

Hazleton Area School District

DRUMS

ELEMENTARY/MIDDLE SCHOOL



Student Handbook
2023-2024

Drums Elementary/Middle School

85 South Old Turnpike Road
Drums, PA 18222
Phone: (570) 459-3221, Ext. 20500
Fax: (570) 788-3276
Website: www.hasdk12.org

Mission Statement

The mission of the Hazleton Area School District is to provide a challenging and enriching education where all students are exposed to high career and academic standards, a rigorous curricula, and integrated technology in an inclusive environment.

Principal

Mr. Matthew Marnell
Ext. 20505

Assistant Principal

Dr. Allison Yourechko
Ext. 20501

Guidance Counselor

Mrs. Karla Kubitz
Ext. 20516

School Nurse

Mrs. Jessica Getsie
Ext. 20591

Full Time Secretary

Mrs. Lynn Shamany
Ext. 20500

Part Time Secretary

Mrs. Stacy Gadola
Ext. 20500

Security Officer

Mrs. Diane Fedor
Ext. 20593

School Police Officer

Officer Nick Saullo
Ext. 20594

Non-Discrimination Policy

It is the policy of the Hazleton Area School District not to discriminate on the basis of race, sex, color, national origin, or handicap in its educational programs, activities, or employment policies, as required by Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. Inquiries regarding compliance may be directed to: **Daniel Rodgers, Title IX Coordinator, (570) 459-3221, Ext. 3444.**

School Mission Statement

Provide a safe, caring, and respectful learning environment where:

Each student in each grade level move one year's worth of academic growth via PVAAS;

Data is used effectively to drive differentiated instruction;

Focused Explicit Instruction promotes accelerated learning;

Administrators, teachers, students and staff have high expectations for performance.

DIRECTORY OF SCHOOL STAFF

REGULAR EDUCATION STAFF:

GRADE	TEACHER	SUBJECT
Kindergarten	Mrs. Amy Bugda	Reading, English/Language Arts, Math
Kindergarten	Ms. Tara Kozel	Reading, English/Language Arts, Math
Kindergarten	Mrs. Eileen Pursell	Reading, English/Language Arts, Math
1 st Grade	Mrs. Elizabeth Moore	Reading, English/Language Arts, Math
1 st Grade	Mrs. Kelcey Prushinski	Reading, English/Language Arts, Math
1 st Grade	Mrs. Heather Stefanik	Reading, English/Language Arts, Math
1 st Grade	Mrs. Jamie Watt	Reading, English/Language Arts, Math
2 nd Grade	Mrs. Stacey Bottley	Reading, English/Language Arts, Math
2 nd Grade	Mrs. Melissa McGee	Reading, English/Language Arts, Math
2 nd Grade	Ms. Ann Olenick	Reading, English/Language Arts, Math
2 nd Grade	Mrs. Erica Testa	Reading, English/Language Arts, Math
3 rd Grade	Mrs. Danielle Bernstein	Science/Social Studies, English Language Arts
3 rd Grade	Mrs. Ashley Bonomo	Math, English/Language Arts
3 rd Grade	Mrs. Kelly Cook	Reading, English/Language Arts
4 th Grade	Mrs. Rachelle Mallets	Math, Science/ English Language Arts
4 th Grade	Mrs. Cheyenne Payne	Reading, English/Language Arts
4 th Grade	Mrs. Renee Wetterau	Science/Social Studies, English/Language Arts

REGULAR EDUCATION STAFF (continued):

GRADE	TEACHER	SUBJECT
5 th Grade	Mrs. Jessica Shafer	Math, English Language Arts
5 th Grade	Mr. David Gould	Reading, English/Language Arts
5 th Grade	Mrs. Meredith O'Donnell	Science/Social Studies, English/Language Arts
6 th Grade	Mrs. Kelly DeBalko	Math, English Language Arts
6 th Grade	Mrs. Faith Mrochko	Reading, English/Language Arts
6 th Grade	Mrs. Melissa Steber	Science/Social Studies, English/Language Arts
8 th Grade	Mr. Michael Bugda	Algebra I, Foundations of Algebra
7 th Grade/8 th Grade	Mrs. Casey DeCosmo	English/Language Arts
7 th Grade	Mrs. Kathy Passon	Reading
7 th Grade/8 th Grade	Mrs. Trisha Spaide	Algebra Concepts, Pre-Algebra, Foundations of Algebra
7 th Grade/8 th Grade	Mrs. Melissa Stauffer	Social Studies
7 th Grade/8 th Grade	Mrs. Kevin Yurkanin	Science

SPECIAL EDUCATION STAFF:

GRADE	TEACHER	SUBJECT
KG – 8 th Grade	Ms. Chrissy DeLash	Special Education Supervisor
Kindergarten	Mrs. Jennifer Brugger	Autistic Support
1 st , 2 nd , & 3 rd Grade	Mrs. Theresa Gawlas	Autistic Support
1 st /2 nd Grade	Ms. Amber Hook	Autistic Support
7 th Grade/8 th Grade	Mrs. Alison Kerstetter	Autistic Support
7 th Grade/8 th Grade	Mrs. Sherri Konopka	Autistic Support
2 nd /3 rd Grade	Ms. Brenda Crosley	Autistic Support
KG – 6 th Grade	Mr. Rob Hudak	Learning Support
KG – 6 th Grade	Ms. Mary Kisatsky	Learning Support
7 th Grade/8 th Grade	Mrs. Jennifer Lydon	Learning Support
KG – 8 th Grade	Mrs. Julianne Caputo	Occupational Therapist
KG – 8 th Grade	Mrs. Tonya Dale-Osadche	Speech Therapist
KG – 8 th Grade	Mrs. Stacey Forsythe	Hearing Therapist
KG – 8 th Grade	Mrs. Rebecca Marchetti	Speech Therapist
KG – 8 th Grade	Mrs. Dawn Shebelock	Physical Therapist
KG – 8 th Grade	Ms. Jennifer Angelo	Gifted Support
KG – 8 th Grade	Mrs. Jill Zanolini	Social Work

SPECIALIST/ITINERANT EDUCATION STAFF:

GRADE	TEACHER	SUBJECT
7 th Grade/8 th Grade	Mr. Josh Bishop	Music
8 th Grade	Mrs. Lauren Candelora	Computer Science, Career Applications
7 th Grade/8 th Grade	Mrs. Stacey Faustner	Art
KG – 6 th Grade	Mr. Josh Wenner	Physical Education
KG – 6 th Grade	Ms. Noelle Humphries	Music
KG – 6 th Grade	Mrs. Sara Kelso	Art
KG – 8 th Grade	Mrs. Stacia Kutney	English Language Development
4 th Grade	Mr. Robert Kotansky	Health
KG – 8 th Grade	Mr. Michael Latoff	Interventionist
5 th Grade/6 th Grade	Mrs. Ronny O'Brien	Computer Literacy
7 th Grade/8 th Grade	Mrs. Jaclyn Smolinsky	Health, Physical Education
7 th Grade	TBA	Library Science
8 th Grade	Mrs. Mary Jo Zola	Career and Consumer Science

PARAPROFFESIONAL/OTHER STAFF:

NAME	POSITION
Ms. Stephanie Castillo	Elementary Special Education/Autistic Support
Mrs. Janell Davies	Elementary Special Education/Autistic Support
Ms. Lynn Ferry	Elementary Special Education/Learning Support
Ms. Bonnie Gemmell	Elementary Special Education/Autistic Support
Mrs. Pam Hammell	Middle School Special Education/Learning Support
Ms. Carina Hernandez	Elementary Special Education/Autistic Support
Mrs. Judy Kost	Elementary Special Education/Learning Support
Ms. Judy Kraynak	Elementary Special Education/Autistic Support
Mrs. Karen Kuba	Regular Education
Miss. Grace Maganelli	Middle School Special Education/Autistic Support
Mr. Bob Maso	Middle School Special Education/Autistic Support
Mrs. Kelly Merenich	Elementary Special Education/Autistic Support
Mrs. Kathryn Parsons	Elementary Special Education/Autistic Support
Mrs. Daneen Pazdon	Library Aide
Ms. Haley Roman	Middle School Special Education/Autistic Support
Mrs. Cathy Shovlin	Regular Education
Mrs. Wendy Zubick	Middle School Special Education/Autistic Support
Dr. Benjamin Arias	Bilingual Liaison
Mrs. Rachel Ferry	Office Assistant
Mr. Vincent Gabriel	Head Custodian
Mrs. Pam Grega	Cafeteria Manager
Mr. Dave Molinaro	Maintenance

Drums Elementary/Middle School

Elementary School Bell Schedule

2023-2024

Regular Schedule

Teacher Sign In	8:20
Staff Development	8:20 – 8:50
Homeroom	8:50 – 9:05
1 st Period	9:05 – 9:45
2 nd Period	9:45 – 10:25
3 rd Period	10:27 – 11:07
4 th Period	11:08 – 11:48
5 th Period	11:49 – 12:29
6 th Period	12:30 – 1:10
7 th Period	1:11 – 1:51
8 th Period	1:53 – 2:33
9 th Period	2:35 – 3:15
Parent Pick Up	3:20
Bus Student Dismissal	3:25 – 3:45
Teacher Dismissal	3:50
Elementary Lunch*	
4 th Lunch (Grades 5/6)	**11:08 – 11:38
5 th Lunch (Grades 1/4)	11:49 – 12:19
6 th Lunch (Grades 2/3)	12:30 – 1:00
7 th Lunch (Grades K)	1:11 – 1:41

2 Hour Delay Schedule

Teacher Sign In	10:20
Staff Development	10:20 – 10:50
Homeroom	10:55 – 11:05
1 st Period	11:05 – 11:30
2 nd Period	11:30 – 11:55
3 rd Period	11:57 – 12:22
4 th Period	12:24 – 12:54
5 th Period	12:58 – 1:28
6 th Period	1:32 – 2:02
7 th Period	2:02 – 2:27
8 th Period	2:27 – 2:52
9 th Period	2:52 – 3:17
Parent Pick Up	3:20
Bus Student Dismissal	3:25 – 3:45
Teacher Dismissal	3:50
Elementary Lunch*	
4 th Lunch (Grades 5/6/KK)	**12:24 – 12:54
5 th Lunch (Grades 1/4/KP)	12:58 – 1:28
6 th Lunch (Grades 2/3/KB)	1:32 – 2:02

Additional Elementary Schedule Information:

- Arrival: 8:30am – 8:50am
 - Elementary students should not arrive prior to 8:30am.
 - Students being dropped off by personal vehicle should be dropped off at the back of the building.
- Breakfast Served: 8:30am – 8:45am
- Dismissal: 3:20pm – 3:50pm
 - Depending on grade level and buses, dismissal takes place in both the front and back of the building.
- Early Dismissal:
 - Parents must send a note to their child's teacher for early dismissal.
 - Parents must come into the Main Office and sign the student out of the building at the time designated on the note sent to teacher.
- Procedures:
 - Please know that the safety and welfare of the children at Drums Elementary/Middle School is our first priority as building administrators. Your cooperation in this matter will help ensure a safe and orderly climate.

Drums Elementary/Middle School

Middle School Bell Schedule

2023-2024

7th and 8th Grade Regular Schedule

Teacher Sign In	7:20
Staff Development	7:20 – 7:50
Student Cafeteria Dismissal	7:48**
Homeroom	7:50 – 7:55
1 st Period	7:55 – 8:45
2 nd Period	8:47 – 9:37
3 rd Period	9:39 – 10:29
LUNCH (4th Period)	*10:32 – 11:02*
5 th Period	**11:09 – 11:59
6 th Period	12:02 – 12:52
7 th Period	12:55 – 1:45
8 th Period	1:48 – 2:38**
Student Dismissal	2:45

7th and 8th Grade 2-Hour Delay Schedule

Teacher Sign In	9:20
Staff Development	9:20 – 9:50
Student Cafeteria Dismissal	9:48**
Homeroom	9:52 – 10:00
1 st Period	10:00 – 10:34
2 nd Period	10:36 – 11:10**
3 rd Period	11:14 – 11:48
LUNCH (4th Period)	*11:50 – 12:20*
5 th Period	12:22 – 12:56
6 th Period	12:58 – 1:30**
7 th Period	1:34 – 2:06
8 th Period	2:08 – 2:40
Student Dismissal	2:45

Additional Middle School Schedule Information:

- Arrival: 7:20am – 7:50am
 - Students being dropped off by personal vehicle should not arrive prior to 7:20am.
 - All students enter the building in the back of the building.
- Breakfast Served: 7:20am – 7:45am
- Homeroom: Students not in homeroom by 7:55 are considered late to school.
- Dismissal: 2:45pm
 - All students exit through the back of the building.
 - Students waiting for buses will be supervised in the cafeteria.
- Early Dismissal:
 - Parents must send a note to their child's teacher for early dismissal.
 - Parents must come into the Main Office and sign the student out of the building at the time designated on the note sent to teacher.
- Procedures:
 - Please know that the safety and welfare of the children at Drums Elementary/Middle School is our first priority as building administrators. Your cooperation in this matter will help ensure a safe and orderly climate.

REPORTING AN ABSENCE

1. A parent/guardian needs to call Drums Elementary/Middle School when a student will not be attending school. Parents/Guardians should call (570) 459-3221, ext. 20500 and **LEAVE A VOICEMAIL** if no one is available to answer the phone.
 - a. Please call daily for multiple day absences.
 - b. No phone calls from students will be accepted. The call must come directly from the parent/guardian responsible for the student.
 - c. Phone calls related to daily attendance should be made to the office by 8:00am (Middle School)/9:00am (Elementary School) on the day a child will be absent.
 - d. When leaving a message, please clearly state the child's name, grade, and reason for absence. You will not receive a return phone call. If you are requesting homework, please leave this information in your voicemail.
2. Student is to bring legal excuses (doctor, dental, court, or funeral) the day he/she returns from absence(s).
 - a. Elementary students must submit excuses to their homeroom teacher who will then send them to the office staff. Middle school students should submit excuses directly to the office staff.
 - b. **All doctor's notes are to be brought to the office within 3 days of the student's return.**

TARDINESS

Middle School:

If a student arrives between 8:00am and 9:45am, student is tardy.

If a student arrives after 9:45am, student is absent for the AM session.

If a student leaves before 12:45pm, student is absent for the PM session.

If a student leaves after 12:45pm, student is present for the entire day.

Elementary School:

If a student arrives between 9:00am and 10:45am, student is tardy.

If a student arrives after 10:45am, student is absent for the AM session.

If a student leaves before 1:15pm, student is absent for the PM session.

If student leaves after 1:15pm, student is present the entire day.

Exclusion from School by Nurse:

If the nurse sends a student home during the day student will be coded as "N" for that day, indicating the student was sent home by the nurse.

PROCEDURE FOR EXCUSAL FROM SCHOOL

- Every effort should be made to make all appointments during non-school time. However, the occasion may arise when it is necessary to obtain an excuse during the school day. Arrangements for such excuses (dental, doctor, etc.) must be made with the office with a written request.
- Students leaving school for appointments should report to school with an excuse from home, go to the appointment, and return to school after the appointment with a doctor's excuse.
- Parents who wish to have their children excused from school for non-school district sponsored education tours or trips must submit a letter with detailed information at least two weeks prior to the first day of the trip.
- Students may not leave the building at any time during the school day without first securing permission from the office or the school nurse. Any student with permission must first be signed out by a parent/guardian in the main office and upon returning must be signed back in. Any student not following the procedure will be considered truant.

HOMEWORK

During an absence, students are required to make-up missed assignments by notifying a friend or if absence is for three consecutive days or more, parents are to contact the office and assignments will be collected for parental pick-up.

- **Elementary School** – The policy for elementary school homework is to be determined by the individual teacher. Request homework when reporting child absent, by 8:00am.
- **Middle School** – The policy for middle school homework is to be determined by the individual teachers. Students will be able to find any missed assignments on Microsoft Teams. Please call by 8:00am if books or notebooks need to be collected from student's locker.

SCHOOL CLOSING OR DELAYS

In the event of severe weather, which necessitates the closing or delay of the start of school, announcements will be made at an early hour (starting at approx. 6:00am) and be repeated several times. If possible, the announcements will be made the night before. The announcements will be issued to the following television stations: WNEP TV-16, WYOU TV-22, and WBRE TV-28. Also, the HASD website will list closings or delays and a message will be sent to families with an email address on file. It is important to take note of the type of snow day. If a Flexible Instruction Day is used, students will be responsible for completing assignments at home during the school closing.

PHONE CALLS

Please make every effort to let your child know where he or she is to go after school and who to expect at pickup. Notes should be sent whenever possible. In order for us to take the best care of your children, we request that you keep all non-emergency calls to a minimum.

CHANGE OF ADDRESS

If you have a change of address and/or phone number at any time, notify the Administration office immediately by providing three (3) proofs of address and phone number change (i.e.: billing statement, Internal Revenue statement, voter registration card, property tax bill, state ID card, vehicle registration, utility statement, W2 form, property deed, driver's license, insurance statement, current pay stub, bank statement). **We need to have current phone numbers and addresses at all times.**

CHANGE OF PHONE NUMBER

Contact the Main Office (570) 459-3221, ext.20500. Our school office is only able to update the main phone number assigned to a family.

CAFETERIA

Every student will be issued a student identification number which will be used to identify any needs within the cafeteria. Currently, all students receive a free lunch, but have the option to purchase additional food items. Should you choose to add money to your child's cafeteria account, you may send in cash in an envelope labeled with the child's name and ID number. Checks should be made out to **HASD CAFETERIA FUND**. For those who choose not to keep money in your child's account, you may send cash daily for students to order extra items.

CAFETERIA RULES

1. All students will walk quietly to and from the cafeteria.
2. Remain seated until called to the serving line.
3. No shouting, throwing items, or physical contact.
4. Demonstrate respect to all staff members.

STUDENT WELLNESS

The Hazleton Area School District recognizes that student wellness and proper nutrition are related to students' physical well-being, growth and development, and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.

WORKING PAPERS

A Birth Certificate must be brought to the office to receive working papers. A parent is required to come in personally to sign the application or have the application notarized to receive the working papers. A job must already be lined up in order to receive the papers. Student must be 14 years of age to obtain working papers. If students are 16 years or older, they must go to the Hazleton Area High School office.

GRADING

The grading system consists of four, forty-five day marking periods. Grading procedures will be listed on each teacher's website. Questions beyond that should be directed to the building principal.

GRADING, HONORS AND RETENTION

GRADING

93-100	A
85-92	B
77-84	C
70-76	D
< 70	F

HONOR ROLL POLICY

ELEMENTARY (Grades 3-6)	SECONDARY (Grades 7-12)
Highest Honors an average of 97 or better for the marking period.	Highest Honors an average of 97 or better for the marking period.
First Honors an average of 93-96 for the marking period.	First Honors an average of 93-96 for the marking period.
Second Honors an average of 85-92 for the marking period.	Second Honors an average of 85-92 for the marking period.
A grade below 85 in any MAJOR subject or below 70 in any NON-MAJOR subject disqualifies a student from making the honor roll.	A grade below 85 in any subject disqualifies a student from making the honor roll.
An "INC" disqualifies a student for the marking period.	An "INC" disqualifies a student for the marking period.

RETENTION POLICY

ELEMENTARY	SECONDARY
<p>A Child Study Team in each elementary building will determine promotion in grades K-6. Academic retention may occur only once in grades K-3, except in cases where both parent and CST agree that the student may be retained a second time.</p> <p>In grades 4, 5, and 6, students who have failed two (2) major subjects should be retained. Students should pass two (2) grade levels each of math and reading in grades 4 through 6 in order to be promoted to seventh grade.</p>	<p>In grades 7 and 8, students will be required to successfully complete a minimum of ten (10) total credits before being promoted to ninth grade. The following criteria must be met:</p> <ol style="list-style-type: none">1.) Of the ten (10) total credits, six (6) must be passed in one (1) of each Major subject area, three (3) credits must be earned in courses with credit value of less than one (1), i.e. Specials and one (1) credit must be earned in either Reading or Geography.2.) All courses taught in grades 7 and 8 will count for promotion to grade 9.3.) If possible, students will not be scheduled to repeat courses passed in grade 7.4.) A student in grade 7 will be required to accumulate five (5) credits to be listed as a student in grade 8. Of the five (5) credits, three (3) must be passed in Major subjects and two (2) in any area.

REPORT CARDS

Reports of student's progress are issued every nine weeks. Parents are asked to review the progress reports and to consult with the guidance department if they wish to set up a conference with teachers.

Report cards (K-2) / Report card receipts (3rd through 8th) YOU MAY ACCESS ON YOUR SKYWARD ACCOUNT. If you don't have access please call the office 20500

Deficiency Notices: Students with an average of 75 or below as of the middle of a marking period will be sent via postal mail notification of a possible failure for the marking period.

Skyward: Parents are able to check their student's progress regularly using their user name and password for Skyward via the Internet. If you have any questions regarding how to access your account, please contact the main office.

TEXTBOOKS/COMPUTERS

Textbooks and computers are loaned to students for their use during the school year and are to be kept clean and handled carefully. When books/computers are distributed, the classroom teacher notes the condition of the book/computer and the students sign agreeing to that condition. Any questions regarding the condition of the book/computer must be resolved at that time. Students will be responsible to pay for books/computers not personally returned on the last day of school in the condition in which it was issued. Students who damage books will be charged \$10.00; students who lose their book or damage it beyond usage will be charged \$20.00, unless the book is new that current year. If so, the charge will be the current price for a new book. Students who damage computers will be referred to the office for payment procedures. Insurance is available to families to insure individual computers.

FIRE DRILLS/RESTRICTED MOVEMENT DRILLS

In an attempt to ensure the safety of your child, Drums Elementary/Middle School will be conducting various safety drills throughout the school year. These safety drills include evacuation drills to address fires, bomb threats, intruders and chemical spills. The drills are designed to prepare the faculty, staff, and student body in the unfortunate event that something should happen at Drums.

The fire drills/restricted movement drills at regular intervals are required by law and are important precautions. It is essential that when the first signal is given, everyone obeys promptly and clears the building as quickly as possible by the route posted above the door in each room. Students are to remain outside the building until a signal is given to return inside. Anyone tampering with the fire alarm system will be prosecuted through the police. Since these drills are very serious in nature, students will be disciplined according to school policy if they display any inappropriate behaviors while taking part in them.

DANCES AND EXTRACURRICULAR ACTIVITIES

Students who attend a dance or other extracurricular function are not allowed to leave and re-enter the function. Once a student leaves the site of the activity, he or she will not be allowed to return. NO STUDENT will be admitted to a dance without having the required dance contract signed by a parent/guardian and the student.

SCHOOL WEBSITE

Our school has its own webpage, and each individual teacher maintains a website with information specific to his or her class. The web address is www.hasdk12.org/drums. When on the website, click the teachers link and you will find each teacher listed by last name.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT:

The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act was originally authorized in 1987 and most recently reauthorized in December 2015 by the Every Student Succeeds Act (ESSA).¹ The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school. Under the McKinney-Vento Act, educational agencies must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held.

In addition, homeless students may not be separated from the mainstream school environment. Local Educational Agencies are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. The law indicates that the LEA liaison shall ensure that all homeless children, youth and families are identified through coordinated activities with other entities. **DEFINITION OF HOMELESS (MCKINNEY-VENTO ACT SEC. 725(2); 42 U.S.C 11435(2)):** CHILDREN WHO LACK A FIXED, REGULAR, AND ADEQUATE NIGHT TIME RESIDENCE: "Doubled up" - Sharing the housing of others due to the loss of housing, economic hardship, or similar reasons. Living in motels, hotels, trailer parks, camping grounds, due to lack of adequate alternative accommodations. Living in emergency or transitional shelters. Living in a public or private place not designed for humans to live. Migratory children living in above circumstances Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings Unaccompanied Youth - Children or youth who meets the definition of homeless and not in the physical custody of a parent or guardian.

Residency and Educational Rights: Students who are in temporary, inadequate and homeless living situations have the following rights: Immediate enrollment in the school they last attended or the school in whose attendance area they are currently staying even if they do not have all of the documents normally required at the time of enrollment; Access to free meals and textbooks, Title I and other educational programs and other comparable services including transportation; Attendance in the same classes and activities that students in other living situations also participate in without fear of being separated or treated differently due to their housing situations. When a student is identified as being McKinney-Vento eligible, staff will: Assist with enrollment, monitor school attendance and arrange transportation (preK-8 students) Provide school supplies and other school related materials as needed Advocate for and support students and families through school and home visits Set clear expectations for student behavior, attendance and academic performance Assist students/families access with community services Assist students/families with access to tutoring, special education, and English language learner resources Assist students so they can participate in sports, field trips, and school activities regardless of their ability to pay or to provide their own transportation. For additional information, contact LEA Homeless Liaison at (570) 459-3221 ext. 81527

Dress Code Policy

Book	Policy Manual
Section	200 Pupils
Title	Dress and Grooming
Code	221
Status	Active
Adopted	September 16, 2010
Last Revised	August 11, 2022
Prior Revised Dates	05/24/2018

Purpose

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.

Authority

The Board has the authority to impose limitations on students' dress in school. The Board will not interfere with the right of students and their parents/guardians to make decisions regarding their appearance, except when their choices disrupt the educational program of the schools or constitute a health or safety hazard.[1][2]

The Board shall require students to wear standard dress, as stipulated in Board policy.[1][2]

Students may be required to wear certain types of clothing while participating in physical education classes, technical education, extracurricular activities, or other situations where special attire may be required to ensure the health or safety of the student.[2]

Delegation of Responsibility

The building principal or designee shall be responsible to monitor student dress and grooming, and to enforce Board policy and school rules governing student dress and grooming.

The Superintendent or designee shall ensure that all rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.[2]

Exceptions to the Dress Code may be made by the Superintendent for medical or religious reasons.

Staff members shall be instructed to demonstrate, by example, positive attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.[3]

Guidelines

Dress Code

The Board has adopted this school Dress Code for all grades K through 12. The Dress Code shall be strictly enforced pursuant to discipline guidelines.

All students shall attend school each day in accordance to the Dress Code.

The Board or the approved dress code committee must approve all changes to this Dress Code.

Embroidery/Monogramming with Hazleton Area School District, HAHS Band, or HAHS Cheerleader or other respective school logo is optional, as sanctioned by the dress code committee.

All clothing must be appropriately sized for the student, that is, clothing must be no more than one (1) regular size larger than the student actually measures. Extra-wide, extra-full, extra-long, baggy or sagging pants and shorts are not acceptable.

Clothing may be purchased at any store/vendor as long as clothing conforms to this Dress Code.

Shirts may be worn outside the pants, but the bottom of the shirt cannot extend past the middle of the pants pocket, and dress shirts must be tucked inside the pants. If the shirt exceeds acceptable length, it must be tucked inside the pants. Jeans are permitted as long as there are no holes in them.

Only clear or mesh backpacks are permitted in K-8 school buildings, in accordance with school guidelines. Backpacks are not permitted in 9-12 buildings.

Closed shoes or sneakers with socks/stockings must be worn.

Articles of Noncompliance

This list is only a guide and **not** complete. Variations of this list will be addressed by the building level administrator or designee.

1. No hoodies/jackets during school hours.
2. No holes in jeans/clothing that exposes skin.
3. No underwear showing – pants must be around waist.
4. No sliders/slides, Crocs (or look-a-likes), platform shoes.

Discipline Guidelines

The following discipline guidelines apply to students in all grades K through 12:

1. **First Offense** – At the direction of the principal, the student shall be retained in the office until the student/parent/guardian provides a proper change of clothing, not to exceed one (1) day. If a parent/guardian is unable to provide a change of clothing, the school will issue something in compliance, when extra clothing is available.
2. **Second Offense** – The student shall receive in-school suspension.[4]
3. **Third Offense** – This and all subsequent violations shall result in loss of privileges and/or out-of-school suspension.[4]

Classes missed because of noncompliance with the Dress Code shall be governed by the attendance policy.[5]

When possible, the school shall attempt to provide a student who is wearing a noncompliant top with a top that is in compliance. Discipline shall still apply.

Legal

1. 24 P.S. 1317.3

2. 22 PA Code 12.11

3. Pol. 325

4. Pol. 233

5. Pol. 204

Attendance Policy

Book	Policy Manual
Section	200 Pupils
Title	Attendance
Code	204
Status	Active
Adopted	September 16, 2010
Last Revised	April 8, 2021

Purpose

The Board requires that school age students enrolled in district schools attend school regularly, in accordance with state laws. The educational program offered by the district is predicated upon the presence of the student and requires continuity of instruction and classroom participation in order for students to achieve academic standards and consistent educational progress. Curricula are planned courses taught as a progression of learning activities and ideas with each day's work building on work previously done. Attendance in class is a basic student responsibility and is of the utmost importance in the awarding of credit.[1][2][3][4][5][6][7][8]

Authority

Attendance shall be required of all students enrolled in district schools during the days and hours that school is in session, except that a principal or teacher may excuse a student for temporary absences upon receipt of satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence. Urgent reasons shall be strictly construed and do not permit irregular attendance.[3][7][9][10][11][12]

The Board considers the following conditions to constitute reasonable cause for absence from school:

1. Illness. [12] (Medical Note required after three (3) days)
2. Quarantine. (Medical note required to be excused and to return to school)
3. Family emergency. (Approval of Building Administration)
4. Recovery from accident. (Medical note required to be excused and to return to school)
5. Required court attendance. (Note from Court)
6. Death in family. (Parent Note and Obituary/Mass Card)

A maximum of ten (10) days of cumulative absences verified by written parental notification shall be permitted during a school year. Parent/Guardian signature is required on written notification. All absences beyond these ten (10) cumulative days shall require a legal excuse (see numbers 1 – 6 above).

All absences shall be treated as unlawful until the district receives a written excuse explaining the absence, to be submitted within five (5) days upon return to school. It is the parent's/guardian's responsibility to supply the excuse note. Students who are unable to attend school due to leaving the country, state, or boundaries of the school district will be marked absent. The only exception being when the student is/was educated by another educational entity, in which case the student will be/has been withdrawn from the Hazleton Area School District and enrolled in another verifiable educational entity.

The Board shall report to appropriate authorities infractions of the law regarding the attendance of students below the age of seventeen (17).

The Board shall issue notice to those parents/guardians who fail to comply with the requirements of compulsory attendance that such infractions will be prosecuted according to law. [7][14][15]

Attendance need not always be within school buildings. A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving Hazleton Area School District approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction. [3][11][16][17][18][19][20][21]

Upon written request by a parent/guardian, an absence for observance of a student's religion on a day approved by the Board as a religious holiday shall be excused. A penalty shall not be attached to an absence for a religious holiday. [22]

The Board shall, upon written request of the parents/guardians, release from attendance a student participating in a religious instruction program acknowledged by the Board. Such instruction shall not require the child's absence from school for more than thirty-six (36) hours per school year, and its organizers must inform the Board of the child's attendance record. The Board shall not provide transportation to religious instruction. A penalty shall not be attached to an absence for religious instruction. [22][23]

The Board shall permit a student to be excused for participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group upon written request prior to the event. [6][9]

The Board will recognize other justifiable absences for part of the school day. These shall include medical or dental appointments, court appearances for the student, family emergencies, and other urgent reasons. [11][12]

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

1. On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.

[9][10][24]

2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught. [3][25]

3. Students attending college who are also enrolled part-time in district schools. [26]

4. Students attending a home education program in accordance with law. [27][28]

5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved. [3]

6. Students fifteen (15) years of age, and fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits. [10]

7. Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate. [10][17]

The Board may excuse the following students from the requirements of attendance at district schools:

1. Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies. [3][16][19]

2. Homebound children unable to attend school on the recommendation of the school physician and the school psychologist or a psychiatrist and approval of the Secretary of Education. [24]

3. Students enrolled in special schools conducted by the Luzerne Intermediate Unit No. 18 or the Department of Education. [3]

In the case of a student with disabilities, where the absence is caused by or directly related to the student's disability, attendance regulations/grading shall be addressed by an IEP Team or Section 504 Team. [29][30]

Educational Tours/Trips

Parents/Guardians are provided with ten (10) parental note days during any given school year. With that, the district will no longer accept Non-School Sponsored Educational Trips or Tours forms. Parents/Guardians may use any number of their ten (10) parental note days throughout the school year; however, these parental notes may also be used for illness and early dismissals. Anything above the ten (10) days will require a doctor's note.

Religious holidays shall be honored. A notification, in writing, describing the holiday, must be submitted to the building principal at least two (2) weeks prior to the absence.[1][2]

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's attendance policy by publishing such policy in the student handbook, parent newsletters, district/school web site and other efficient methods. [6]

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

1. Ensure a school session that conforms with requirements of state law and regulations. [31][32][33][34][42][43]
2. Govern the keeping of attendance records in accordance with law. [36][37]
3. Distribute annually to staff, students, and parents/guardians Board policies and school rules and regulations governing student attendance, absences and excusals. [6]
4. Impose on truant students appropriate incremental disciplinary measures for infractions of school rules, but no penalty may have an irredeemably negative effect on the student's record beyond that which naturally follows absence from classroom learning experiences. [14][15][38][39][40]
5. Identify the habitual truant, investigate the causes of truant behavior, and consider modification of the student's educational program to meet particular needs and interests.
6. Ensure that students legally absent have an opportunity to make up work.
7. Issue written notice to any parent/guardian who fails to comply with the compulsory attendance law, within three (3) days of any proceeding brought under that law. Such notice shall inform the parent/guardian of the date(s) the absence occurred; that the absence was unexcused and in violation of law; that the parent/guardian is being notified and informed of his/her liability under law for the absence of the student; and that further violations during the school term will be prosecuted without notice. [14][15]

Legal

<u>1. 24 P.S. 1301</u>	<u>22. 22 PA Code 11.21</u>	<u>22 PA Code 11.8</u>
<u>2. 24 P.S. 1326</u>	<u>23. 24 P.S. 1546</u>	<u>22 PA Code 11.24</u>
<u>3. 24 P.S. 1327</u>	<u>24. 22 PA Code 11.34</u>	<u>24 P.S. 510</u>
<u>4. 22 PA Code 11.12</u>	<u>25. 22 PA Code 11.32</u>	Pol. 000
<u>5. 22 PA Code 11.13</u>	<u>26. 22 PA Code 11.5</u>	
<u>6. 22 PA Code 11.41</u>	<u>27. 24 P.S. 1327.1</u>	
<u>7. 22 PA Code 12.1</u>	28. Pol. 137	
8. Pol. 200	29. Pol. 103.1	
<u>9. 24 P.S. 1329</u>	30. Pol. 113	
<u>10. 24 P.S. 1330</u>	<u>31. 24 P.S. 1501</u>	
<u>11. 22 PA Code 11.23</u>	<u>32. 24 P.S. 1504</u>	
<u>12. 22 PA Code 11.25</u>	<u>33. 22 PA Code 4.4</u>	
<u>13. 22 PA Code 11.26</u>	<u>34. 22 PA Code 11.1</u>	
<u>14. 24 P.S. 1333</u>	<u>36. 24 P.S. 1332</u>	
<u>15. 24 P.S. 1354</u>	<u>37. 24 P.S. 1339</u>	
<u>16. 22 PA Code 11.22</u>	<u>38. 24 P.S. 1338</u>	
<u>17. 22 PA Code 11.28</u>	39. Pol. 218	
18. Pol. 115	40. Pol. 233	
19. Pol. 116	<u>41. 24 P.S. 1318</u>	
20. Pol. 117	<u>42. 22 PA Code 11.2</u>	
21. Pol. 118	<u>43. 22 PA Code 11.3</u>	

School Discipline Policy

Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Code	218
Status	Active
Adopted	September 16, 2010
Last Revised	March 28, 2019

Purpose

The Board finds that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school district during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities.[1][2][3][4][5]

The Board shall adopt a Student Code of Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Student Code of Conduct governing student discipline.[2][3][4][5][6][7]

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies and district rules and regulations.[8]

Any student disciplined by a district employee shall have the right to notice of the infraction.[9]

Suspensions and expulsions shall be carried out in accordance with Board policy.[9]

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property and would violate the Student Code of Conduct if:

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.
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.[10][11]
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.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement made on school property to complete a transaction outside of school that would violate the Student Code of Conduct.
5. The conduct involves the theft or vandalism of school property.

Delegation of Responsibility

The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Superintendent shall appoint a committee of staff members and students to review the Student Code of Conduct annually and to advise on alterations and modifications.

The Superintendent or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Student Code of Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Student Code of Conduct shall be available in each school library and school office.[2][7]

The Superintendent shall report to the Board periodically the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

The building principal shall have the authority to assign discipline to students, subject to Board policies, district rules and regulations and to the student's due process right to notice, hearing, and appeal.[12][13]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.[12]

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.[8]

Guidelines

Parental Reinforcement

Because parents/guardians have the most power to reinforce good behavior or change behavior that is unacceptable, the Board requires that:

1. School rules, the Student Code of Conduct and applicable Board policies be sent home at the beginning of each school year.
2. Parents/Guardians shall discuss the rules with their children so that students know their parents/guardians will work together with the school in ensuring that all rules shall be followed.
3. If disruptive behavior occurs, the parent/guardian shall be required to come to school to help solve problems.
4. Parents/Guardians shall sign a form indicating their cooperation and support.

Student Theft

First Offense –

For amounts less than twenty dollars (\$20.00), theft shall be handled within the district with suspension from school according to current Board policy, restitution of losses and community service for the district of twenty (20) hours.[9]

For amounts over twenty dollars (\$20.00), the student shall be reported to law enforcement authorities.

Second Offense –

For any amount, the student shall be reported to law enforcement authorities.

Legal

[1. 24 P.S. 510](#)

7. Pol. 235

[13. 24 P.S. 1318](#)

[2. 22 PA Code 12.3](#)

[8. 22 PA Code 12.5](#)

[20 U.S.C. 7114](#)

[3. 22 PA Code 12.4](#)

9. Pol. 233

[22 PA Code 12.1 et seq](#)

4. Pol. 103

10. Pol. 122

[22 PA Code 403.1](#)

5. Pol. 103.1

11. Pol. 123

Pol. 225

[6. 22 PA Code 12.2](#)

[12. 24 P.S. 1317](#)

STUDENT DISCIPLINE RULES FOR SECONDARY STUDENTS

It is the administrator's option to utilize community school service as a disciplinary action.

For secondary students, any student late for school or class will have that late logged by an administrator for the first offense of each marking period/quarter. Subsequent late arrivals (2nd 3rd and 4th offenses) will result in after-school detention being assigned. A student who is late five (5) times in any quarter will be suspended and each subsequent late arrival will result in additional disciplinary consequences.

Transportation rules and disciplinary procedures are addressed in Policy #810. Tobacco use is addressed in Policy #222.

Group I Infractions

1st Infraction – warning

2nd Infraction – call to parent / guardian and possible suspension and behavior contract

Continued Infractions – suspension and behavior contract. An accumulation of a maximum of five (5) suspensions of any violation under Group I will result in a disciplinary hearing with the Superintendent or his/her designee.

These expectations are necessary for the orderly operation of our school. Recurrent problems will require parental involvement. Group I offenses include but are not limited to the following:

1. Leaving class without permission
2. Public display of affection
3. Use of obscene or profane language and gestures
4. Throwing snowballs and/or other objects
5. Verbal abuse of classmates
6. Interference with a student's right to an education and a teacher's right to teach
7. Skateboard, bicycles, scooters, etc., are not allowed on school district property
8. Failure to attend detention.
9. Unauthorized driving to and from school by students 9th grade and under.
10. Violation of Electronic Devices Policy #237
11. Violation of the Dress and Grooming Policy #221.

Group II Infractions

1st and 2nd Infractions – Suspension when deemed necessary by principal. The student will only be allowed to return pending a parent/guardian conference. A behavior contract must be signed by parent/guardian and student at the conference. Otherwise, a warning, either verbal or written will be issued by the principal.

3rd and 4th Infractions – A suspension excluding the student from school for one (1) to ten (10) days. A parent/guardian conference and the signing of a behavior contract by parent / guardian and student.

5th Infraction – A pre-expulsion hearing with the student, parent/guardian and the Superintendent's designee, plus an in-school or suspension of one (1) to ten (10) days.

6th Infraction – An expulsion hearing by the Board of Education

Group II infractions include, but are not limited to the following:

1. Leaving school without permission
2. Truancy *
3. Disrespect to school officials or contracted employees acting in their official capacity (e.g. verbal abuse of a teacher)
4. Disruption of the teaching/learning process resulting in removal of student from classroom
5. Violation of the Student Discipline (student Theft) Policy #218
6. Violation of the Acceptable Use of Internet, Computers and Network Resources Policy #815
7. *The filing of a complaint with the magistrate or police for Group II infractions may occur at the discretion of the principal.

Group III Infractions

Group III infractions may result in either a suspension or referral to the School Board for expulsion as deemed appropriate by the principal. The Principal in making this determination shall look at the totality of the circumstances involving the alleged infraction and will either suspend or refer to expulsion based upon the severity of the offense and surrounding facts. If the student is suspended, the student will only be allowed to return pending a parent/guardian conference. A behavior contract must be signed by parent/guardian and student at the conference. Otherwise, a warning either verbal or written, will be issued by the principal.

Group III infractions include, but are not limited to the following:

1. Fighting *
2. Unlawful acts – rioting, extortion, assault, moral offense, forgery, plagiarism, or other unlawful acts.*
3. Violation of the Unlawful Harassment Policy #103
4. Violation of the Bullying/Cyberbullying Policy #249
5. Violation of the Controlled Substances/Paraphernalia Policy#227
6. *The filing of a complaint with the magistrate or police for Group III infractions may occur at the discretion of the principal.

Group III infractions are to be dealt with on a case-by-case basis and at the discretion of the principal.

Group IV Infractions

Police notification, a suspension for ten (10) days and the involvement of the Board of Education in an expulsion hearing will occur.

Because of their serious nature, the following rule infractions will require a suspension and referral to the School Board for expulsion hearing. The following Board policies are in effect:

1. #218.1 – Weapons and Dangerous Instruments *
2. #218.2 – Terroristic Threats/Acts
3. Striking or threatening a professional, nonprofessional or contracted employee

*The Superintendent reserves the right, by law, to deal with weapons and dangerous instruments on a case-by-case basis.

STUDENT RULES FOR ELEMENTARY STUDENTS

Because of the nature of early childhood, Grades K-2, interventions will be made in cooperation with the guidance counselor, IST, classroom teacher, parents/guardians, support agencies, etc. on a case-by-case basis in conjunction with the following rules.

It is the administrator's option to utilize community/school service as a disciplinary action.

Elementary (K-6) school detention, including detention for students who are habitually tardy, will be used at the discretion of the building administrator and will be enforced as determined by each building. Failure to attend detention may result in grounds for suspension.

Transportation rules and disciplinary procedures are addressed in Board Policy #810 Transportation.

Tobacco Use is addressed in Board Policy #222

Group I Infractions

These rules are necessary for the orderly operation of our school. Recurrent problems, including any similar offenses, will require parental involvement and/or suspension with a behavioral contract.

1. Hall Passing – always walk quietly single file. Stay to the right unless otherwise specified
2. Arrive to class on time prepared with books, pencils, notebooks and any homework assignments
3. Follow classroom rules set forth by your teachers
4. Treat other students with respect

5. Follow cafeteria rules
6. No littering, keep locker areas clean and student desk neat
7. No gum chewing
8. No verbal or physical abuse of another student
9. No abusive and/or foul language is permitted
10. No throwing snowballs and/or other objects
11. No inappropriate public displays of affection
12. No violation of Electronic Devices Policy #237
13. No toys, games cards of any type, etc. are allowed in school. The school is not responsible for items of a personal nature that are lost or stolen.
14. No violation of the Dress and Grooming Policy #221
15. No leaving class without permission
16. No interference with a student's right to an education and a teacher's right to teach.

GROUP II Infractions

The following rule infractions or any similar offense, will require direct parent/guardian involvement on the first offense with possible suspension (including behavior contract) and/or judicial intervention:

1. Fighting, physical abuse of students
2. Disrespect and/or verbal abuse of professional, nonprofessional and contracted employees
3. Extortion, vandalism, plagiarism, forgery and other unlawful acts
4. Violation of the Controlled Substance / Paraphernalia Policy #227
5. Leaving school without permission
6. Truancy
7. Disruption of the teaching/learning process resulting in removal of student from classroom
8. Violation of the Unlawful Harassment Policy #103
9. Violation of the Bullying/Cyberbullying Policy #249
10. Violation of the Acceptable Use of Internet, Computers and Network Resources Policy #815
11. Theft: See Student Discipline Policy #218 – Student Theft

The filing of a complaint with the magistrate or police for Group II infractions may occur at the discretion of the principal.

GROUP III Infractions

Police notification, a suspension for ten (10) days and the involvement of the Board of Education in an expulsion hearing will occur.

Because of their serious nature, the following rule infractions will require a suspension and referral to the School Board for permanent expulsion hearing. The following Board policies are in effect:

1. #218.1 – Weapons and Dangerous Instruments
2. #218.2 – Terroristic Threats/Acts
3. #227 - Controlled Substances/Paraphernalia
4. Striking or threatening a professional, nonprofessional or contracted employee

***The Superintendent reserves the right, by law, to deal with weapons and dangerous instruments on a case-by-case basis.**

Transportation Policy

Book	Policy Manual
Section	800 Operations
Title	Transportation
Code	810
Status	Active
Adopted	August 18, 2011
Last Revised	July 27, 2016

Purpose

Transportation for students shall be provided in accordance with law and Board policy.

Authority

The Board shall provide or contract for school bus services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.[11][12][1][20][2]

The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.[2][3]

The Board shall transport handicapped students without regard to distance or hazardous walking conditions.[4][5][6][7]

The Board shall transport eligible resident students who are enrolled in nonpublic schools within the distance prescribed by law.[1]

A school bus driver shall not be employed until s/he has complied with the mandatory background check requirements for criminal history and child abuse and the district or contractor has evaluated the results of that screening process.[8][21][22]

The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[9]

The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[10]

Delegation of Responsibility

The school bus driver shall be responsible for the discipline of students while they are being transported.

The principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[11]

The Superintendent or designee shall be responsible to:

1. Prepare a district map or schedule indicating each bus stop and bus route or prepare a schedule of bus stops and an itinerary of bus routes to be used in conjunction with a district map.[11]
2. Maintain records and make required reports regarding school transportation.[11][12]
3. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[11]

Reports of Employee Crimes/Child Abuse

District bus drivers and/or the district's transportation contract carriers shall be responsible to inform the district in writing at the beginning of each school year whether or not they or any of their employees:

1. Have been charged, subsequent to approval as a district bus driver, with a criminal offense that would bar their employment as bus drivers or contracted service providers.
2. Were charged with a crime deemed serious under the criteria established by law.[8]
3. Have been charged with or convicted of crimes that affect their suitability to have direct contact with students.

This responsibility is in addition to the requirement for clearances that must be presented to the district when an individual is initially hired by the district or the contract carriers.[23]

The district and contract carriers shall have procedures in place to ensure they are notified by their employees when the employees are charged with crimes or child abuse. The procedures shall also include the provision that the failure on the part of employees to make such a timely notification shall subject them to disciplinary action, including termination.[13]

If any bus drivers have been charged as stated in this policy, the transportation contract carriers shall, in their written, yearly notification, include the name of the employee, nature of the offense, and the status of the disposition. The district will review this information to determine if the employee shall continue to transport district students.

Guidelines

Field Trips

On field trips, one (1) chaperone is required for every fifteen (15) elementary students and one (1) chaperone is required for every twenty (20) secondary students. A list of chaperones shall be approved by the building principal and submitted to the Superintendent.[11][14]

Walking Distance

Students eligible for transportation may be required to walk up to one and one-half (1 ½) miles to the location of the bus stop for transportation services, except as provided in this policy.[1][2]

Modification in Schedules

Prior to the beginning of each school year, the transportation schedules for that year shall be approved by the Board.

After the transportation schedules have been approved, minor modifications may be made by the administrative staff to ensure a safe and efficient transportation system. Changes which make a significant increase in the costs or increase the number of eligible students must be approved by the Board.

Assignment of Students

Each student for whom transportation is provided shall be assigned to a route and a stop. Students are not permitted to transfer to other stops and/or routes.

Parents/Guardians may request in writing that a student eligible for bussing be reassigned to a different stop and/or route. Each request shall be reviewed by the appropriate district administrator and may be granted in accordance with the following criteria:

1. The route operates from the student's assigned school.
2. The route does not have to be changed or extended.
3. The stop exists on the route; a new stop is not created.
4. The load on the vehicle will not exceed the legal limits for the vehicle.
5. The change does not increase the cost to the district.
6. The change shall be reasonably long-term except under emergency conditions.

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

Emergency Drills

The district shall ensure, through adequate instruction and a minimum of two (2) actual drills each year, that every student is familiar with school bus emergency procedures, equipment, and safe loading and unloading operations, in accordance with law and regulations.[15]

In accordance with School Code requirements, the Board also requires that emergency drills be conducted on school buses as follows:[15][16]

1. All schools using or contracting for school buses for the transportation of school children shall conduct on school grounds two (2) emergency evacuation drills on buses during each school year, the first to be conducted during the first week of the first school term and the second during the month of March, and at such other times as the chief school administrator may require. Each drill shall include the practice and instruction concerning the location, use and operation of emergency exit doors and fire extinguishers and the proper evacuation of buses in the event of fires and accidents.
2. Bus operators shall be provided with proper training and instructions to enable them to carry out the provisions of law and may be required to attend classes and drills in connection therewith.
3. The Superintendent or designee shall develop administrative regulations to implement the provisions of this policy as required by law.

Reporting Accidents

The Pennsylvania Department of Transportation requires that all accidents involving school buses be reported immediately by the driver.

The school bus driver in any accident, regardless of the severity or circumstances, must immediately contact the Supervisor of Transportation or designee.

The driver shall remain at the site of the accident and wait for the Supervisor of Transportation or designee to arrive.

After an evaluation of the accident, the Supervisor of Transportation or designee shall determine if the driver must be tested in accordance with Board policy. If testing is mandated by the Supervisor of Transportation or designee, the district's drug/alcohol testing procedure shall be followed.[17]

Guidelines for Providing Transportation Services

Stop Locations –

1. Stops shall generally be located no closer together than 1,500 feet; except on hazardous roads where stops may be scheduled no closer together than 500 feet.
2. Stops shall generally be located at intersections and not at a student's home. Exceptions may be made for special education students or for students living on hazardous roads.

Walking Distance –

1. Students shall walk more than 0.25 miles to a bus stop for elementary grades or 0.5 miles for secondary grades to a bus stop; however, they may be required to walk up to 1.5 miles in accordance with state law.[2]
2. Exceptions may be made for students living in areas defined as hazardous by the Department of Transportation.

Time of Riding –

1. **Ride time** is the time from which the first student boards the bus until that student is discharged. Ride time is one (1) way to school.
2. Times may be extended when the student resides in a location which is outside of the normal attendance area for a school.

Load Capacities –

Local limits on buses shall generally be established as follows on a seventy-two (72) passenger bus:

1. Secondary (7-12) – 72.
2. Elementary (K-6) – 72.

Transfers –

In the interest of efficiency and economy, transfer schedules may be established for both public and nonpublic school students when deemed necessary by the administration at approved loading zones which are located at local public or nonpublic schools.

TRANSPORTATION RULES FOR ALL STUDENTS

To meet its responsibility to provide safe, efficient transportation for district students, the Board directs its administrative staff to follow this policy and administrative regulations in handling disciplinary problems occurring on district owned or contracted buses.[11]

The drivers of all district owned or contracted buses are responsible for maintaining control of students on or about their vehicles. Whenever problems arise which the driver is unable to resolve, it shall become necessary for the appropriate building principal or designee to give assistance. When this happens, the following procedure shall be followed:

1. The bus driver shall prepare a Bus Conduct Report and give it to the building principal, School Police Officer, designee, or security personnel.
2. If the report goes to the building principal or designee and action is taken, the building principal shall retain one (1) copy for his/her file, two (2) copies shall be returned to the Supervisor of Transportation, who shall inform the bus driver who filed, the report, and one (1) copy shall be mailed to the parents/guardians of the student(s) involved.

School Bus Discipline Rules

Student behavior while waiting for the school bus or while riding the bus must be appropriate to assure the safety of all students. Students who have committed acts of misbehavior are subject to the following penalties.

Each offense shall apply to the appropriate level to determine the consequences (warning, suspensions, or loss of bus privileges). Students may also lose bus privileges for the rest of the school year by accumulating five (5) conduct reports that have been deemed offenses.

Suspensions shall include all a.m. and p.m. bus transportation, including field trips, extracurricular activities, etc. Parents/Guardians are responsible for student transportation during the suspension.

Level I Violations –

1. Rude, discourteous, annoying behavior.
2. Shouting.
3. Littering.
4. Spitting.
5. Tripping/Pushing.
6. Profane language.
7. Eating or drinking.
8. Opening windows against driver's orders.
9. Arms or heads out of windows.
10. Refusing to identify him/herself to the bus driver.
11. Intentional boarding on incorrect bus.
12. Other similar offenses deemed by the appropriate authority to merit the following penalties or other safety violations.

First Offense: A warning is given and parents/guardians shall be notified.

Second Offense: Suspension of riding privileges for three (3) to five (5) days.

Third Offense: Suspension of riding privileges for ten (10) days.

Fourth Offense & Beyond: Suspension of riding privileges for twenty-five (25) days.

Level II Violations –

1. Harassment/Threats to other students.
2. Disrespect or abusive behavior.
3. Fighting.
4. Physical abuse.
5. Vandalizing the bus.
6. Throwing objects in the bus.
7. Throwing objects out of the windows.
8. Displaying items of an injurious or objectionable nature.
9. Other similar offenses deemed by the appropriate authority to merit the following penalties or other safety violations. Additionally, appropriate charges may be filed and suspensions shall also apply as indicated in the discipline code.[18][19]

First Offense: Suspension of riding privileges for five (5) days.

Second Offense: Suspension of riding privileges for fifteen (15) days.

Third Offense: Suspension of riding privileges for thirty (30) days.

Fourth Offense: Suspension of riding privileges for remainder of school year.

Level III –

1. Hitting, pushing or threatening any district vehicle operator, employee and/or contracted personnel.
2. Throwing objects at the driver.
3. Lighting of flammables.
4. Opening the exit doors on the bus, except as authorized in an emergency.
5. Indecent exposure.
6. Other similar offenses of safety violations deemed by the appropriate authority to merit the following penalties. Additionally, appropriate filing of charges and suspensions shall also apply as indicated in the discipline code.[18][19]

First Offense: Immediate suspension of riding privileges for thirty (30) school days and filing of appropriate criminal charges if violations of the PA Crimes Code occur.

Second Offense: Immediate suspension of riding privileges for the remainder of the school year, and filing of appropriate criminal charges if violations of the PA Crimes Code occur.

Names of students and the nature of the misconduct shall be reported in writing on the proper form by the bus driver.

Acts of misbehavior which occur during the morning trip shall be reported to the Supervisor of Transportation the same day the alleged misbehavior occurred. Alleged misconduct occurring during the afternoon bus trip shall be reported the following morning, unless immediate attention to the matter is deemed necessary.

Every effort shall be made to effect the disciplinary procedure within a twenty-four (24) hour period. However, a student brought to school by a school bus shall be returned home by bus prior to the beginning of any suspension of his/her riding privileges, unless a second offense under Level III applies or the student is deemed dangerous to other students or the driver.

Legal	<u>4. 24 P.S. 1374</u>	<u>8. 24 P.S. 111</u>
<u>1. 24 P.S. 1361</u>	<u>5. 22 PA Code 23.3</u>	<u>9. 35 P.S. 4601 et seq</u>
<u>2. 24 P.S. 1362</u>	6. Pol. 103	<u>10. 67 PA Code 212.101</u>
<u>3. 67 PA Code 447.1 et seq</u>	7. Pol. 103.1	<u>11. 22 PA Code 23.4</u>

12. 22 PA Code 23.1

13. Pol. 317

14. Pol. 121

15. Pol. 805

16. 24 P.S. 1517

17. Pol. 810.1

18. Pol. 218

19. Pol. 233

20. 22 PA Code 23.2

21. 22 PA Code 8.1 et seq

22. 23 Pa. C.S.A. 6301 et seq

23. Pol. 304.3

22 PA Code 15.1 et seq

22 PA Code 23.6

24 P.S. 1331

24 P.S. 1365

24 P.S. 1366

24 P.S. 2541

24 P.S. 2542

49 CFR Part 37

49 CFR Part 38

Pol. 000

Electronic Device Policy

Book	Policy Manual
Section	200 Pupils
Title	Electronic Devices
Code	237
Status	Active
Adopted	September 16, 2010
Last Revised	December 21, 2016

Purpose

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

Definition

Electronic devices shall include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide a wireless, unfiltered connection to the Internet. Examples of these electronic devices include, but shall not be limited to, radios, walkmans, CD players, iPods, MP3 players, DVD players, handheld game consoles, Personal Digital Assistants (PDAs), cellular telephones, BlackBerries, and laptop computers, as well as any new technology developed with similar capabilities.

Authority

The Board prohibits **use of** electronic devices by students during the school day in district buildings; on district property; on district buses and vehicles; during the time students are under the supervision of the district; and in locker rooms, bathrooms, health suites and other changing areas at any time.[1]

The Board prohibits **possession of** laser pointers and attachments and telephone paging devices/beepers by students in district buildings; on district property; on district buses and vehicles; and at school-sponsored activities.[2]

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

Electronic Images and Photographs

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

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

Such prohibited activity shall also apply to student conduct that occurs off school property if:

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.
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.[3][4]
3. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement made on school property to complete a transaction outside of school that would violate the Student Code of Conduct.[5]

Delegation of Responsibility

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

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

Guidelines

Violations of this policy by a student shall result in progressive disciplinary action and will result in confiscation of the electronic device for the school day.[5][6][8]

The confiscated item will be returned at the end of the school day followed by parent notification.

Exceptions

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

1. Health, safety or emergency reasons.
2. An individualized education program (IEP).[7]
3. Classroom or instructional-related activities.
4. Other reasons determined appropriate by the building principal.

The building administrator may grant approval for possession and use of a telephone paging device/beeper by a student for the following reasons:[2]

1. Student is a member of a volunteer fire company, ambulance or rescue squad.
2. Student has a need due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the building principal.

Legal	4. Pol. 123	8. Pol. 226
<u>1. 24 P.S. 510</u>	5. Pol. 218	Pol. 000
<u>2. 24 P.S. 1317.1</u>	6. Pol. 233	Pol. 815
3. Pol. 122	7. Pol. 113	§

Health Care Services Health Care Services* in the Hazleton Area School System are provided by Pennsylvania Certified School Nurses (CSN) and Health Assistants (RNs). As a department within our school system, the school nurses promote a comprehensive school health program designed to appraise, protect, and promote the health of students. We believe that good health is a prerequisite to learning. School nurses have the opportunity to directly impact the health of students in their schools. By coordinating with families and their health providers we create a team approach to better meet the medical needs of our students. Please contact the school nurse if your child has a chronic health condition, especially if that condition may affect their school attendance. If your child has a medical condition that requires a nurse's care during the school day, be sure to inform your school nurse. This is important in order to find ways to accommodate your child's needs during the school day. *For more information on medical services/procedures please see Health Services listed under Departments on the Hazleton Area School District web page.

Promotion and Retention Policy

Book	Policy Manual
Section	200 Pupils
Title	Promotion and Retention
Code	810
Status	Active
Adopted	September 16, 2010
Last Revised	June 28, 2018

Purpose

The Board recognizes that the emotional, social, physical and educational development of students will vary and that students should be placed in the educational setting most appropriate to their needs. The district shall establish and maintain academic standards for each grade and monitor individual student achievement in a continuous and systematic manner.

Authority

The Board establishes that each student shall be moved forward in a continuous pattern of achievement and development that corresponds with the student's progress, system of grade levels, and attainment of the academic standards established for each grade.[1][2][3][4]

A student shall be promoted when s/he has successfully completed the curriculum requirements and has achieved the academic standards established for the present level, based on the professional judgement of the teachers and the results of assessments. A student shall earn the right to advance to the next grade by demonstrating mastery of the required skills and knowledge.[1][2][5]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations for promotion and retention of students which assure that every effort will be made to remediate the student's difficulties before the student is retained.[8][9]

The recommendation of the classroom teacher shall be required for promotion or retention of a student.[2]

Guidelines

In all cases of retention, the parents/guardians shall be fully involved and informed throughout the process. Parents/Guardians and students shall be informed of the possibility of retention of a student well in advance.

Every effort shall be made to remediate a student's difficulties before s/he is retained.

On the elementary/middle level, the Instructional Support Team (IST) shall have the final responsibility for determining the promotion or retention of each student.

An appeal process shall be established by the Superintendent.

Academic achievement, attitude, effort, work habits, behavior, attendance and other factors related to learning shall be evaluated regularly and communicated to students and parents/guardians.[5][6]

The district shall utilize multiple measures of academic performance as determinants in promotion and retention decisions.[5]

Progress toward high school graduation shall be based on the student's ability to achieve the established academic standards and pass the required subjects and electives necessary to earn the number of credits mandated by the Board for graduation.[7]

Elementary/Middle School Promotion/Retention

Promotion in grades K-6 shall be determined by an Instructional Support Team (IST) in each elementary building.

Academic retention may occur only once in grades K-3, except in cases where both the parent/guardian and AT or child study team agree the student may be retained a second time.

In grades 4, 5 and 6, students who have failed two (2) major subjects should be retained. Any failed math or reading courses should be repeated at the grade level failed. Students should pass two (2) grade levels each of math and reading in grades 4 through 6 in order to be promoted to the 7th grade.

In grades 7 and 8, students shall be required to successfully complete a minimum of ten (10) total credits before being promoted to the 9th grade:

1. Of the ten (10) total credits, six (6) must be passed in one (1) of each major subject area, three (3) credits must be earned in courses with credit value of less than one (1) (Specials), and one (1) credit in any area of study.
2. All courses taught in grades 7 and 8 will count for promotion to grade 9.
3. If possible, students shall not be scheduled to repeat courses passed in grade 7.
4. A student in grade 7 shall be required to accumulate five (5) credits to be listed as a student in grade 8. Of the five (5) credits, three (3) must be major subjects and two (2) in any area.

****The District/Administrative Team shall utilize multiple measures of academic performance and abilities in promotion and retention decisions. The team shall determine the educational setting most appropriate to their needs at various stages of their growth.****

Senior High Promotion

Twenty-eight (28) credits earned through grades 9, 10, 11 and 12 shall be required for graduation.[7]

All students in grades 9, 10, 11 and 12 are required to schedule eight (8) full-credit courses each year, which shall include:

1. English - All students must schedule and earn four (4) credits.
2. Mathematics - All students must schedule and earn four (4) credits.

3. Social Studies - All students must schedule and earn four (4) credits.
4. Science - All students must schedule and earn four (4) credits.
5. Arts & Humanities - All students must schedule and earn two (2) credits.
6. Physical Education - All students must schedule physical education each year and must earn a minimum of two (2) credits. If a student is involved in athletics or an activity such as dance, gymnastics, etc., s/he may be excused from physical education (after two (2) credits are earned) to take a college level course. Permission must be granted by the guidance counselor, high school principal and Superintendent.
7. Health - All students must schedule health in 9th and 10th grade and earn a minimum of one (1) credit.

A 10th grade student must earn a minimum of thirteen (13) credits in order to have the possibility of graduating in two (2) years; and an 11th grade student must earn a minimum of twenty-one (21) credits in order to have the possibility of graduating in one (1) year.

Students enrolled in the academic or college preparatory curriculum must schedule a minimum of two (2) years of the same foreign language.

Summer Credits

No credit shall be given for courses taken in the summer. A student must earn all credits in classes taught during the regular school year.

Student may take up to two credit recovery per year with administrative team permission. Types of recovery credit are as follows:

1. Keystone Credit Recovery.
2. Migrant Education Credit Recovery.
3. Hazleton Area Virtual Academy.

Legal	<u>4. 22 PA Code 4.42</u>	<u>8. 22 PA Code 4.13</u>
<u>1. 24 P.S. 1531</u>	5. Pol. 213	9. Pol. 100
<u>2. 24 P.S. 1532</u>	6. Pol. 212	<u>24 P.S. 1533</u>
<u>3. 22 PA Code 4.12</u>	7. Pol. 217	Pol. 000

Student Identification Card Policy

Book	Policy Manual
Section	200 Pupils
Title	Student Identification Card
Code	245
Status	Active
Adopted	September 16, 2010
Last Revised	August 11, 2022

Purpose

The student identification card will help improve security in our schools. Students wearing a visible student identification card will be easily identified by other students and staff. In the future, the card shall also serve as a student services card that will include but not be limited to attendance, lunch card, bus card, activity card, etc.

Definitions

Student - an individual between the ages of five (5) years to twenty-one (21) years of age enrolled in the Hazleton Area School District.

ID - student identification card.

Staff - a teacher, principal, nurse, guidance personnel, security officer, school police officer, substitute teacher, aide or maintenance personnel.

Temporary Identification ID - an ID printed by the Scholar Chip kiosk to act as a temporary identification form and presented to a student who is not in possession of his/her issued student ID card.

Lanyard - a school district approved break away style identification cord used by students to carry their ID card around their neck.

Authority

During normal school hours and while on school district property, all students are required to wear an official Hazleton Area School District identification card. The identification card shall be worn on a lanyard around the student's neck. The identification card must be visible for staff and administration to see.[1]

The identification card is the property of the Hazleton Area School District. The student identification card must be relinquished to any staff member or bus driver upon request. If a student withdraws from the district, the identification card must be returned to the Security Office of the student's school.

Guidelines

One (1) identification card shall be issued to each student at no cost. Due to material costs, a charge of five dollars (\$5.00), payable by check or money order, shall be charged for each replacement card. Replacement break away lanyards may be purchased at a cost of two dollars (\$2.00) each, payable to the Hazleton Area School District by check or money order only.

This charge shall be used to help defray the expenses of materials and creating an additional card. This fee shall be paid to security personnel at the photo identification site. Students are only allowed to possess one (1) identification card at a time.

If a card is lost, stolen, or broken, a temporary ID will be issued until a new identification card is made. This temporary ID will only be valid for a maximum of one (1) school day.

Students will be checked for their identification cards upon entry into a building. Teachers will be responsible for checking students as they enter their classrooms to ensure that they are still displaying their identification cards.

No student shall possess another student's identification card. If a student finds another student's identification card, that card must be immediately turned over to a member of the teaching staff, security, school police or administrative staff. The card shall then be turned over to Security who will be responsible for determining how the student became separated from his/her card and returning it to him/her.

New enrollees shall report to the Security Office as part of their registration process where they will be issued an identification card.

The photo identification equipment will be run and maintained by the Security Department.

Identification cards must be properly worn by all students at all times during the school year. The ID is to be worn in full display on the chest area on a district approved, break away lanyard.

It is a violation of school policy to be in possession of some other person's identification card or to lend an identification card to another person.

New photo identification pictures will be taken and new cards issued when necessary due to wear or substantial changes to a student's appearance.

Students are responsible to report lost, damaged or stolen identification cards immediately upon discovery to a teacher, security officer, school police officer or administrator. Security will be notified as soon as practical in order to document the missing card and issue a new card.

Students must be in adherence to the Dress Code when having a photo taken for an ID card. No gang colors or symbols shall be allowed. No sunglasses, hats or face masks shall be allowed.[2]

Students are responsible for presenting their identification card upon request to any staff member or bus driver.

Students are responsible to swipe or "tap" their identification card on any card reader as required.

Students who are not displaying their identification card or a temporary identification issued by security shall be sent to the office immediately.

Students are not allowed to alter, deface or otherwise change the appearance of their ID cards.

Discipline

<u>Level One</u> [3][4] Student reports that s/he forgot their ID card.	<u>Level Two</u> Student is caught without an ID card.	<u>Level Three</u> Student has a counterfeit ID or ID belonging to another student.
One-time occurrence is allowed. A temporary ID will be issued and the offense recorded.	First Offense - warning is recorded and a temporary ID issued if necessary. Second Offense - Parent/Guardian notified and a temporary ID issued if necessary. Third Offense - Out-of-school suspension, and counts towards a pre- expulsion.	First Offense - Suspension. Continued Offenses - according to the discipline policy and all count towards pre-expulsion.

Legal

1. 24 P.S. 510

2. Pol. 221

3. Pol. 218

4. Pol. 233

Notice of Special Education Services

All of the public schools of Luzerne Intermediate Unit 18 (LIU), 368 Tioga Ave., Kingston, Pennsylvania provides special education and related service to resident children with disabilities who are ages three through twenty-one. The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education programs and related services that are available, (3) the process by which the public schools screen and evaluate such students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians. The notice of Special Education Services is prepared annually by the Director of Special Education at the Luzerne Intermediate Unit and is reported each October on behalf of the member school districts. It is meant to inform the public as to the purpose and rights of special needs children and families.

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

Under the federal Individuals with Disabilities Education Act, or "IDEA," children qualify for special education and related services if they have one or more of the following disabilities and, as a result, need such services: (1) intellectual disabilities (formerly mental retardation); (2) hearing impairments, including deafness; (3) speech or language impairments; (4) visual impairments, including blindness; (5) serious emotional disturbance; (6) orthopedic impairments, or physical disabilities; (7) autism, including pervasive developmental disorders; (8) traumatic brain injury, or neurological impairment; (9) other health impairment; (10) specific learning disabilities. Children age three through the age of admission to first grade are also eligible if they have developmental delays and, as a result, need special education and related services. Children with more than one of the foregoing disabilities could qualify for special education and related services as having multiple disabilities. For infants, birth through three with special needs, contact the Luzerne County Mental Health / Mental Retardation Agency.

The legal definitions of these disabilities, which the public schools are required to apply under the IDEA, may differ from those used in medical or clinical practice. The legal definitions, moreover, could apply to children with disabilities that have very different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, could qualify for special education and related services as a child with "other health impairments," "serious emotional disturbance," or "specific learning disabilities" if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special education and related services as a result.

Under Section 504 of the federal Rehabilitation Act of 1973, and under the federal Americans with Disabilities Act, some school age children with disabilities who do not meet the eligibility criteria outlined above might nevertheless be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program.

What programs and services are available for children with disabilities?

Public schools must ensure that children with disabilities are educated to the maximum extent appropriate in the regular education environment, and that the instruction they receive conforms as much as possible to the instruction that non-disabled students receive. This practice is commonly referred to as Least Restrictive Environment (LRE). Programs and services available to students with disabilities, in descending order of preference, are (1) regular class placement with supplementary aides and services provided as needed in that environment; (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom; (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom; (4) part time special education class placement in a regular public school or alternative setting; and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, the public school can provide special education programs and services in (1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school district of residence, (3) a special education center operated by a public school entity, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) approved out-of-state program, or (7) the home.

Special education services are provided according to the primary educational needs of the child, not the category of disability. The types of service available are (1) learning support, for students who primarily need assistance with the acquisition of academic

skills; (2) life skills support, for students who primarily need assistance with development of skills for independent living; (3) emotional support, for students who primarily need assistance with social or emotional development; (4) deaf or hearing impaired support, for students who primarily need assistance with deafness; (5) blind or visually impaired support, for students who primarily need assistance with blindness; (6) physical support, for students who primarily require physical assistance in the learning environment; (7) autistic support, for students who primarily need assistance in the areas affected by autism spectrum disorders; and (8) multiple disabilities support, for student who primarily need assistance in multiple areas affected by their disabilities.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services are speech and language therapy, occupational therapy, physical therapy, nursing services, audiologist services, counseling including social work, and family training.

Within the Luzerne Intermediate Unit, children of preschool age are served by the Hazleton Area School District in a variety of home and school-based settings that take into account the chronological and developmental age and primary needs of the child. As with school age programs, preschool programs must ensure that to the maximum extent appropriate, children with disabilities are educated with non-disabled peers.

The public school, in conjunction with the parents, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, or "IEP," which is developed by an IEP team consisting of educators, parents, and other persons with special expertise or familiarity the child. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain, at a minimum, a statement of present levels of educational and functional performance, an enumeration of annual goals and, for some children, short-term objectives or benchmarks, and a statement of the special education, program modifications, and related services that the child needs to make meaningful educational progress. Transition planning begins at age fourteen. For children aged sixteen and older, the IEP must also include a transition plan to assist in the attainment of post-secondary objectives. The public school must invite the child to the IEP team meeting at which the transition plan is developed.

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

Multidisciplinary team evaluation

The public schools must conduct a multidisciplinary team evaluation of every child who is thought to have a disability. The multidisciplinary team is a group of professionals who are trained in and experienced with the testing, assessment, and observation of children to determine whether they have disabilities and, if so, to identify their primary educational strengths and needs. Parents are members of the multidisciplinary team. Public schools must reevaluate school-age students receiving special education services every three years and must reevaluate children with mental retardation and pre-school-age children receiving special education services every two years.

Parents may request a multidisciplinary team evaluation of their children at any time. They must do so in writing or in some cases an oral request can be made but must be followed up by permission to evaluate from the parent. Every public school within the Luzerne Intermediate Unit has a procedure in place by which parents can request an evaluation. For information about the procedures that apply in your public school, contact the public elementary, middle, or high school to which children in your area are assigned. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools." Parents of preschool age children, age three through five, residing within the Luzerne Intermediate Unit may request an evaluation in writing by addressing a letter as follows: Hazleton Area School District, Early Intervention Services, 1515 West 23rd Street, Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459- 8118.

Parents of children in private schools residing within the Luzerne Intermediate Unit may request a multidisciplinary team evaluation of their children from the public school district that they reside without enrolling in the public schools. While some services might be available to some private school children found eligible by public school multidisciplinary teams, the public schools are not required to provide all or any of the special education and related services that children enrolled in the public schools would receive. If, after an evaluation, the multidisciplinary team determines that the child is eligible for special education and related services, the public school must offer the parents a Free Appropriate Public Education (FAPE) and an IEP for a public school-

sponsored placement. If parents wish to take advantage of such an offer, they might have to enroll or re-enroll their child in the public schools in order to receive services and/or dually enroll in both public and non-public setting. Some public schools may offer FAPE through a third party (LIU) in the non-public school. The Luzerne Intermediate Unit through IDEA acts as the Local Education Agent (LEA) for non-public schools under equitable participation (EP). Equitable Participation services are determined annually by the non-public schools within the LIU. EP services are based on funding of student's in non-public schools who have known disabilities through appropriate evaluation and are not receiving FAPE through their local public schools. This identification process is called Child Find. Child find is the responsibility of the public schools. The LIU reports the data of child find for the public schools to PDE for IDEA data purposes.

Before the public school can proceed with any evaluation, it must notify the parents in writing of the specific types of testing and assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has returned the notice to the public school.

Screening

Public schools undertake screening activities before referring most children for a multidisciplinary team evaluation. Screening activities consist of the following:

Ongoing analysis of the child's response to instruction and performance on State-wide and District-wide assessments. Periodic vision and hearing assessments by the school nurse and review of the results of physical examinations by school or private physicians as Mandated by the Pennsylvania Public School Code.

Team-based baseline assessment and analysis of the child's response to individualized academic or behavioral intervention over a period of up to sixty (60) days. Such intervention-based screening occurs when requested by the child's teacher, parents, or other concerned school personnel.

For information about the dates of various screening activities in your local public school or to request screening activities for a particular child, contact the local public school directly. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools." Parents of preschool age children, age three through five, residing within the Luzerne Intermediate Unit may obtain information about screening activities, or may request a screening of their children, by calling or writing the Hazleton Area School District, Early Intervention Services, 1515 West 23rd Street, Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459-8118.

Private school administrators, teachers, and parent groups, or individual parents of students in private schools, who are interested in establishing systems in those schools for locating and identifying children with disabilities who might need a multidisciplinary team evaluation may contact Ms. Elizabeth Krokos, Director of Special Education, Luzerne Intermediate Unit 18, 368 Tioga Avenue, Kingston, PA 18704, phone number 570-287-9681. Non-public school administrators are in-serviced yearly at the EP meeting as to the procedures for identification and responsibilities of the non-public, public school district and the LIU for parent privately placed children in non-public schools.

What special rights and protections do children with disabilities and their parents have?

State and federal law affords many rights and protections to children with disabilities and their parents. A summary of those rights and protections follows. Interested persons may obtain a complete written summary of the rights and protections afforded by the law, together with information about free or low cost legal services and advice, by contacting the special education or student services department of the school district in which they reside at the address and telephone number listed at the end of this notice, or through the principal of the local public school at the address and telephone number listed in the blue pages section of the telephone book under the heading "Schools." For pre-school identified students residing within the Luzerne Intermediate Unit a written summary is also available through the Hazleton Area School District, Early Intervention Services, 1515 West 23rd Street, Hazleton, PA 18202. The telephone number for the Early Intervention Program is (570) 459-8118.

Rights and Protections

Prior Written Notice. The public school must notify you in writing whenever it proposes to initiate or to change the identification, evaluation, educational program, or placement of a child or whenever it refuses to initiate or make a change in the identification,

evaluation, educational program, or placement requested by a parent. Such notice must be accompanied by a written description of the reasons for the proposal or refusal, the options considered, if any, and the reasons why such options were rejected.

Consent. The public school cannot proceed with an evaluation or reevaluation, or with the initial provision of special education and related services, without the written consent of the parents. A public school may override the lack of consent for an initial evaluation by requesting the approval of an impartial hearing officer or judge following a hearing. If the parents fail to respond to a written request for permission to reevaluate, however, the public school may proceed with the proposed reevaluation without consent. A public school may not seek a hearing to override the refusal of a parent to consent to an initial placement in special education.

Protection in Evaluation Procedures. Evaluations to determine eligibility and current need for special education and related services must be administered in a manner that is free of racial, cultural, or linguistic bias. Evaluations cannot consist of a single test or assessment, and testing must be a valid measure of the psychological, social, emotional, or other learning characteristic or behavior that the school is using it to measure. Testing and assessment must be administered in accordance with professional standards and the criteria established by the publisher. It must be administered in the native language of the child.

Independent Educational Evaluation. If parents disagree with the evaluation conducted by the public school, they may request in writing an independent educational evaluation, or "IEE," at public expense. The policy of the public schools of Luzerne Intermediate Unit 18 is to refuse to pay for such evaluations if the independent evaluator is not a Pennsylvania certified or Licensed professional, if the evaluation is not conducted in the same manner that the law requires of public school evaluations, or if the cost of the evaluation substantially exceeds the prevailing cost of similar evaluations in the region. Exceptions to these limitations will be granted only for compelling reasons. If the public school refuses to pay for the IEE, it must request an immediate special education due process hearing to defend the appropriateness of its evaluation.

Due Process Hearing Procedures

The parent or local educational agency (LEA) may request a due process hearing with respect to any matter relating to the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education ("FAPE"). The party requesting the hearing must submit a "Due Process Hearing Request" form to the Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112; telephone (800) 222-3353; TTY (800) 654-5984. A due process hearing will not proceed until all required information is provided and procedures followed.

Timeline for requesting Due Process. The parent or LEA must request a due process hearing by filing a Due Process Hearing Request within two (2) years of the date to parent or the LEA knew or should have known about the alleged action that forms the basis of the request. There are limited exceptions to this timeline. This timeline will not apply to the parent if— the parent was prevented from requesting the due process hearing due to the specific misrepresentations by the LEA that it had resolved the problem forming the basis of the hearing request, or if the LEA withheld information from the parent that the LEA was required provide.

Filing and Service of the Due Process Hearing Request. The party requesting the hearing must send a copy of the Due Process Hearing Request to the other party and, at the same time, to the Office for Dispute Resolution by mail addressed to the Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112, or by electronic mail addressed to ODR.pattan.net, or by facsimile at (717) 657-5983.

Contents of Due Process Hearing Request. The Due Process Hearing Request must contain the following information:

1. The name of the child, the address where the child lives, and the name of the school the child is attending or, if the child is homeless, available contact information for the child and the name of the school the child is attending;
2. A description of the nature of the problem, including facts relating to such problem; and
3. A proposed resolution of the problem to the extent known and available to the party filing the Request.

Challenging Sufficiency of the Due Process Hearing Request. The Due Process Hearing Request will be considered to be sufficient unless the party receiving it notifies the Hearing Officer and the other party in writing within fifteen (15) days of receipt that the receiving party believes the Request does not meet the requirements listed above.

Response to Request. If the LEA has not sent a prior written notice (“NOREP”) to the parent regarding the subject matter contained in the parent’s Due Process Hearing Request, the LEA must send to the parent, within ten (10) days of receiving the Due Process Hearing Request, a response including the following information: an explanation of why the LEA proposed or refused to take the action raised in the Hearing Request; a description of other options the Individualized Education Program (“IEP”) Team considered, if any, and the reasons why those options were rejected; a description of each evaluation procedure, assessment, record, or report the LEA used as the basis for the proposed or refused action; and a description of the factors that are relevant to the proposal or refusal. Filing this response to the parent’s Due Process Hearing Request does not prevent the LEA from challenging the sufficiency of the Due Process Hearing Request. If the LEA has already sent prior notice in the form of a NOREP to the parent, or it is the parent receiving the Due Process Hearing Request then a response to the Due Process Hearing Request must be sent to the other side within ten (10) days of receipt of the request. The response should specifically address the issues raised in the Due Process Hearing Request.

Hearing Officer Determination of Sufficiency of the Due Process Hearing Request. Within five (5) days of receiving a party’s challenge to the sufficiency of the Due Process Hearing Request, the Hearing Officer must make a determination based solely on the information contained within the Request whether the Request meets content requirements listed above. The Hearing Officer must immediately notify both parties in writing of his or her determination.

Subject Matter of the Hearing. The party requesting the due process hearing is not permitted to raise issues at the due process hearing that were not raised in the Due Process Hearing Request (or Amended Due Process Hearing Request) unless the other party agrees otherwise.

Resolution Session. Before a due process hearing can take place, the LEA must convene a preliminary meeting with the parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the Due Process Hearing Request in an attempt to resolve those issues without the need to proceed to a due process hearing. This preliminary meeting must be convened within fifteen (15) days of the receipt of the Due Process Hearing Request. A representative of the LEA who has decision-making authority must be present at this meeting. The LEA may not have an attorney attend the meeting unless the parent is also accompanied by an attorney. At the meeting, the parent will discuss the Due Process Hearing Request, and the LEA will be provided the opportunity to resolve the Due Process Hearing Request unless the parent and the LEA agree, in writing, to waive this meeting, or agree to use the mediation process. If the parent and LEA resolve the issues in the Due Process Hearing Request at the preliminary meeting, they must put the agreement terms in writing, and both the parent and a representative of the LEA who has the authority to bind the LEA must sign the agreement. The agreement is a legally-binding document and may be enforced by a court. Either the parent or LEA may void the agreement within three (3) business days of the date of the agreement. After three (3) days, the agreement is binding on both parties.

Amended Due Process Hearing Request. Either the parent or a LEA may amend its Due Process Hearing Request only if the other party consents in writing to the amendment and is given the opportunity to resolve the issues raised in the Due Process Hearing Request through a resolution session, or the Hearing Officer grants permission for the party to amend the Due Process Hearing Request. However, the Hearing Officer may grant this permission not later than five (5) days before a due process hearing occurs.

Timeline for Completion of Due Process Hearing. If the LEA has not resolved the Due Process Hearing Request within thirty (30) days of receiving it, or within thirty (30) days of receiving the Amended Due Process Hearing Request the due process hearing may proceed and applicable timelines commence. The timeline for completion of due process hearings is forty-five (45) days, unless the Hearing Officer grants specific extensions of time at the request of either party.

Disclosure of Evaluations and Recommendations. Not less than five (5) business days prior to a due process hearing, each party must disclose to all other parties all evaluations completed by that date, and recommendations based on the offering party’s evaluations that the party intends to use at the due process hearing. Failure to disclose this information may result in a Hearing Officer prohibiting the party from introducing the information at the hearing unless the other party consents to its introduction.

Due Process Hearing Rights. The hearing for a child with a disability or thought to have a disability must be conducted and held in the LEA at a place and time reasonably convenient to the parent and child involved. The hearing must be an oral, personal hearing and must be closed the public unless the parent requests an open hearing. If the hearing is open, the decision issued in the case, and only the decision, will be available to the public. If the hearing is closed, the decision will be treated as a record of the child and may not be available to the public. The decision of the Hearing Officer must include findings of fact, discussion, and conclusions of law. Although technical rules of evidence will not be followed, the decision must be based upon substantial evidence presented at the

hearing. A written or, at the option of the parent, electronic verbatim record of the hearing will be provided to the parent at no cost. Parents may be represented by legal counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities. Parents or parent representatives must be given access to educational records, including any tests or reports upon which the proposed action is based. A party has the right to compel the attendance of and question witnesses who may have evidence upon which the proposed action might be based. A party has the right to present evidence and confront and cross-examine witnesses. A party has the right to present evidence and testimony, including expert medical, psychological, or educational testimony.

Decision of Hearing Officer. A decision made by a Hearing Officer must be made on substantive grounds, based upon a determination of whether the child received a FAPE. In disputes alleging procedural violations, a Hearing Officer may award remedies only if the procedural inadequacies impeded the child's right to a FAPE; significantly impeded the parents' opportunity to participate in the decision-making process regarding the provision of a FAPE to the child; or caused a deprivation of educational benefits. A Hearing Officer may still order a LEA to comply with procedural requirements even if the Hearing Officer determines that the child received a FAPE. The parent may still file a Complaint with the Bureau of Special Education within the Pennsylvania Department of Education regarding procedural violations.

The Due Process Hearing will serve as the local and state level hearing: appeals may be made to the court of competent jurisdiction.

Civil Action. A party that disagrees with the findings and decision of the Hearing Officer (in the case of Section 504/Chapter 15 cases and early intervention cases) has the right to file an appeal in state or federal court. The party filing an appeal is encouraged to seek legal counsel to determine the appropriate court with which to file an appeal. A party filing an appeal to state or federal court has ninety (90) days from the date of the decision to do so.

Attorney's Fees. A court, in its discretion, may award reasonable attorney's fees to the parent of a child who is a prevailing party or to a State Educational Agency or LEA against the attorney of the parent who files a Due Process Hearing Request or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of the parent who continued to litigate after the litigation clearly became frivolous, unreasonable or without foundation; or to a prevailing State Educational Agency or LEA against the attorney of the parent, or against the parent, if the parent's Due Process Hearing Request or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation. Fees awarded will be based on rates prevailing in the community in which the action or proceeding arose for the kind and quantity of attorney services furnished.

The federal law imposes certain requirements upon the parent and LEA and in some circumstances may limit attorney fee awards. Parents should consult with their legal counsel regarding these matters. The following rules apply: Attorney's fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to the parent if the offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedures, or, in the case of an administrative hearing, at any time more than ten (10) days before the proceeding begins; the offer is not accepted within ten (10) days; and the court finds that the relief finally obtained by the parent is not more favorable to the parent than the offer of settlement. Attorney's fees may not be awarded for time spent attending any meeting of the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action. A due process resolution session is not considered to be a meeting convened as a result of an administrative hearing or judicial action, nor an administrative hearing or judicial action for purposes of reimbursing attorney's fees. The Court may reduce the amount of any attorney's fee award when: (a) the parent, or the parent's attorney, during the course of the action or proceeding unreasonably protracted the final resolution of the controversy; (b) the amount of the attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience; (c) the time spent and legal services furnished were excessive considering the nature of the action or proceeding; or (d) the attorney representing the parent did not provide to LEA the appropriate information in the Due Process Hearing Request. These reductions do not apply in any action or proceeding if the court finds that the State or LEA unreasonably protracted the final resolution of the action or proceeding.

Child's Status during Administrative Proceedings. Except for discipline cases, which have specific rules, while the due process case, the child must remain (pendency) in his or her present educational placement unless the parent and LEA or State agree otherwise. If the due process hearing involves an application for initial admission to public school, the child, with parental consent, must be placed in the public school program until completion of all the proceedings, unless the parent and LEA agree otherwise.

Private School Tuition Reimbursement. In some cases, parents of children who were identified by the public school as eligible for special education and related services and who received such services can recover in a due process hearing or from a court an award of private school tuition reimbursement. Parents can also receive such awards if their child was in need of special education and related services but were not offered such services in a timely manner. To obtain an award of tuition reimbursement, parents must notify their public school of their intent to enroll their child in a private school either verbally at the last IEP team meeting prior to withdrawing their child or in writing received by the public school at least ten days prior to the date on which the child is withdrawn from public school. Parents can obtain tuition only when they can prove at a special education due process hearing that (1) the public school failed to offer an appropriate program or placement to the child, (2) the parents therefore placed their child in a private school, and (3) the private school placement was proper. Tuition reimbursement awards can be denied or reduced if the parent's behavior was improper or if the parents delay unreasonably in asserting a claim against the public school in a due process hearing. Such awards can also be denied or reduced if the parents fail to do one of the following: (1) notify the public school of their intent to place the child in a private school at the last IEP team meeting prior to the planned placement or (2) notify the public school in writing of their intent to place the student in a private school at least ten days before withdrawing the student for that purpose.

Mediation. Parties may agree to submit their dispute to the mediation process by requesting mediation from the Office for Dispute Resolution. Mediation may be requested in place of or in addition to a due process hearing. If a hearing is also requested, mediation cannot delay the scheduling of the due process hearing, unless the Hearing Officer grants a continuance for that purpose at the request of a party. An impartial, trained mediator facilitates the mediation process, which is scheduled at a time and location convenient to the parties. The parties are not permitted to have attorneys participate in the process. Any resolution reached through mediation must be reduced to writing, which will be binding on the parties.

Rights under Section 504 of the Rehabilitation Act of 1973. As noted above, some students with disabilities who are not in need of special education and related services are nevertheless entitled to adaptations and accommodations in their school program or in the physical environment of school buildings, grounds, vehicles, and equipment, when such adaptations or accommodations are required to enable the student to access and participate meaningfully in educational programming and extracurricular activities. Parents are entitled to a written description of the adaptations and accommodations that the public school is willing to offer. This written description is called a "service agreement" or "accommodation plan." The rights and protections described above under the headings "Notice," "Consent," "Protection in Evaluation Procedures," and "Maintenance of Placement" apply to students receiving adaptations and accommodations under Section 504. Parents who have complaints concerning the evaluation, program, placement, or provision of services to a student may request either an informal conference with the public school or a due process hearing. The hearing must be held before an impartial hearing officer at a time and location convenient to the parents. Parents have the right to request a free written or electronic transcript or recording of the proceedings, to present evidence and witnesses disclosed to the public school, to confront evidence and testimony presented by the public school, to review their child's complete educational record on request before the hearing, to receive a written decision from the hearing officer, and to be represented by counsel or an advocate of their choice. An appeal may be taken from the decision of the hearing officer to a court of competent jurisdiction.

Compliance Complaints. In addition to the above hearing rights, parents and others with complaints concerning the education of a child with disabilities or violations of rights guaranteed by either the IDEA or Section 504 may file complaints with the Pennsylvania Department of Education, which must investigate such complaints and issue written findings and conclusions.

Information concerning such complaints can be obtained at the following address:

Pennsylvania Department of Education
Bureau of Special Education
Division of Compliance Monitoring and Planning
333 Market Street, 7th Floor
Harrisburg, PA 17126-0333
(800) 879-2301

Student Records

The public schools of Luzerne Intermediate Unit 18 maintain records concerning all children enrolled in public school, including students with disabilities. Records containing personally identifiable information about or related to children with disabilities could

include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health records, individualized education programs, notices of recommended assignment, notices of intent to evaluate and reevaluate, comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test data, data entered into the Penn Data system, PIMS, correspondence between school staff and home, instructional support team documents, referral data, memoranda, and other education-related documents. Records can be maintained on paper, on microfiche, on audio or videotape, and electronically. Records can be located in the central administrative offices of the public school, the school building or building at which the student attended or attends school, private schools and facilities at which the public school has placed the child for educational purposes, central storage facilities and electronic storage systems, and in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality and adhere to the Family Educational Rights and Privacy Act (FERPA) regulations.

Records are maintained as long as they remain educationally relevant. The purposes of collecting and maintaining records are (1) to ensure that the child receives programs and services consistent with his or her IEP; (2) to monitor the ongoing effectiveness of programming for the child; (3) to document for the public school and the parents that the student is making meaningful progress;

(4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal and program audits; and (5) to inform future programming for and evaluations of the child. When educational records, other than those which must be maintained, are no longer educationally relevant, the public school must so notify the parents in writing and *may* destroy the records or, at the request of the parents, *must* destroy them. Public schools are not required to destroy records that are no longer educationally relevant unless the parents so request in writing.

Parent consent. Parent consent is required in writing prior to the release of any personally identifiable information concerning a child with disabilities. Parent consent is not required, however, prior to the release of information (1) to a hearing officer in a special education due process hearing; (2) to public school staff and contractors with a legitimate educational interest in the information; (3) to officials or staff of other schools and school systems at which the student is enrolled or intends to enroll; (4) to federal or state education officials and agencies and to the Comptroller of the United States; (5) to accrediting organizations to carry out their accrediting functions; (6) to comply with a lawful subpoena or judicial order; (7) in conjunction with a health or safety emergency to the extent necessary to protect the health and safety of the child or others; or (8) that the public schools have designated as “directory information.” Disclosure without consent of the parent is subject to certain conditions more fully described in the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C § 1332g, and its implementing regulation, 34

C.F.R. Part 99.

Parent access. Upon submitting a request to do so in writing, parents have the right to access the educational records of their child within forty five days or before any due process hearing or IEP team meeting, whichever is sooner. Access entitles the parent to the following: (1) an explanation and interpretation of the records by public school personnel; (2) copies of the records if providing copies is the only means by which the parent can effectively exercise his or her right of inspection and review; and

(3) inspection and review of the records by a representative of the parent’s choosing upon presentation to the records custodian of a written authorization from the parent. The public school can charge a fee not to exceed its actual costs for copying records.

“Directory information.” Public school entities designate certain kinds of information as “directory information.” The public schools of Luzerne Intermediate Unit 18 typically designate the following as “directory information”: (1) the name, address, telephone number, and photographs of the child; (2) the date and place of birth of the child; (3) participation in school clubs and extracurricular activities; (4) weight and height of members of athletic teams; (5) dates of attendance; (6) diplomas and awards received; (7) the most recent previous institution or school attended by the child; and (8) names of parents, siblings, and other family members. The District will provide this information to any interested person, including armed forces recruiters who request it, without seeking consent from the parents of the student or the student. Parents who do not want the District to disclose such information *must so notify the District in writing on or before the first day of the school term*. Written notice must identify the specific types of directory information that the parent does not want the District to disclose without consent. If the parent fails to notify the District in writing by the first day of the school term, the District may release directory information upon request and without consent.

Disclosure of records containing personally identifiable information to other schools and institutions. Public school entities disclose personally identifiable information concerning students to educational agencies or institutions at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records.

Access to records by school officials with a “legitimate educational interest.” School officials with a legitimate educational interest in the personally-identifiable information contained in education records can have access to personally identifiable information without parent or student consent. Each school entity designates in its education records policy those persons who have a “legitimate educational interest” that would allow such access to education records. Such persons typically include teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional support and multidisciplinary teams in the course of screening and evaluation activities, records custodians and clerks, public school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, school board members sitting in executive session in consideration of matters concerning the child upon which only the school board can act, program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for any of the foregoing persons

Amendment of education records. After reviewing records, a parent or a student who has attained the age of 18 can request that records be amended. The school will make the requested changes or reject the request within forty-five days of the receipt of the request in writing. If the school rejects the request, the parent or student may request an informal hearing. The hearing can be held before any public school official who does not have a direct interest in its outcome. If the parents are dissatisfied with the outcome of the informal hearing, they may submit to the public school a statement outlining their disagreement with the record. The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

Complaints to the United States Department of Education. Complaints concerning alleged failure of a public school entity to comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

This notice is only a summary of the special education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents. For more information or to request evaluation or screening of a public or private school child contact the public school nearest you. The number and addresses of all public schools in Luzerne Intermediate Unit 18 are located in the blue pages of the telephone book under the heading “Schools.” Information can also be obtained, and screenings and evaluations requested, by contacting the offices of special education or student services in each of the various school districts or, for preschool children, at Luzerne Intermediate Unit of Hazleton Area School District.

Notice of Services for Gifted Students While “gifted” is not one of the “disabilities” required under the Federal IDEA legislation, the State Board of Education’s regulations as set forth in 22 Pa. Code Chapter 16 – Special Education for Gifted Students, provides recognition that gifted students are considered to be “children with exceptionalities” under the Public School Code of 1949 and are in need of special designed instruction.

A district shall conduct public awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs. These awareness activities shall be designed to reach parents of students enrolled in the public schools.

Students Who are Mentally Gifted

All Luzerne Intermediate Unit entities, except charter schools, also offer special education services, in the form of acceleration or enrichment, for students who are identified by a gifted multidisciplinary team (GMDT) as “mentally gifted”. A child is considered mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team evaluation, indicate that

he or she has outstanding intellectual ability the development of which requires special programs and services not ordinarily available in the general education program. The school entity engages in screening activities during regular classroom instruction and uses the data thus generated to determine whether a GMDT evaluation is warranted. In addition, parents may request gifted screening or a GMDT evaluation at any time. Parents are part of the GMDT and, if their child is determined to be mentally gifted, are part of the development and annual review and revision of their child's gifted individualized education program (GIEP) as a member of the GIEP team. The GIEP describes the present levels, annual goals and measurable objectives, and specially designed instruction and related services through which the District will provide the enrichment or acceleration, or both, that is needed to develop the outstanding mental ability of the child. Parents of students who are mentally gifted have the right to request a special education due process hearing or to file a compliance complaint with the Pennsylvania Department of Education at the address listed below. Details concerning the procedures governing hearing requests can be found on the Website of the Office for Dispute Resolution at <http://www.pattan.k12.pa.us>.

A child can be identified as both a child with a disability and mentally gifted. In such cases, the rights of the child and his or her parents are governed by the rules applicable to children with disabilities and their parents, as described above.

Pennsylvania Department of Education
Bureau of Special Education
Division of Compliance Monitoring and Planning 333 Market Street, 7th Floor
Harrisburg, PA 17126-0333
(800)879-2301

Chapter 4 - The State Board of Education regulations as adopted under statutory authority in the School Code.

Chapter 16- Gifted education is separate from special education services.

Dual Exceptionalities: If a student is both gifted and eligible for special education, the procedures in Chapter 14 shall take precedence. For these students identified with dual exceptionalities, the needs established under the gifted status must be fully addressed in the procedures required in Chapter 14. (22 Pa. Code § 16.7(b))

For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening and evaluations, develop separate IEPs, or use separate procedural safeguards processes to provide for a student's needs as both a gifted and eligible student. (22 Pa. Code § 16.7(c))

Education Placement - The overall educational environment in which gifted education is provided to gifted students in all public schools of Luzerne Intermediate Unit 18. Placements and Programs may vary from school district to school district.

GIEP - Gifted Individualized Education Program.

GMDT– Gifted Multidisciplinary Team

Gifted Education - Specially designed instruction to meet the needs of a gifted student that is:

(i) Conducted in an instructional setting, (ii) Provided in an instructional or skill area, (iii) Provided at no cost to the parents, (iv) Provided under the authority of a school district, directly, by referral or by contract, (v) Provided by an agency, (vi) Individualized to meet the educational needs of the student, (vii) Reasonable calculated to yield meaningful educational benefit and student progress, (viii) Provided in conformity with GIEP.

Gifted Multidisciplinary Evaluation - A systematic process of testing, assessment, and other evaluative processes used by a team to develop a recommendation about whether or not a student is gifted or needs gifted education.

Gifted Student - A student who is exceptional under section 1372 of the School Code (24 P.S. §13-1371) because the student meets the definition of "mentally gifted" in this section, and needs specially designed instruction beyond that required in Chapter 4 (relating to academic standards and assessment.) This term applies on to students who are of "school age" as defined under §

11.12 (relating to academic standards and assessment.) This term applies only to students who are of "school age" as defined under §11.12 (relating to school age.)

Instruction setting - A classroom or another setting in which gifted students are receiving gifted education.

Mentally gifted - Outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program.

Parents - A natural or adoptive parent or parents, guardian or guardians, one or more persons acting as the parent or parents of a student.

Party - Parent or school district.

Regular classroom - A specific instructional grouping within the regular education environment.

Regular education environment - The regular classroom and other instructional settings in which students without a need for gifted education receive instruction programs and the full range of supportive services normally provided to these children.

School Code - The Public School Code of 1949 (24 P.S. §§1-101, 27-2702)

School day - A day that school is in session.

Screening and evaluation process - The systematic determination of whether or not a student is gifted or needs gifted education.

Specially designed instruction - Adaptations or modifications to the general curriculum, instruction, instructional environments, methods, materials, or a specialized curriculum for student who are gifted.

Support services - Services as required under § 16.33 (relating to support services) to assist a gifted student to benefit from gifted education. Examples of the term include:

- (i) Psychological services
- (ii) Parent counseling and education
- (iii) Counseling services
- (iv) Transportation to and from gifted programs to classroom in buildings operated by the school district.

This Public Notice Documentation has been submitted by the Luzerne Intermediate Unit on behalf of the LIU member school districts and Dr. Anthony Grieco, Executive Director. The documentation and preparation was completed by Ms. Elizabeth Krokos, Assistant to the Executive Director for Student Services. Information is based on interpretation of Public Laws including "No Child Left Behind", Individuals Disabilities in Education Act", Pa. Chapter 14 Special Education Regulations, Chapter 4, Section 504, Chapter 15, and Chapter 16.

District Contacts for Information Concerning Special Education Services:

Crestwood School District
Courtenay Degnon, Director of Special Education
281 South Mountain Boulevard
Mountaintop, PA 18707-1913

Dallas School District
Andrea Dennis, Director of Special Education
2000 Conyngham Ave.
Dallas, PA 18612-0720

Greater Nanticoke Area School District
Meghan Buckley, Director of Special Education
425 Kosciuszko Street

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