3. The Department shall provide technical assistance to the LEA in developing a corrective action plan. The Department shall review proposed corrective action plans submitted by LEAs and shall approve suitable corrective action plans.</li> <li>4. After approval of the corrective action plan, the Department shall conduct a site visit to each persistently dangerous school to assess the school's progress in implementing the plan. If no significant improvement is observed, the Department may require the LEA to submit a revised corrective action plan for that school.</li> <li>5. The Department shall reassess a school's designation as persistently dangerous at the end of the school year during which its corrective action plan is completed.</li> <li>6. During the reassessment described above, the Department shall remove the designation if the school no longer meets the definition of persistently dangerous school.</li> </ol>

<p>SC 1303-A</p>	<p><u>LEA's Responsibilities</u></p> <ol style="list-style-type: none"> <li>1. Pursuant to Pennsylvania's Safe Schools Act, Act 26 of 1995, as amended, all school entities as defined by the Act must report to the Department all incidents involving acts of violence; possession of a weapon; or the possession, use, or sale of a controlled substance, alcohol, or tobacco by any person on school property or at school-sponsored events or on school transportation to and from school or school-sponsored activities.</li> <li>2. Within ten (10) school days of receiving notification by the Department, an LEA shall notify the parent or legal guardian of each student who attends the school that the Department has identified the school as persistently dangerous.</li> <li>3. The LEA shall offer all students who attend the school the opportunity to transfer to a safe public school, including a charter school, within the LEA.</li> <li>4. The notification and offer to transfer shall state that no student is required to transfer to another school.</li> <li>5. Upon receipt of an application to transfer, the LEA shall transfer the student within thirty (30) calendar days.</li> <li>6. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.</li> <li>7. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.</li> <li>8. A charter school only has to accept a student who meets its admission criteria if space is available.</li> <li>9. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.</li> <li>10. The LEA must submit a corrective action plan to the Department within thirty (30) calendar days of receiving notification that a school has been identified as persistently dangerous.</li> </ol>
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<p>PA Code Title 22 Sec. 403.1, 403.2, 403.6</p> <p>School Code 1303-A, 2603-B</p> <p>20 U.S.C. Sec. 7912</p>	<p>11. The LEA must receive approval from the Department for its corrective action plan and shall implement all steps contained in its corrective action plan within the time periods specified in that plan.</p> <p>12. After the Department has notified an LEA that a school is no longer identified as a persistently dangerous school, the LEA is encouraged to permit students who transferred to complete their education at their new school. LEAs may not require students to return to their original school if the students are enrolled in a charter school.</p>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STANDARDS FOR VICTIMS  
OF VIOLENT CRIMES

ADOPTED: October 19, 2005

REVISED:

<p>1. Purpose Title 22 Sec. 403.6 20 U.S.C. Sec. 7912</p> <p>2. Definitions Title 22 Sec. 403.2</p>	<p style="text-align: center;">144. STANDARDS FOR VICTIMS OF VIOLENT CRIMES</p> <p>The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act of 2001 (Section 9532), hereby adopts the following standards for a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends.</p> <p>As used in these standards, the following terms shall be defined as provided herein:</p> <p><b>Local Educational Agency or LEA</b> - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.</p> <p><b>Safe public school</b> - shall mean a public school that has not been designated as a persistently dangerous school under the standards for identifying persistently dangerous schools or that has had such designation removed by the Department.</p> <p><b>Victim or student victim</b> - shall mean the student against whom a violent criminal offense has been perpetrated while the student was in or on the grounds of the public elementary or secondary school that s/he attends.</p> <p><b>Violent criminal offense</b> - is defined as any of the following offenses that are set forth in Title 18 of the Pennsylvania Consolidated Statutes:</p> <ol style="list-style-type: none"> <li>1. Kidnapping.</li> <li>2. Robbery.</li> <li>3. Aggravated assault (on the student).</li> <li>4. Rape.</li> <li>5. Involuntary deviate sexual intercourse.</li> <li>6. Sexual assault.</li> </ol>
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<p>3. Guidelines</p>	<p>7. Aggravated indecent assault.</p> <p>8. Indecent assault.</p> <p>9. Attempt to commit any of the following: homicide, murder or voluntary manslaughter.</p> <p><u>Student Opportunity To Transfer</u></p> <p>1. Except as provided below, a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends, must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.</p> <p>2. In order for a student victim to be entitled to transfer to another school under these standards, the violent criminal offense first must be reported to law enforcement authorities by the student, the student’s parent/guardian, or school officials.</p> <p>3. A student victim (or his/her parent/guardian) may apply to the LEA to transfer to another school within thirty (30) calendar days after the incident is reported to school authorities.</p>
<p>4. Responsibility</p>	<p><u>LEA's Responsibilities</u></p> <p>1. Within ten (10) calendar days of receiving notice of the violent criminal offense, the LEA shall notify the student victim that s/he has the right to transfer to a safe public elementary or secondary school within the LEA, including a public charter school.</p> <p>2. The notification and offer to transfer shall state that no student is required to transfer to another school.</p> <p>3. Upon receipt of an application to transfer, the LEA should transfer the student as soon as possible, and shall transfer the student within ten (10) calendar days after receiving the application.</p> <p>4. When considering a student’s request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.</p>

<p>PA Code Title 22 Sec. 403.1, 403.2, 403.6</p> <p>School Code 2603-B</p> <p>20 U.S.C. Sec. 7912</p>	<ol style="list-style-type: none"><li>5. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.</li><li>6. A charter school only has to accept a student who meets its admission criteria if space is available.</li><li>7. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.</li></ol>
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# AVELLA AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: STUDENT SERVICES

ADOPTED: December 4, 2006

REVISED: June 20, 2007

<p>1. Authority Title 22 Sec. 4.13, 12.41</p> <p>Title 22 Sec. 4.13, 12.41</p> <p>2. Guidelines Title 22 Sec. 12.41</p> <p>Title 22 Sec. 12.41</p> <p>Pol. 112, 113, 209, 210, 210.1</p> <p>Title 22 Sec. 12.41</p>	<p style="text-align: center;">146. STUDENT SERVICES</p> <p>The Board shall approve a written plan for implementing a comprehensive and integrated K-12 program of student services, based on the needs of students.</p> <p>The Board directs that the Student Services Plan be reviewed and revised during the third year of the six-year plan, and as necessary.</p> <p>Services offered by community agencies in district schools shall be coordinated by and be under the general direction of the school district.</p> <p>The following categories of services shall be provided by the district and included in the Student Services Plan:</p> <ol style="list-style-type: none"> <li>1. Developmental services that address students' needs throughout their district enrollment, which include: guidance counseling, psychological services, health services, home and school visitor services, and social work services that support students in addressing academic, behavioral, health, personal and social development issues.</li> <li>2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.</li> <li>3. Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists.</li> </ol> <p>The district's student services shall:</p> <ol style="list-style-type: none"> <li>1. Be an integral part of the instructional program at all levels of the school system.</li> <li>2. Provide information to students and parents/guardians about the educational opportunities of the school's instructional program and how to access those opportunities.</li> </ol>
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<p>Pol. 115</p> <p>Pol. 209, 210, 210.1, 227</p> <p>3. Delegation of Responsibility</p>	<p>3. Provide career information and assessments to inform students and parents/ guardians about work and career options available to individual students.</p> <p>4. Provide basic health services required by law for students and provide information to parents/guardians about the health needs of their children.</p> <p>The Superintendent or designee shall be responsible to develop, implement and monitor a Student Services Plan that complies with state regulations and is available to all students.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.13, 12.41</p> <p>Board Policy – 112, 113, 115, 209, 210, 210.1, 227</p>
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