



Book	Policy Manual
Section	900 Community
Title	Volunteers
Number	916
Status	Active
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Last Revised	April 4, 2016

Purpose

The district recognizes that the talent, skills, and experience of community members can help enrich student educational and co-curricular activities. The district will involve volunteers and unpaid assistants as appropriate for the benefit of students and the district.

Authority

Subject to various legal requirements, the Board is authorized to adopt reasonable rules regarding school affairs.[\[1\]](#)

Definitions

Volunteer – an **adult** individual serving in an unpaid position with a school or a program, activity, or service as a person responsible for the welfare of one or more children or having direct volunteer contact with children.[\[8\]](#)[\[9\]](#)

Adult – an individual at least eighteen (18) years of age.

Responsible for the welfare of one or more children – means providing permanent or temporary care, supervision, training, or control of a child in lieu of parental care.

Direct volunteer contact with children – means routine interaction with one or more children **and** care, supervision, guidance, or control of one or more children.

Routine interaction with one or more children – means regular and repeated contact with one or more children that is integral to the volunteer responsibilities.[\[10\]](#)

Co-op or Similar Program Supervisor - means in connection with an internship, externship, work study, co-op or similar program with an employer, an individual whom the employer and the school identify as a student's supervisor and person responsible for the student's welfare while the student participates in the program with the employer.

As examples, and without limiting the category of individuals who may be considered volunteers, **Volunteer** includes: (i) any individual who serves without pay as a sport coach or except as set forth below otherwise regularly assists and has contact with children in connection with a play, concert, or other curricular, co-curricular, or extracurricular activity; (ii) an individual who serves without pay as a daily, weekly, or other periodic scheduled classroom assistant; and (iii) an individual who serves without pay as a school sponsored event chaperone with expectation of contact with children in circumstances when no school employee is present. A *Volunteer* is someone who is *more than a Visitor*

and *more than an Unpaid Assistant*. Being a volunteer normally involves an individual working directly with one or more students, having responsibility for one or more students, and having repeated interaction with one or more students in circumstances when no school employee is present.[10]

An individual who allows a student to visit the individual's place of business for job shadowing for a very limited time period is not considered involved in an internship, externship, work study, co-op or similar program and is not considered a **Volunteer**, an **Unpaid Assistant**, or a Co-op or Similar Program Supervisor.

Student Volunteer - A student age 18 or older enrolled in one of the District's schools who volunteers for an event on school grounds and sponsored by the school in which the student is enrolled and which is not an event for children who are in the care of a child care service. This definition applies only if the student is not responsible for the welfare of any child at the event.

Visitor - an individual whose actions do not rise to the level of a volunteer. As examples, and without limiting the category of individuals who may be considered visitors, **Visitor** includes: (i) a parent, close relative, or guardian who visits a classroom, auditorium, other school common area, or private meeting area to make a delivery to, meet with, or share a celebration time with, a student who is the individual's child or other close relative or for whom the individual is the guardian; (ii) an individual who attends a sports event or other co-curricular activity; or (iii) an individual who is a career day or other similar speaker or participant visiting to share information with students under supervision of a school employee. Visitors are governed by Board Policy No. 907/School Visitors.[3]

School employee - an individual who is employed by a school or who as a volunteer or otherwise provides a program, activity or service sponsored by a school. The term excludes an individual who has no direct contact with children.

Volunteer sport coach or activity advisor - any unpaid individual who regularly assists a paid coach or advisor in a sport or other co-curricular activity. Volunteer coaches or advisors may work directly with students on activities and techniques. A volunteer sport coach or advisor may be asked to assume responsibilities of a paid coach or advisor in an emergency situation.

Background Checks

Starting July 1, 2016, except for a **Student Volunteer**, any **Volunteer**, and starting December 31, 2015 any **Co-op or Similar Program Supervisor** is required to submit the following background check and related documents and information to the Superintendent or designee prior to providing volunteer services or interacting with a student in a co-op or similar program:

- **Volunteer Application Form**[\[4\]](#)[\[11\]](#)
- **PA State Police Criminal History Report** - dated no more than five years prior to the application date
- **PA Department of Human Services Child Abuse Report** - dated no more than five years prior to the application date
- **Federal Criminal History Report** - dated no more than five years prior to the application date[\[12\]](#)
- **PDE-6004 Arrest/Conviction Report and Certification Form** - dated as of application date - This is a written statement that the individual has never been arrested or convicted of certain crimes specified in 24 P.S. § 1-111.
- **Employee/Volunteer Self-Reporting Commitment Form** - dated as of application date - This is a written statement that the individual has never been arrested or convicted of certain offenses, including offenses that would prohibit employment under 23 Pa. C.S.A. § 6344(c) and

certain other offenses, has never been named as a perpetrator in a founded or indicated report of child abuse, and if in the future the individual is arrested or convicted for any such offense or is named as a perpetrator, the individual will provide written notice to the District within 72 hours of such event, which notice will be on the PDE-6004 Form if related to an arrest or conviction. This form also includes the individual's **Cogent Systems Registration ID** – enabling district direct access to federal criminal history reports.

- **Volunteer Acknowledgement of Policy No. 916/Volunteers and Policy No. 806/Child Abuse** – dated as of application date – This is a written statement that the individual has read, understands, and agrees to comply with these policies.

Without regard to whether an individual meets the definition of Volunteer or Co-op or Similar Program Supervisor, in accordance with School Code § 1418(b) and 28 Pa. Code § 23.44, any individual who provides direct services to students on behalf of the District **that involves direct contact with students 10 or more hours per week** is also required to:

- Receive a tuberculin skin test and provide documentation of the same in accordance with Pennsylvania Department of Health regulations.
- Receive an updated tuberculin skin test and provide documentation of the same within 5 years from the date of the most recent tuberculin skin test. [17] [18]

Federal Criminal History Report and **Cogent Systems Registration ID** are not required for a volunteer who provides a written statement that he or she has been a Pennsylvania resident during the entirety of the previous 10-year period.

No volunteer shall begin service until: (1) the volunteer has complied with the above mandatory background check requirements; (2) the district has evaluated the results; and (3) the start of services has been approved by the Superintendent or designee. Approval of a volunteer shall apply for an entire school year or the remainder of a school year, and the approval must be renewed to serve as a volunteer in a future school year.

Obtaining Background Check Reports

PA State Police Criminal History Report – Applicants may apply online through PATCH at <https://epatch.state.pa.us/Home.jsp> and obtain this report online, or Applicants may also use Form SP-164, Pennsylvania State Police Request for Criminal Record Check, and mail a money order to the PA State Police with the application. The form may also be downloaded from the PATCH website.[13]

PA Child Abuse Report – Applicants may obtain forms from the district or online from the Department of Human Services at www.dhs.state.pa.us/findaform/childabusehistoryclearanceforms/index.htm.

Federal Criminal History Report – This requires fingerprinting. 3M Cogent manages the fingerprinting process for the PA Department of Education. The applicant must register prior to going to the fingerprint site. Registration is completed online or over the phone. Registration is available online 24 hours/day, 7 days per week at www.pa.cogentid.com. Telephone registration is available at 1-888-439-2486 Monday through Friday, 8:00 a.m. to 6:00 p.m. EST.

Volunteers must pay required fees for background check reports. For additional information, see the PA Department of Education website – Background Checks.

Background Check Updates

Volunteers must provide new background check reports as set forth above within thirty-six (36) months from the date of the most recent background check report of the same type.[14]

Volunteer Self-Reporting

As stated on the **Employee/Volunteer Self-Reporting Commitment Form**, all volunteers are required to provide written notice to the district of arrests, convictions, or naming in a report of child abuse, which notice will be on the PDE-6004 Form if related to an arrest or conviction. Failure to accurately report such arrests, convictions, or naming within seventy-two (72) hours may subject the individual to criminal prosecution.[15]

School Board Approval/Termination of Services

The names of all volunteers shall be submitted to the Board for approval. The Superintendent or designee may terminate the services of a volunteer at any time in his/her sole discretion, with or without cause.

Child Abuse Reporting

Every volunteer should familiarize himself/herself with district Policy No. 806 (Child Abuse). A volunteer is required to report pursuant to Policy No. 806 if the volunteer has reasonable cause to suspect a child is a victim of child abuse.[6]

Volunteer Role

A volunteer may work with students by assisting in classroom activities, curriculum-related activities, and co-curricular activities during the school day and after regular school hours – with duties or activities as determined by the school employee who approves the start of volunteer services.

Except in an emergency situation, volunteers will not be involved in student discipline or administration of first aid.

Except as authorized in advance by the appropriate administrator, and in compliance with district policies for vehicle use, volunteers are not permitted to operate a motor vehicle owned by or under the control of the district.

Volunteers shall follow all applicable administrative procedures established pursuant to this policy and all other rules, regulations, procedures, and administrative guidelines concerning the conduct of the district professional and paraprofessional staff. However, such rules, regulations, and procedures and guidelines shall not be deemed to expand the responsibility or authority of volunteers as set forth in this policy.

Confidentiality of Student Information

Each volunteer shall keep strictly confidential all information the volunteer may learn about students during the course of performing volunteer services, and shall follow all requirements of the Family Education Rights and Privacy Act (FERPA). No volunteer shall be permitted to access, review, disclose, or use confidential student information, or participate in conversations in which confidential student information is discussed, unless knowledge of that student information is necessary for the volunteer to fulfill his or her responsibilities. Examples of such information include, but are not limited to: grades or other measures of academic performance; class standing; standardized or other test scores; attendance records; discipline history; individualized education plans; health data; family background information; teacher or counselor ratings and observations; and any other verified or unverified information contained in a student's file maintained by school employees or the district. If a volunteer has questions about the confidentiality of student information, the volunteer should consult with the building principal.[7]

Volunteer Status

A volunteer is not an employee or independent contractor of the district, and shall not receive any compensation for services. The position of volunteer is not a right, but a privilege conferred upon the volunteer by the Board, acting through the Superintendent, principal, or other administrator. The district reserves the right to suspend or terminate the privilege to serve as a volunteer at any time, with or without cause.

Delegation of Responsibility

The Superintendent or designee may expand the definition of Volunteer as stated above, and thereby require background checks and related steps from additional individuals in circumstances where it is determined such is appropriate for the protection of the safety of students. If any question arises as to whether an individual is a volunteer subject to the requirements of this policy, the question will be submitted to the Superintendent or designee, and the decision of the Superintendent or designee shall resolve the issue.

Legal

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

3. Pol. 907

[4. 24 P.S. 111](#)

6. Pol. 806

7. Pol. 216

[8. 23 Pa. C.S.A. 6303](#)

[9. 23 Pa. C.S.A. 6344.2](#)

10. PA Dept of Human Services Volunteer FAQs 12/19/14

[11. 23 Pa. C.S.A. 6301 et seq](#)

[12. 22 PA Code 8.1 et seq](#)

13. PDE Website - Background Checks

[14. 23 Pa. C.S.A. 6344.4](#)

[15. 23 Pa. C.S.A. 6344.3](#)

[16. 24 P.S. 1205.6](#)

[17. 24 P.S. 1418](#)

18. Department of Health Regulations – 28 Pa. Code Sec. 23.44



Book	Policy Manual
Section	800 Operations
Title	Child Abuse
Number	806
Status	Active
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Authority

The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Adult - an individual eighteen (18) years of age or older.[\[5\]](#)

Bodily injury - impairment of physical condition or substantial pain.[\[5\]](#)

Certifications - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code.[\[6\]](#)[\[7\]](#)

Child - an individual under eighteen (18) years of age.[\[5\]](#)

Child abuse - intentionally, knowingly or recklessly doing any of the following:[\[5\]](#)

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
 - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

- b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - c. Forcefully shaking a child under one (1) year of age.
 - d. Forcefully slapping or otherwise striking a child under one (1) year of age.
 - e. Interfering with the breathing of a child.
 - f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[\[8\]](#)
 - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender **or** has been determined to be a sexually violent predator or sexually violent delinquent.[\[9\]](#)[\[10\]](#)
9. Causing the death of the child through any act or failure to act.

The term child abuse does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term child abuse is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:

- 1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
- 2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
- 3. Is necessary for self-defense or defense of another;
- 4. Is necessary to prevent the child from self-inflicted physical harm; or
- 5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

Direct contact with children - the possibility of care, supervision, guidance or control of children or routine interaction with children.[\[1\]](#)

Independent contractor - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[\[5\]](#)[\[11\]](#)

Perpetrator - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child. Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child.[\[5\]](#)

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care,

supervision and control.[\[5\]](#)

Program, activity or service - any of the following in which children participate and which is sponsored by a school or a public or private organization:[\[5\]](#)

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. A community or social outreach program.
5. An enrichment or educational program.
6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.[\[5\]](#)

Routine interaction - regular and repeated contact that is integral to a person's employment or volunteer responsibilities.[\[5\]](#)

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[\[5\]](#)

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:[\[5\]](#)

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:[\[5\]](#)

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following:[\[5\]](#)

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

- d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Student - an individual enrolled in a district school under eighteen (18) years of age.[\[5\]](#)

Volunteer - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children.[\[11\]](#)

Delegation of Responsibility

In accordance with Board policy, the Superintendent or designee shall:

1. Require each candidate for employment or a volunteer position to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law. In the case of an employment application, the certifications shall be dated no more than one (1) year prior to the application date. In the case of a volunteer application, the certifications shall be dated no more than five (5) years prior to the application date. [\[6\]](#)[\[7\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)
2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.[\[16\]](#)[\[17\]](#)[\[18\]](#)

School employees **and** independent contractors shall obtain and submit new certifications every sixty (60) months.[\[17\]](#)

Certification requirements for volunteers are addressed separately in Board Policy 916.[\[19\]](#)

The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.

The Superintendent or designee shall annually notify district staff, independent contractors, and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations.

Guidelines

Training

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[\[1\]](#)[\[20\]](#)[\[3\]](#)[\[4\]](#)

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[\[21\]](#)[\[20\]](#)
3. District policy related to reporting of suspected abuse and sexual misconduct.

4. Maintenance of professional and appropriate relationships with students.[22]

Employees are required to complete a minimum of three (3) hours of training every five (5) years.[1]

The district may provide each volunteer with training on child abuse recognition and reporting.

Duty to Report

School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:[11]

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that s/he has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.[11]

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.[11]

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding, or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.
[23]

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.[24]

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.[25]

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.[26]

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.[27]

Reporting Procedures

School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis) or an oral report via the statewide toll-free telephone number (1-800-932-0313). A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.[28][11][29]

A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the school principal and if the initial report was made electronically, also provide the principal with a copy of the report confirmation. The school principal shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation. [\[28\]](#)[\[11\]](#)[\[29\]](#)

When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the school principal with a copy of the report confirmation promptly after the written electronic report has been filed. The principal shall in turn provide a copy of the report confirmation to the Superintendent or designee. [\[28\]](#)[\[11\]](#)[\[29\]](#)

When necessary to preserve potential evidence of suspected child abuse, a school employee may with the approval of the Superintendent or designee, after the initial report is made, take or cause to be taken photographs of the child who is the subject of the report. Any such photographs shall be sent to the county agency at the time the written report is sent or within forty-eight (48) hours after a report is made by electronic technologies or as soon thereafter as possible. The Superintendent or designee shall be notified whenever such photographs are taken. [\[30\]](#)

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Safe Schools Act, the Superintendent or designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy. [\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)

Investigation

The school principal shall facilitate the cooperation with the Department of Human Services of the Commonwealth or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school. [\[11\]](#)[\[37\]](#)

Upon notification that an investigation involves suspected child abuse by a school employee, the principal shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval. [\[38\]](#)

PSBA Revision 10/15 © 2015 PSBA

- Legal
- [1. 24 P.S. 1205.6](#)
 - [2. 23 Pa. C.S.A. 6301 et seq](#)
 3. Pol. 333
 4. Pol. 818
 - [5. 23 Pa. C.S.A. 6303](#)
 - [6. 24 P.S. 111](#)
 - [7. 23 Pa. C.S.A. 6344](#)
 - [8. 18 Pa. C.S.A. 7508.2](#)
 - [9. 42 Pa. C.S.A. 9799.12](#)
 - [10. 42 Pa. C.S.A. 9799.24](#)
 - [11. 23 Pa. C.S.A. 6311](#)

12. Pol. 302
13. Pol. 304
14. Pol. 305
15. Pol. 306
- [16. 23 Pa. C.S.A. 6344.3](#)
- [17. 23 Pa. C.S.A. 6344.4](#)
18. Pol. 309
19. Pol. 916
20. Pol. 317.1
- [21. 24 P.S. 2070.1a](#)
22. Pol. 824
- [23. 23 Pa. C.S.A. 6318](#)
- [24. 23 Pa. C.S.A. 6319](#)
- [25. 18 Pa. C.S.A. 4906.1](#)
- [26. 18 Pa. C.S.A. 4958](#)
- [27. 23 Pa. C.S.A. 6320](#)
- [28. 23 Pa. C.S.A. 6305](#)
- [29. 23 Pa. C.S.A. 6313](#)
- [30. 23 Pa. C.S.A. 6314](#)
- [31. 24 P.S. 1302.1-A](#)
- [32. 24 P.S. 1303-A](#)
- [33. 22 PA Code 10.2](#)
- [34. 22 PA Code 10.21](#)
- [35. 22 PA Code 10.22](#)
36. Pol. 805.1
- [37. 23 Pa. C.S.A. 6346](#)
- [38. 23 Pa. C.S.A. 6368](#)
- [24 P.S. 1301-A et seq](#)
- [22 PA Code 10.1 et seq](#)
- [24 P.S. 1527](#)
- [24 P.S. 2070.1a et seq](#)
- [18 Pa. C.S.A. 4304](#)
- Pol. 317



Book	Policy Manual
Section	800 Operations
Title	Maintaining Professional Adult/Student Boundaries
Code	824
Status	Active
Adopted	November 16, 2020

Authority

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

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

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

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families that exist independently of the district or to interfere with participation in civic, religious or other outside organizations that include district students.

Definition

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

Delegation of Responsibility

The Superintendent or designee shall annually inform students, parents/guardians, and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website, and by other appropriate methods.

The building principal or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

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

Guidelines

Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior.

Prohibited Conduct

Romantic or Sexual Relationships -

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

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

1. Sexual physical contact.
2. Romantic flirtation, propositions, or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Personal comments about a student's body.
5. Sexual jokes, notes, stories, drawings, gestures or pictures.
6. Spreading sexual or romantic rumors.
7. Touching a student's body or clothes in a sexual or intimate way.
8. Accepting massages, or offering or giving massages other than in the course of injury care administered by an athletic trainer, coach, or health care provider.
9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
10. Displaying or transmitting sexual objects, pictures, or depictions.

Social Interactions -

In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate.

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

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction, or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.

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

Electronic Communications -

For purposes of this policy, **electronic communication** shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

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

Electronic communication with students shall be for legitimate educational reasons only.

When available, district-provided email or other district-provided communication devices or platforms shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices or platforms shall be in accordance with district policies and procedures.[7]

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

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

Exceptions

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

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Relationships" section of this policy.

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

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

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall promptly notify the building principal or Title IX Coordinator. Reports may be made using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report verbally or in writing. Upon receipt of a report, school staff shall promptly notify the building principal.[5][8]

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[9][10]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent, Title IX Coordinator and his/her immediate supervisor, promptly, but not later than fifteen (15) days following discovery of such misconduct.[5][8][11][12]

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[9][10][11][12][13][14][15][16][17][18]

It is a violation of Board policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[5][8]

Investigation

The Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports of discrimination or Title IX sexual harassment.[5][8]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the person making the report or any witnesses. If as the result of an investigation any individual, including the reported adult, the person making the report, or a witness is found to have knowingly provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings,

this may be addressed as a violation of this policy and other applicable laws, regulations and Board policies. **Obstruction** includes, but is not limited to, violation of “no contact” orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.
[5][8][12][19][20][21][22]

Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures.[8][12][19]

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

Training

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

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

Legal

1. 24 P.S. 510
2. Pol. 818
3. 18 Pa. C.S.A. 3124.2
4. 24 P.S. 2070.9f
5. Pol. 103
6. Pol. 103.1
7. Pol. 815
8. Pol. 104
9. 23 Pa. C.S.A. 6311
10. Pol. 806
11. 24 P.S. 2070.9a
12. Pol. 317.1
13. 22 PA Code 10.2
14. 22 PA Code 10.21
15. 22 PA Code 10.22
16. 24 P.S. 1302.1-A
17. 24 P.S. 1303-A
18. Pol. 805.1
19. Pol. 317
20. Pol. 113.1
21. Pol. 218
22. Pol. 233
- 24 P.S. 2070.1a et seq
- 22 PA Code 235.1 et seq
- 23 Pa. C.S.A. 6301 et seq



Book	Policy Manual
Section	300 Employees
Title	Unlawful Harassment
Number	348
Status	Active
Adopted	September 13, 2010
Last Revised	April 18, 2011

Authority

The Board strives to provide a safe, positive working climate for its administrative, professional and support employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators.[\[1\]](#)[\[2\]](#)[\[6\]](#)

The Board directs that complaints of harassment shall be investigated promptly, and corrective action taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation or religion when such conduct:[\[7\]](#)

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

For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:[\[8\]](#)

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment.
2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.

3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

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

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Assistant Superintendent as the district's Compliance Officer.[9]

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

The administration shall be responsible to provide training for students and district employees regarding unlawful harassment.

Each employee shall be responsible to maintain a working environment free from all forms of unlawful harassment.

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

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Guidelines

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal or designee.

If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 – Investigation

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

investigation.

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

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

Step 3 – Investigative Report

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

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

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

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.[5]

Appeal Procedure

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

Legal

[1. 20 U.S.C. 1681 et seq](#)

[2. 42 U.S.C. 2000e et seq](#)

5. Pol. 317

[6. 43 P.S. 951 et seq](#)

[7. 29 CFR 1606.8](#)

[8. 29 CFR 1604.11](#)

9. Pol. 104

Pol. 000

[348-Attach.doc \(26 KB\)](#)



Book	Policy Manual
Section	200 Pupils
Title	Hazing
Number	247
Status	Active
Last Revised	November 21, 2016
Last Reviewed	November 7, 2016

Purpose

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

Definitions

For purposes of this policy hazing is defined as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition of continued membership in, any organization. The term shall include, but not be limited to: [\[1\]](#)

1. Any brutality of a physical nature, such as whipping, beating, branding;
2. Forced calisthenics;
3. Exposure to the elements;
4. Forced consumption of any food, liquor, drug or other substance;
5. Any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which is intended to or could result in humiliation, extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual; or
6. Any willful destruction or removal of public or private property.

For purposes of this policy, any activity, as described above, upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding. [\[1\]](#)

For purposes of this policy, student activity or organization is defined as any organization, team, club, society, or group operating under the sanction of or recognized as an organization by the district.

Authority

The Board prohibits hazing in connection with any student activity or organization regardless of

whether the conduct occurs on or off school property or outside of school hours. [\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

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

The Board encourages students who have been subjected to hazing to promptly report such incidents to the building principal.

Delegation of Responsibility

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

District administrators shall investigate promptly all complaints of hazing and administer appropriate discipline to any individual or student activity or organization found to be in violation of this policy.

Guidelines

In addition to posting this policy on the district's website, the district shall annually inform students, parents/guardians, sponsors, volunteers and district employees that hazing is prohibited, by means of [\[3\]](#)

{ } verbal instructions by the coach or sponsor at the start of the season or program

This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization annually, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization. [\[2\]](#)[\[3\]](#)

Complaint Procedure

When a student believes that s/he has been subject to hazing, the student shall promptly report the incident, orally or in writing, to the building principal.

The principal shall conduct a timely, impartial, thorough, and comprehensive investigation of the alleged hazing.

The principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint.

The district shall document the corrective action taken.

Consequences for Violations

If the investigation results in a substantiated finding of hazing, the principal shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. Additionally, the student may be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity. [\[2\]](#)[\[3\]](#)[\[6\]](#)[\[7\]](#)

If the investigation results in a substantiated finding that a coach, sponsor, or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, s/he shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment. [\[8\]](#)

If a student activity or organization authorizes hazing in blatant disregard of this policy or other applicable district rules, penalties may also include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district. [\[3\]](#)

Any person who causes or participates in hazing may also be subject to criminal prosecution. [\[9\]](#)

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Legal

[1. 24 P.S. 5352](#)

[2. 24 P.S. 511](#)

[3. 24 P.S. 5354](#)

4. Pol. 122

5. Pol. 123

6. Pol. 218

7. Pol. 233

8. Pol. 317

[9. 24 P.S. 5353](#)

[24 P.S. 5351 et seq](#)

Pol. 916