



Book	Policy Manual
Section	1000 Programs
Title	Academic Standards
Code	1002
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes the importance of developing, assessing and expanding academic standards to challenge students to achieve at their highest possible level. To this end, Westinghouse Arts Academy Charter School (WAA) shall establish rigorous academic standards in accordance with, and may expand upon, those adopted by the State Board of Education. [\[1\]](#)[\[2\]](#)

### **Definition**

**Academic standards** - shall be defined as what a student should know and be able to do at a specified grade level. For purposes of Board policy, the term **academic standards** shall be deemed to encompass Pennsylvania Core Standards, state academic standards and local academic standards. [\[3\]](#)

### **Authority**

The Board shall approve academic standards for WAA students to attain, in the following content areas: [\[2\]](#)

1. English Language Arts.
2. Mathematics.
3. Science and Technology - to include reading in science and technology, and writing for science and technology.
4. Environment and Ecology.
5. Social Studies (history, geography, civics and government, economics) - to include reading in history and social studies, and writing for history and social studies.
6. Arts and Humanities.
7. Career Education and Work.
8. Health, Safety and Physical Education.
9. Family and Consumer Science.

### **Guidelines**

WAA's curriculum shall be designed to provide students with the planned instruction needed to attain established academic standards. [\[2\]](#)[\[4\]](#)[\[5\]](#)

WAA shall assess individual student attainment of established academic standards and provide assistance for students having difficulty attaining academic standards. [\[2\]](#)[\[6\]](#)[\[7\]](#)

Students with disabilities may attain academic standards by completion of their Individualized Education Programs in accordance with law, regulations and Board policy.[\[2\]](#)[\[8\]](#)[\[9\]](#)

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Legal

[1. 22 PA Code 4.11](#)

[2. 22 PA Code 4.12](#)

[3. 22 PA Code 4.3](#)

4. Pol. 1005

5. Pol. 1007

6. Pol. 1027

7. Pol. 2012

[8. 22 PA Code 711.2](#)

9. Pol. 1013

[24 P.S. 1719-A](#)

[24 P.S. 1720-A](#)

[22 PA Code 4.4](#)

Book	Policy Manual
Section	1000 Programs
Title	Adoption of Planned Instruction
Code	1007
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) shall provide a comprehensive program of planned instruction to enable Westinghouse Arts Academy Charter School (WAA) students to achieve educational goals and objectives, and attain academic standards required for student achievement. Planned instruction shall consist of at least the following: [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

1. Objectives to be achieved by all students.
2. Content, including materials, activities and instructional time.
3. Relationship between objectives of a planned course and established academic standards.
4. Procedure for measuring the attainment of objectives and academic standards.

### **Delegation of Responsibility**

The Chief Executive Officer shall be responsible for continuous evaluation of the effectiveness of the Charter School's planned instruction and shall recommend to the Board new and altered planned instruction deemed to be in the best interests of students. The Chief Executive Officer shall invite the participation of administrative and professional staff members at appropriate levels in the formulation of recommendations.

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Legal	<a href="#">1. 22 PA Code 4.11</a>
	<a href="#">2. 22 PA Code 4.12</a>
	3. Pol. 1002
	4. Pol. 1005
	5. Pol. 0006
	<a href="#">24 P.S. 1715-A</a>
	<a href="#">24 P.S. 1716-A</a>
	Pol. 1000



Book	Policy Manual
Section	1000 Programs
Title	Anti-Retaliation
Code	1004.1
Status	Active
Adopted	November 2, 2022

### **Authority**

Westinghouse Arts Academy Charter School (WAA) must rely on individual faculty, staff, and students to report to the appropriate person cases where it appears that a member or members of the Westinghouse community are not complying with applicable law or policy. A major deterrent to such reporting is the fear that the person or persons against whom the report is made will retaliate against the person making the report. The purpose of this policy is to clearly articulate that Westinghouse Arts prohibits retaliation against those who make bona fide reports of possible non-compliance.

Westinghouse Arts faculty, administrators, and staff shall not intimidate or take retaliatory action, as defined below, against any member of the Westinghouse Arts community or a relative of such a person who is an employee or student at Westinghouse Arts, who makes a report of the type defined below in good faith and without malice.

This Policy also prohibits persons from knowingly and intentionally making a report of non-compliance that is false.

The prohibition against retaliation applies to:

- The disclosure of information concerning conduct that the reporter believes is illegal or in violation of WAA policies;
- The provision of information or testimony to, or the filing of a complaint initiating proceedings before, a duly constituted investigatory body of WAA;
- Disclosures made during compliance review or a peer review process;
- The filing of a legitimate complaint or incident report

The types of retaliation that are prohibited include but are not limited to:

- Intimidation;
- Adverse actions with respect to the reporter's work assignments, salary, vacation, and other terms of employment;
- Unlawful discrimination;
- Termination of employment;
- Adverse actions against a relative of the reporter who is a University employee or student; **and**
- Threats of any of the above

**Note that an adverse personnel, academic or other disciplinary action against an employee or student whose conduct or performance warrants such action for reasons unrelated to the reporting of a concern will not be deemed a violation of this policy.**

Persons who knowingly and intentionally make a false report of non-compliance may also face disciplinary action, up to and including termination of employment.

### **Delegation of Responsibilities.**

The CEO or representative shall ensure all discrimination reports are investigated to the fullest extent and resolved quickly and effectively.

**Guidelines.**

Individuals who have been found in violation of this policy shall be subject to appropriate disciplinary proceedings.

Cross References            1003 Discrimination/Title IX Sexual Harassment Affecting Students  
   1004 Discrimination/Title IX Sexual Harassment Affecting Staff



Book	Policy Manual
Section	1000 Programs
Title	Assessment System
Code	1027
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes its responsibility to approve and implement an assessment system that: [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

1. Determines the degree to which students are achieving academic standards, and educational goals and objectives;
2. Provides information for improving Westinghouse Arts Academy Charter School's (WAA) educational program in order to positively impact student achievement; and
3. Provides information regarding the achievement of WAA students to the state, parents/guardians, WAA community and the public.

### **Authority**

The Board shall approve an assessment system for use in WAA at least once every six (6) years, which shall be implemented no later than one (1) year after the approval date. The assessment system shall include a variety of assessment strategies to assess individual attainment of state and local academic standards, and educational goals and objectives, and to identify those students not attaining academic standards and provide assistance. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[8\]](#)

The Board reserves the right to review WAA assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or parents/guardians. [\[3\]](#)[\[9\]](#)

WAA shall participate in the state assessment system in the manner required by state law and regulations. [\[2\]](#)[\[3\]](#)[\[4\]](#)[\[7\]](#)[\[10\]](#)

### **Delegation of Responsibility**

The Board directs the Chief Executive Officer or designee to grant requests to review state assessments from parents/guardians to determine whether the state assessments conflict with the parents'/guardians' religious beliefs. Parent/Guardian requests must be submitted at least two (2) weeks prior to the administration of state assessments. WAA shall establish procedures to protect the validity and integrity of the state assessments during access and review by parents/guardians. [\[11\]](#)

If, upon inspection of a state assessment, a parent/guardian finds the assessment to be in conflict with their religious beliefs, the parent/guardian shall have the right to have their child excused from that state assessment, upon written request to the Chief Executive Officer stating the objection. [\[11\]](#)

The Chief Executive Officer or designee shall recommend various methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, staff input and state regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)

The Chief Executive Officer or designee shall provide summary information to the public regarding student achievement, including results of assessments, in accordance with applicable laws and regulations.[\[3\]](#)

The Chief Executive Officer or designee shall provide information regarding the achievement of academic standards to the PA Department of Education when requested; such information shall not include student names, identification numbers or individually identifiable information.[\[3\]](#)

The Chief Executive Officer or designee shall recommend improvements in WAA's educational program, curriculum and instructional practices based upon student assessment results.[\[3\]](#)

### **Guidelines**

Parents/Guardians shall receive information regarding their child's state assessment scores and may obtain an explanation of assessment results from qualified school personnel.[\[12\]](#)[\[13\]](#)[\[14\]](#)

WAA shall provide assistance to students not attaining academic standards at the proficient level. WAA shall inform students and parents/guardians about how to access such assistance.[\[1\]](#)[\[3\]](#)[\[9\]](#)

Students with disabilities and students participating in English Learner programs shall participate in assessments in accordance with applicable laws and regulations, with appropriate accommodations when necessary.[\[2\]](#)[\[3\]](#)[\[10\]](#)[\[13\]](#)[\[15\]](#)[\[16\]](#)

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Legal

- [1. 22 PA Code 4.12](#)
- [2. 22 PA Code 4.51](#)
- [3. 22 PA Code 4.52](#)
- [4. 24 P.S. 1715-A](#)
- [5. 24 P.S. 1719-A](#)
- [6. 24 P.S. 1720-A](#)
- [7. 24 P.S. 1742-A](#)
8. Pol. 1002
- [9. 22 PA Code 12.41](#)
- [10. 22 PA Code 711.2](#)
- [11. 22 PA Code 4.4](#)
- [12. 20 U.S.C. 6311](#)
13. Pol. 1038
14. Pol. 2012
15. Pol. 1003.1
16. Pol. 1013
- [20 U.S.C. 6311](#)



Book	Policy Manual
Section	1000 Programs
Title	Behavior Support
Code	1013.2
Status	Active
Adopted	November 2, 2022

### **Purpose**

Westinghouse Arts Academy Charter School (“WAA”) must ensure that all students are educated in settings free from restrictions or injuries caused by the challenging behaviors of other students. Westinghouse Arts Academy Charter School also recognizes that every special education student in WAA is entitled to receive a free and appropriate public education (FAPE) in the least restrictive environment (LRE). Any student who has an Individualized Education Program (IEP) and exhibits significant behaviors that interfere with his/her learning or the learning of others must have a plan for behavior support included in his/her IEP.

The policy is designed in compliance with the provisions of the Individuals with Disabilities Education Improvement Act (IDEIA) and state law. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

### **Authority**

The Board of Trustees (Board) directs that WAA’s behavior support programs shall be based on Positive rather than negative measures shall form the basis of behavior support programs. Behavior support programs include a variety of techniques to develop and maintain skills that will enhance an individual student's opportunity for learning. The types of interventions chosen for a particular student shall be the least intrusive necessary. [\[1\]](#)[\[2\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

### **Definitions**

The following terms shall have these meanings, unless the context clearly indicates otherwise.

**Aversive techniques** - deliberate activities designed to establish a negative association with a specific behavior. [\[2\]](#)

**Behavior support** - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

**Positive Behavior Support Plan or Behavior Intervention Plan** - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student’s IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education. [\[2\]](#)

**Positive techniques** - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards. [\[2\]](#)

**Restraints** - application of physical force, with or without the use of any device, designed to restrain free movement of a student’s body, excluding the following: [\[2\]](#)



1. Briefly holding a student, without force, to calm or comfort the student.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort the student safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP.
6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.

**Students with disabilities** - school-aged children enrolled in WAA who have been evaluated and found to have one or more disabilities as defined by law and regulations, and who require, because of such disabilities, special education and related services.[8]

### **Delegation of Responsibility**

The Chief Executive Officer or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.

The Chief Executive Officer or designee shall develop administrative procedures to implement this policy.

The Chief Executive Officer or designee shall provide regular training, and retraining as needed, of staff in the use of specific procedures, methods and techniques, including de-escalation techniques, emergency responses and restraints, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, Positive Behavior Support Plans and Board policy.[2]

The Chief Executive Officer or designee shall maintain and report data on the use of restraints, as required by the Pennsylvania Department of Education. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports to be made to the WAA by entities educating students with disabilities who attend programs or classes outside WAA, including private schools, agencies, school districts, intermediate units and career and technical schools.[2]

### **Guidelines**

The Behavior Support Policy includes a three-tiered sequential model for students whose behavior problems interfere with learning.

#### Level 1

Level 1 is preventive, involves effective classroom management strategies, and does not require a Behavior Support Plan as part of a student's IEP. Successful classroom management is a prerequisite for instruction and learning. It involves not only responding effectively when problems arise but also working to prevent their occurrence by creating environments that encourage learning and appropriate student behaviors. The approaches generally applied include:

1. Effective teacher practices
2. An explicit structure/schedule to the school day
3. Explicitly communicated rules and procedures
4. Management programs with systematic reinforcement
5. Variable seating arrangements
6. Oral praise clearly linked to desired behaviors

7. Frequent monitoring via teacher movement in the classroom
8. Clear expectations for what constitutes acceptable behavior
9. Family involvement and cooperation

## Level II

Level II interventions involve specific, individualized interventions for a student and require a Behavior Support Plan be attached to the student's IEP. Some students do not behave appropriately because of deficits in social skills, lack of motivation, lack of communication skills, or lack of ability. Understanding behavior and developing a repertoire of management strategies is typically the focus of intervention.

An individual behavior support plan will follow the following guidelines:

1. Defining the behavior in objective and measurable terms
2. Analyzing the problem carefully in terms of environmental factors, which may be influencing the inappropriate behavior.
3. Using information derived from a Functional Behavioral Assessment determine what happens immediately before the problem behavior, the behavior, and what need the behavior serves.
4. Develop a plan involving the least intrusive interventions that are likely to be effective. The plan may include teaching replacement behaviors for problematic behaviors, managing effectively rewards and consequences, creating safe places within the educational setting, and/or instructing directly in need areas including social skills, problem solving, and anger control.

Data collection at regular intervals will be used to evaluate the plan's effectiveness.

Positive techniques for the development, change, and maintenance of selected behaviors shall be attempted prior to the use of more intrusive techniques.

## Level III

Level III interventions are for crisis management. This level of intervention is very restrictive in nature and may modify the student's rights during implementation. Level III interventions may be used only after Level II interventions have proved ineffective. Interventions used at this level focus specifically on restraining strategies and are considered more intrusive to personal freedom than either Level I or Level II. Westinghouse Arts Academy Charter School must obtain parental consent prior to the use of restraints. The use of restraints to control behavior shall cause a meeting of the IEP team to review the student's IEP and behavior plan for appropriateness and effectiveness.

Only those staff persons who have received proper training and have demonstrated proficiency may apply these strategies. Westinghouse Arts Academy Charter School prohibits the use of prone restraints.

Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to him/herself or to other students or to employees, and only when less restrictive measures and techniques have proven to be less effective. The use of restraints may not be included in a student's IEP for the convenience of staff, employed as punishment, or used as a substitute for an educational program.

Mechanical restraints, which are used to control involuntary movement or lack of muscular control when due to organic causes or conditions, may be employed only when specified in the IEP as determined by a medical professional qualified to make the determination and as agreed to by the student's parents/guardians. Mechanical restraints shall prevent a student from injuring him/herself or others and should not prevent normative body positioning and physical functioning.

The following aversive techniques of handling behavior are considered inappropriate and may not be used in Westinghouse Arts Academy Charter School:

1. Corporal punishment

2. Punishment for a manifestation of a student's disability
3. Locked rooms, locked boxes, or other locked structures or spaces from which the student cannot readily exit
4. Noxious substances
5. Deprivation of basic human rights, such as withholding meals, water or fresh air
6. Suspensions constituting a pattern relating to disciplinary placement
7. Demeaning treatment
8. Electric shock
9. Methods implemented by untrained personnel
10. Methods which have not been outlined in Westinghouse Arts Academy Charter School's plan

### Emergency Procedures

Emergency procedures for behavior that presents a clear and present danger to the student or others may be delineated in the IEP. These emergency procedures may include such activities as:

1. Notifying parents/guardians to immediately remove the student from school.
2. Notice to the police
3. Notice to mental health services
4. Calling emergency services and ambulance
5. Instituting mental health commitment procedures

### Referral to Law Enforcement

The Chief Executive Officer or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Chief Executive Officer or designee shall respond to such incidents in accordance with WAA's behavior support administrative procedures, and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.[\[2\]](#)[\[5\]](#)[\[8\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, WAA shall convene the student's IEP team and an updated functional behavioral assessment and Positive Behavior Support Plan shall be required.[\[2\]](#)[\[9\]](#)[\[14\]](#)

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the student's school district of residence, the Chief Executive Officer or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Positive Behavior Support Plan.[\[2\]](#)

For an enrolled student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, WAA shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.[\[2\]](#)[\[14\]](#)

### Relations With Law Enforcement

WAA shall provide a copy of its administrative procedures for behavior support to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative procedures for behavior support are revised by WAA.[\[2\]](#)[\[8\]](#)[\[14\]](#)[\[24\]](#)

WAA shall invite representatives of each local police department that has jurisdiction over school property to participate in training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the school's positive behavior support program.[\[2\]](#)[\[8\]](#)[\[14\]](#)[\[24\]](#)

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Legal

- [1. 20 U.S.C. 1414](#)
- [2. 22 PA Code 711.46](#)
- [3. 34 CFR 300.114](#)
- [4. 34 CFR 300.324](#)
- [5. 20 U.S.C. 1415](#)
- [6. 34 CFR 300.34](#)
- [7. 34 CFR 300.530](#)
8. Pol. 1013
9. Pol. 1013.1
10. Pol. 1013.3
- [11. 22 PA Code 10.2](#)
- [12. 22 PA Code 10.21](#)
- [13. 22 PA Code 10.22](#)
- [14. 22 PA Code 10.23](#)
- [15. 22 PA Code 10.25](#)
- [16. 24 P.S. 1302.1-A](#)
- [17. 34 CFR 300.535](#)
18. Pol. 1003.1
19. Pol. 2018
20. Pol. 2018.1
21. Pol. 2018.2
22. Pol. 2022
23. Pol. 2027
24. Pol. 6005.1
- [24 P.S. 1303-A](#)
- [22 PA Code 711.61](#)
- [20 U.S.C. 1400 et seq](#)
- [34 CFR Part 300](#)
- [Pennsylvania Training and Technical Assistance Network, Question and Answer Compendium, January 2020](#)



Book	Policy Manual
Section	1000 Programs
Title	Comprehensive Planning/Annual Report
Code	1000
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes the importance of comprehensive planning in developing and guiding Westinghouse Arts Academy Charter School's (WAA) goals, educational programs and operations. Participation by educational stakeholders is a critical element of such planning.

The Board also recognizes the requirement for providing an Annual Report reflecting WAA's programs and operations, in order to facilitate review by the chartering school district(s) and the Pennsylvania Department of Education.

### **Authority**

#### Comprehensive Planning

The Board shall provide guidance in WAA's comprehensive planning process, and shall ensure active participation by Trustees, administrators, teachers, other WAA personnel, students, parents/guardians and representatives from local businesses and the community.

As part of the comprehensive planning process, the Board directs that WAA develop and implement individual plans and components as required by law, regulations, and funding and program requirements.[\[1\]](#)

The Board directs that the goals and action plans developed through comprehensive planning shall be continuously monitored and reviewed to ensure students are achieving at high levels, and to ensure compliance with WAA application and written Charter.[\[2\]](#)[\[3\]](#)

#### *Professional Education -*

WAA shall, through the comprehensive planning process, develop and submit a professional education plan to the Secretary of Education for approval every three (3) years, as required by law and regulations. Prior to approval by the Board and submission to the Secretary of Education, the professional education plan shall be made available for public inspection and comment in WAA's administrative office and the nearest public library for a minimum of twenty-eight (28) days.[\[1\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

#### *Induction -*

WAA shall, through the comprehensive planning process, develop and submit an induction plan to the Department of Education for approval every six (6) years, as required by law and regulations. Prior to approval by the Board and submission to the Department of Education, the induction plan shall be made available for public inspection and comment in WAA's administrative office and the nearest public library for a minimum of twenty-eight (28) days.[\[1\]](#)[\[7\]](#)[\[8\]](#)

#### *Student Services -*

WAA shall, through the comprehensive planning process, develop and implement a written plan every six (6) years for providing a comprehensive and integrated K-12 program of student services, as required by law and regulations. Prior to approval by the Board, the student services plan shall be made available for public inspection and comment in WAA's administrative office and the nearest public library for a minimum of twenty-eight (28) days.[\[1\]\[9\]\[10\]](#)

### Annual Report

WAA shall develop and submit an Annual Report to the Pennsylvania Department of Education and local chartering school district(s) annually by August 1, in accordance with applicable laws and regulations, and in the form prescribed by the Department of Education.[\[12\]\[13\]\[14\]](#)

### *Special Education -*

The Annual Report shall include required information on students with disabilities served by WAA; WAA's services, programs and resources for students with disabilities, including services and programs provided by outside entities; staff training in special education; and an assurance that WAA is in compliance with applicable state and federal laws and regulations governing students with disabilities.  
[\[15\]\[16\]\[17\]](#)

### **Delegation of Responsibility**

The Chief Executive Officer shall be responsible for organizing the comprehensive planning process, ensuring participation in accordance with Board policy and submitting the required plans to the Department of Education. The Chief Executive Officer and Board of Trustees President shall verify and sign the comprehensive plan.

The Chief Executive Officer or designee shall be responsible for implementing the goals and action plans developed through comprehensive planning and providing written quarterly progress reports to the Board.

The Chief Executive Officer shall be responsible for compiling the WAA's Annual Report and submitting the final document to the Department of Education and the local chartering school district(s). The Chief Executive Officer and Board of Trustees President shall verify and sign the Annual Report.

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Legal

- [1. 22 PA Code 4.13](#)
- [2. 24 P.S. 1719-A](#)
- [3. 24 P.S. 1720-A](#)
- [4. 22 PA Code 49.17](#)
- [5. 24 P.S. 1205.1](#)
- [6. 24 P.S. 1205.3](#)
7. Pol. 3033
- [8. 22 PA Code 49.16](#)
- [9. 22 PA Code 12.41](#)
10. Pol. 1046
11. Pol. 1014
- [12. 24 P.S. 1728-A](#)
- [13. 24 P.S. 1743-A](#)
14. Pol. 0005
- [15. 22 PA Code 711.6](#)

[16. 24 P.S. 1732-A](#)

17. Pol. 1013



Book	Policy Manual
Section	1000 Programs
Title	Confidentiality of Special Education Student Information
Code	1013.4
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees (Board) recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.[1][2]

Westinghouse Arts Academy Charter School (WAA) shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.[2][3][4][5]

The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from WAA or an outside program provided through WAA.[6][7]

### **Definitions**

**Destruction** shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.[8]

**Disclosure** shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.[9]

**Education Records**, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.[2][9][10]

**Personally identifiable information** includes, but is not limited to:[9][11]

1. The name of a student, the student's parents/guardians or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's social security number, student number, or biometric record.
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who WAA reasonably believes knows the identity of the student to whom the education record relates.



## Guidelines

### Parental Access Rights

WAA shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained, or used by WAA in connection with providing special education services to the student.[\[12\]](#)[\[13\]](#)

WAA shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.

WAA shall presume a parent/guardian has authority to inspect and review records relating to their child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.[\[12\]](#)[\[14\]](#)

WAA shall comply with a parental request for review within forty-five (45) days following receipt of the request.[\[12\]](#)[\[13\]](#)

A parent's/guardian's right to inspect and review education records includes the right to:

1. A response from WAA to reasonable requests for explanations and interpretations of the records;
2. Request that WAA provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and
3. Have a representative inspect and review the records.

If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record.[\[15\]](#)[\[16\]](#)

WAA shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by WAA.[\[17\]](#)

### Fees

WAA may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records.[\[18\]](#)[\[19\]](#)

WAA shall not charge a fee to search for or to retrieve information in response to a parental request.

### Record of Access

WAA shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education and related services to students with disabilities, except access by parents/guardians and authorized WAA employees.[\[20\]](#)

WAA's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

### Amendment of Records Upon Parental Request

If a parent/guardian believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that WAA amend the information.[\[21\]](#)[\[22\]](#)

WAA shall decide whether to amend the information within a reasonable period of time from receipt of the request.

If WAA declines to amend the information in accordance with a parental request, WAA shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.

### Records Hearing

WAA shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student's education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. WAA recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing. [\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)

### Hearing Procedures

A hearing to challenge information in education records must meet the following requirements:[\[27\]](#)[\[28\]](#)

1. WAA shall hold the hearing within a reasonable time after receiving the request for a hearing.
2. WAA shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.
3. The hearing may be conducted by any individual, including a WAA official, who does not have a direct interest in the outcome of the hearing.
4. WAA shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at their own expense, be assisted or represented by one (1) or more individuals of their choice, including an attorney.
5. WAA shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.
6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

### Result of Hearing

If, as a result of the hearing, WAA decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, WAA shall amend the information accordingly and inform the parent/guardian in writing. [\[26\]](#)[\[29\]](#)

If, as a result of the hearing, WAA decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, WAA shall inform the parent/guardian of the parent's/guardian's right to place in the student's records a statement commenting on the information and/or providing any reasons for disagreeing with WAA's decision.

Any explanation placed in the student's records shall be:

1. Maintained by WAA as part of the student's records as long as the record or contested portion is maintained by WAA; and
2. Included with the record or contested portion if the record or contested portion are disclosed to any party.

### Storage, Retention and Destruction of Information

WAA shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention. [\[30\]](#)

WAA shall maintain, for public inspection, a current listing of the names and positions of those WAA employees who have access to personally identifiable information. [\[30\]](#)

In order to fulfill state compliance monitoring requirements, WAA shall maintain education records for students receiving special education services for at least six (6) years.[\[2\]](#)

WAA shall inform parents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.[\[31\]](#)

No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.[\[13\]](#)

WAA may maintain a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed.[\[31\]](#)

WAA shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and the student's family.[\[30\]](#)

### Disclosure to Third Parties

WAA shall obtain parental consent before disclosing personally identifiable information to parties other than WAA officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.[\[2\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)

Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.[\[33\]](#)

WAA shall forward a student's educational records, including the most recent Individualized Education Program (IEP), within ten (10) school days after WAA is notified in writing that the student is enrolled at another public agency, public school, private school, approved private school or private agency.[\[4\]](#)

### Disclosure to Law Enforcement

When reporting an incident committed by a student with a disability to the appropriate authorities, in accordance with applicable law, regulations and Board policy, WAA shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. WAA shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[\[2\]](#)[\[10\]](#)[\[37\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)[\[43\]](#)[\[44\]](#)[\[45\]](#)

### **Delegation of Responsibility**

In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Chief Executive Officer and Director of Student Services to coordinate WAA's efforts to comply with this policy and applicable laws and regulations.[\[4\]](#)[\[30\]](#)

All WAA employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, administrative procedures, and state and federal laws and regulations regarding confidentiality of education records and personally identifiable information.[\[30\]](#)

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- Legal
1. Pol. 1013
  2. Pol. 2016
  3. [22 PA Code 711.3](#)
  4. [22 PA Code 711.8](#)
  5. [34 CFR 300.611-300.627](#)
  6. [34 CFR 300.520](#)
  7. [34 CFR 300.625](#)
  8. [34 CFR 300.611](#)
  9. [34 CFR 99.3](#)

- [10. 20 U.S.C. 1232g](#)
- [11. 34 CFR 300.32](#)
- [12. 34 CFR 300.613](#)
- [13. 34 CFR 99.10](#)
- [14. 34 CFR 99.4](#)
- [15. 34 CFR 300.615](#)
- [16. 34 CFR 99.12](#)
- [17. 34 CFR 300.616](#)
- [18. 34 CFR 300.617](#)
- [19. 34 CFR 99.11](#)
- [20. 34 CFR 300.614](#)
- [21. 34 CFR 300.618](#)
- [22. 34 CFR 99.20](#)
- [23. 22 PA Code 711.62](#)
- [24. 34 CFR 300.510-300.516](#)
- [25. 34 CFR 300.619](#)
- [26. 34 CFR 99.21](#)
- [27. 34 CFR 300.621](#)
- [28. 34 CFR 99.22](#)
- [29. 34 CFR 300.620](#)
- [30. 34 CFR 300.623](#)
- [31. 34 CFR 300.624](#)
- [32. 34 CFR 300.154](#)
- [33. 34 CFR 300.622](#)
- [34. 34 CFR 99.30](#)
- [35. 34 CFR 99.31](#)
36. Pol. 1013.2
37. Pol. 1013.3
- [38. 22 PA Code 10.2](#)
- [39. 22 PA Code 10.21](#)
- [40. 22 PA Code 10.22](#)
- [41. 22 PA Code 10.23](#)
- [42. 20 U.S.C. 1415](#)
- [43. 34 CFR 300.535](#)
- [44. 34 CFR Part 99](#)
45. Pol. 6005.1
- [20 U.S.C. 1400 et seq](#)
- [34 CFR Part 300](#)

Bureau of Special Education Letter to School Entities on Retention of Records, Dated November 9, 2009

[Pennsylvania Department of Education Individuals With Disabilities Education Act Part B LEA Policies and Procedures under 34 CFR §§300.101 - 300.176 \(2018\).](#)

Pol. 1013.1



Book	Policy Manual
Section	1000 Programs
Title	Curriculum
Code	1005
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes its responsibility for the development, assessment and improvement of Westinghouse Arts Academy Charter School's (WAA) educational program. To this end, the curriculum shall be developed, evaluated and modified on a continuing basis and in accordance with a plan for curriculum design and improvement.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### **Definition**

For purposes of this policy, **curriculum** shall be defined as a series of planned instruction aligned with established academic standards in each subject that is coordinated, articulated and implemented in a manner designed to result in the achievement of academic standards at the proficient level by all students.[\[4\]](#)[\[5\]](#)[\[6\]](#)

### **Authority**

The Board directs that WAA's curriculum shall be aligned with the established educational goals and objectives, WAA application and written Charter, and shall be designed to provide students the opportunity to achieve the academic standards established by the Board. Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge.[\[1\]](#)[\[3\]](#)[\[4\]](#)[\[6\]](#)[\[7\]](#)

### **Delegation of Responsibility**

As the educational leader of the Charter School, the Principal shall be responsible to the Chief Executive Officer for the Charter School's curriculum. S/He shall establish administrative procedures for curriculum development, evaluation and modification, which ensure the utilization of available resources, and effective participation of teaching staff members, students, and parents/guardians.[\[1\]](#)

A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and the Board.[\[1\]](#)[\[8\]](#)

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Legal	<a href="#">1. 22 PA Code 4.4</a>
	<a href="#">2. 24 P.S. 1716-A</a>
	<a href="#">3. 24 P.S. 1719-A</a>
	<a href="#">4. 22 PA Code 4.12</a>
	<a href="#">5. 22 PA Code 4.3</a>
	6. Pol. 1002
	<a href="#">7. 24 P.S. 1720-A</a>
	8. Pol. 1005.1

[24 P.S. 1513](#)

[24 P.S. 1518](#)

[22 PA Code 4.21](#)

[22 PA Code 4.22](#)

[22 PA Code 4.23](#)

[22 PA Code 4.25](#)

[22 PA Code 4.26](#)

[22 PA Code 4.27](#)

[22 PA Code 4.29](#)

[22 PA Code 4.82](#)

Pol. 1007

Pol. 1013

Pol. 1014

Pol. 1027

Pol. 1038



Book	Policy Manual
Section	1000 Programs
Title	Discipline of Students With Disabilities
Code	1013.3
Status	Active
Adopted	March 1, 2023

### **Purpose**

Westinghouse Arts Academy Charter School (WAA) shall develop and implement Positive Behavior Support Plans and programs for students with disabilities enrolled in WAA who require specific interventions to address behaviors that interfere with learning.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Board of Trustees (Board) shall adopt a Code of Student Conduct to govern student discipline, in accordance with applicable law, regulations and Board policy. Students with disabilities shall adhere to Board policies and the Code of Student Conduct governing student discipline. The rights and provisions provided to students with disabilities within this Board policy shall be incorporated into the Code of Student Conduct.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Students with disabilities who violate the Code of Student Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Positive Behavior Support Plan.[\[1\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

### **Definitions**

**Students with disabilities** - school-aged children enrolled in WAA who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[\[2\]](#)

**Suspensions from school** - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.[\[8\]](#)[\[9\]](#)[\[11\]](#)

**Expulsions from school** - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.[\[8\]](#)[\[9\]](#)[\[11\]](#)

**Interim alternative educational settings** - removal of a student with a disability from the student's current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability.[\[10\]](#)[\[12\]](#)

### **Authority**

The Board directs that WAA shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or WAA rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student's particular misconduct is a manifestation of the student's disability. However, under certain circumstances a student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student's educational placement to one which is more restrictive than the placement where the misconduct occurred.[\[9\]](#)[\[10\]](#)[\[12\]](#)[\[13\]](#)

## Provision of Education During Disciplinary Exclusions

During any period of expulsion, or suspension from school for more than ten (10) cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate public education (FAPE), in accordance with law.[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[14\]](#)

### **Guidelines**

#### Suspension From School

A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[15\]](#)

#### Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, WAA shall first determine whether the student's behavior is a manifestation of the student's disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.[\[9\]](#)[\[10\]](#)

A student with a disability whose behavior is not a manifestation of the student's disability may be disciplined in accordance with Board policy and WAA rules and regulations in the same manner and to the same extent as students without disabilities.[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

When a student with a disability has been expelled from WAA, in accordance with law, regulations and Board policy, WAA shall provide the student with a disability with the education required by law until WAA is notified in writing that the student has been enrolled in another public agency, public school, private school or private agency.[\[8\]](#)[\[9\]](#)

#### Parent/Guardian Appeals From Disciplinary Actions/Request for Hearing by Charter School for Students Who are a Danger to Themselves or Others

A due process hearing may be requested by a parent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by WAA if WAA believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when WAA requests a due process hearing, the hearing officer may return the student to the placement from which the student was removed or order the student's removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the student's current placement is substantially likely to result in an injury to the student or others.[\[12\]](#)[\[13\]](#)[\[16\]](#)

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless WAA and the parent/guardian agree otherwise.[\[12\]](#)[\[17\]](#)

#### Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if WAA did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.[\[12\]](#)[\[18\]](#)[\[19\]](#)

#### Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

WAA personnel may remove a student with a disability, including intellectual disability, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student:[\[10\]](#)[\[12\]](#)



1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of WAA. For purposes of this provision, **weapon** is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length.[\[10\]](#)[\[12\]](#)[\[20\]](#)[\[21\]](#)
2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of WAA.[\[10\]](#)[\[12\]](#)[\[22\]](#)[\[23\]](#)
3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of WAA. For purposes of this provision, **serious bodily injury** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.[\[10\]](#)[\[12\]](#)[\[24\]](#)

### Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[25\]](#)[\[26\]](#)[\[27\]](#)

The Chief Executive Officer or designee shall report **required incidents**, listed in School Code section 24 P.S. 13-1303-A(b)(4.1), and **discretionary incidents**, listed in School Code section 24 P.S. 13-1303-A(b)(4.2) in accordance with law, regulations and Board policy.[\[7\]](#)[\[26\]](#)[\[28\]](#)[\[29\]](#)

The Chief Executive Officer or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Chief Executive Officer or designee shall respond to such incidents in accordance with WAA's policies and administrative procedures for behavior support, and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[7\]](#)[\[12\]](#)[\[19\]](#)[\[21\]](#)[\[23\]](#)[\[25\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, WAA shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policies.[\[1\]](#)[\[3\]](#)[\[19\]](#)[\[30\]](#)

When reporting an incident committed by a student with a disability to the appropriate authorities, WAA shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. WAA shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[\[12\]](#)[\[25\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)[\[33\]](#)[\[36\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)

In accordance with state law, the Chief Executive Officer shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.[\[26\]](#)[\[36\]](#)

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[4. 22 PA Code 12.2](#)  
[5. 22 PA Code 12.3](#)  
[6. 22 PA Code 12.4](#)  
7. Pol. 2018  
8. Pol. 2033  
[9. 22 PA Code 711.61](#)  
[10. 34 CFR 300.530](#)  
[11. 22 PA Code 12.6](#)  
[12. 20 U.S.C. 1415](#)  
[13. 22 PA Code 711.62](#)  
[14. 20 U.S.C. 1412](#)  
[15. 34 CFR 300.536](#)  
[16. 34 CFR 300.532](#)  
[17. 34 CFR 300.533](#)  
[18. 34 CFR 300.534](#)  
19. Pol. 1013.1  
[20. 18 U.S.C. 930](#)  
21. Pol. 2018.1  
[22. 21 U.S.C. 812](#)  
23. Pol. 2027  
[24. 18 U.S.C. 1365](#)  
[25. 22 PA Code 10.2](#)  
[26. 24 P.S. 1303-A](#)  
[27. 35 P.S. 780-102](#)  
[28. 22 PA Code 10.21](#)  
[29. 22 PA Code 10.22](#)  
[30. 22 PA Code 10.23](#)  
[31. 22 PA Code 10.25](#)  
[32. 24 P.S. 1302.1-A](#)  
[33. 34 CFR 300.535](#)  
34. Pol. 2018.2  
35. Pol. 2022  
36. Pol. 6005.1  
37. Pol. 1003.1  
[38. 20 U.S.C. 1232g](#)  
39. Pol. 1013.4  
40. Pol. 2016  
[41. 34 CFR Part 99](#)  
[20 U.S.C. 1400 et seq](#)  
[34 CFR Part 300](#)



Book	Policy Manual
Section	1000 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Staff
Code	1004
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees (Board) shall provide to all persons equal access to all categories of employment at Westinghouse Arts Academy Charter School (WAA), regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability. WAA shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Board declares it to be the policy of WAA to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the Charter School may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the Charter School's website.

The Board requires a notice stating that WAA does not discriminate in any manner, including Title IX sexual harassment, in any education program or activity, to be issued to all students, parents/guardians, employment applicants, and employees with WAA, if applicable. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

### **Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation**

WAA encourages employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal or building administrator. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

If the building principal or building administrator is the subject of a complaint, the complainant or the individual making the report shall direct the report of the incident to the Title IX Coordinator.

The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing; however, verbal reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal or building administrator shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

### Disciplinary Procedures when Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. WAA shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

#### *Administrative Leave –*

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis.

An accused, nonstudent WAA employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations and Board policy.

### Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report, and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, the attachments and WAA's legal and investigative obligations. [\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

### Retaliation

The Board prohibits retaliation by WAA or any other person against any person for: [\[17\]](#).

1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment.
2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing.
3. Acting in opposition to practices the person reasonably believes to be discriminatory.

WAA, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if they believe retaliation has occurred.

### **Definitions**

**Complainant** shall mean an individual who is alleged to be the victim.

**Respondent** shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

#### Discrimination

**Discrimination** shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, genetic information, ancestry, national origin, marital status, pregnancy, or handicap/disability.

**Harassment** is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related work performance, including when: [\[9\]](#)

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or
2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

#### Definitions Related to Title IX Sexual Harassment

**Formal complaint** shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the Charter School investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. [\[16\]](#)[\[19\]](#).

**Supportive measures** shall mean non-disciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. [\[19\]](#)

**Supportive measures** shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment.

**Supportive measures** may include, but are not limited to: [\[19\]](#)

1. Counseling or Employee Assistance Program.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Changes in work locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

**Title IX sexual harassment** means conduct on the basis of sex that satisfies one or more of the following: [\[19\]](#)

1. A WAA employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a WAA education program or activity.

3. Sexual assault, dating violence, domestic violence or stalking.

- a. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors: [\[20\]](#)
  - i. Length of relationship.
  - ii. Type of relationship.
  - iii. Frequency of interaction between the persons involved in the relationship.
- b. **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [\[20\]](#)
- c. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. [\[21\]](#)
- d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [\[20\]](#)
  - i. Fear for their safety or the safety of others.
  - ii. Suffer substantial emotional distress.

Such conduct must have taken place during a WAA education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An **education program or activity** includes the locations, events or circumstances over which the Charter School exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a Charter School's education programs or activities, whether such programs or activities occur on-campus or off-campus. [\[15\]](#)[\[16\]](#)[\[19\]](#)

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board, CEO, or designee shall designate a member of administration The Compliance Officer and/or Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of WAA's nondiscrimination procedures in the following areas, as appropriate: [\[22\]](#)

1. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
2. Training - Provide training for supervisors and staff to prevent, identify and alleviate problems of employment discrimination.
3. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to WAA complaint procedure or Title IX procedures, such as making reports to the police, and available supportive measures such as assistance from domestic violence or rape crisis programs, and community health resources including counseling resources.

4. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

## **Guidelines**

### Title IX Sexual Harassment Training Requirements

The Compliance Officer and/or Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role:

1. Definition of Title IX sexual harassment.
2. Scope of WAA's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.
8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on WAA's website.

### Disciplinary Consequences

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy up to and including dismissal and/or referral to law enforcement officials. [23][24][25][26]

### Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, genetic information, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

### Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

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Legal

[1. 43 P.S. 336.3](#)

[2. 43 P.S. 951 et seq](#)

- [3. 34 CFR Part 106](#)
- [4. 20 U.S.C. 1681 et seq](#)
- [5. 29 U.S.C. 206](#)
- [6. 29 U.S.C. 621 et seq](#)
- [7. 29 U.S.C. 794](#)
- [8. 42 U.S.C. 1981 et seq](#)
- [9. 42 U.S.C. 2000e et seq](#)
- [10. 42 U.S.C. 2000ff et seq](#)
- [11. 42 U.S.C. 12101 et seq](#)
- [12. U.S. Const. Amend. XIV, Equal Protection Clause](#)
- [13. 24 P.S. 1715-A](#)
- [14. 20 U.S.C. 1232g](#)
- [15. 34 CFR 106.44](#)
- [16. 34 CFR 106.45](#)
- [17. 34 CFR 106.71](#)
- [18. 34 CFR Part 99](#)
- [19. 34 CFR 106.30](#)
- [20. 34 U.S.C. 12291](#)
- [21. 20 U.S.C. 1092](#)
- [22. 34 CFR 106.8](#)
23. Pol. 3017
24. Pol. 3017.1
25. Pol. 6006
26. Pol. 6024
- [16 PA Code 44.1 et seq](#)
- [18 Pa. C.S.A. 2709](#)
- [28 CFR 35.140](#)
- [28 CFR Part 41](#)
- [29 CFR Parts 1600-1691](#)
- [EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993](#)
- [EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999](#)
- [EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990](#)
- Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998)
- Faragher v. City of Boca Raton, 524 U.S. 775 (1998)

[1004-Attach 1 Report Form.pdf \(295 KB\)](#)

[1004-Attach 2 Discrimination.docx \(41 KB\)](#)

[1004-Attach 3 Title IX.docx \(76 KB\)](#)





Book	Policy Manual
Section	1000 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Students
Code	1003
Status	Active
Adopted	November 2, 2022

### **Authority**

Westinghouse Arts Academy Charter School (WAA) shall provide an equal opportunity for all students to achieve their maximum potential through the programs and activities offered without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)

WAA declares it to be the policy of this School to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the School may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The School is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students admission/enrollment, course offerings, counseling, assistance, services, employment, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of WAA and is prohibited at or in the course of School-sponsored programs or activities, including transportation to or from the School or School-sponsored activities.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.[\[21\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the Charter School's website.

The Board requires a notice stating that WAA does not discriminate in any manner, including Title IX sexual harassment, in any School education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the Charter School, if applicable. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

### **Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation**

WAA encourages students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal or building administrator, even if some elements of the related incident took place or originated away from Charter School grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

The student's parents/guardians or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal or building administrator.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal or building administrator, as well as properly making any mandatory police or child protective services reports required by law.[27]

If the building principal or building administrator is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing; however, verbal reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal or building administrator shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

#### Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The Charter School shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

When an emergency removal, as described in Attachment 3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable.[24][25][28]

When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.[24][25][28]

#### Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, the attachments and the Charter School's legal and investigative obligations.[29][30][31][32][33]

#### Retaliation

The Board prohibits retaliation by the School or any other person against any person for:[32]

1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment.

2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing.
3. Acting in opposition to practices the person reasonably believes to be discriminatory.

WAA, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.

## **Definitions**

**Complainant** shall mean an individual who is alleged to be the victim.

**Respondent** shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

### Discrimination

**Discrimination** shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

**Harassment** is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by the School.

### Definitions Related to Title IX Sexual Harassment

**Formal complaint** shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the School investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. [\[31\]](#)[\[34\]](#).

**Supportive measures** shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. [\[34\]](#)

**Supportive measures** shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to: [\[34\]](#)

1. Counseling.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.

6. Changes in work or housing locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

**Supportive measures** may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.[19][24][28][35][36]

**Title IX sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:[34]

1. A Charter School employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a Charter School education program or activity.
3. Sexual assault, dating violence, domestic violence or stalking.
  - a. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[37]
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  - b. **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.[37]
  - c. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.[38]
  - d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:[37]
    - i. Fear for their safety or the safety of others.
    - ii. Suffer substantial emotional distress.

Such conduct must have taken place during a School education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the School exercises substantial

control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a Charter School's education programs or activities, whether such programs or activities occur on-campus or off-campus.[30][31][34]

### **Delegation of Responsibility**

The Compliance Officer and/or Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the Charter School's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental and online materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the complaint procedure or Title IX procedures, such as making reports to the police, and available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. Charter School Support - Assure that like aspects of the Charter School programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.[40]
6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

### **Guidelines**

#### **Title IX Sexual Harassment Training Requirements**

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role:

1. Definition of Title IX sexual harassment.
2. Scope of the Charter School's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.
8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the Charter School's website.

### Disciplinary Consequences

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to: [21][24][25]

1. Loss of school privileges.
2. Exclusion from School-sponsored activities.
3. Detention.
4. Suspension.
5. Expulsion.
6. Referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[26][41]

### Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

### Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

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Legal

- [1. 22 PA Code 12.1](#)
- [2. 22 PA Code 12.4](#)
- [3. 22 PA Code 4.4](#)
- [4. 24 P.S. 1301](#)
- [5. 24 P.S. 1310](#)
- [6. 24 P.S. 1601-C et seq](#)
- [7. 24 P.S. 5004](#)
- [8. 43 P.S. 951 et seq](#)
- [9. 20 U.S.C. 1681 et seq](#)
- [10. 34 CFR Part 106](#)
- [11. 29 U.S.C. 794](#)
- [12. 42 U.S.C. 12101 et seq](#)
- [13. 42 U.S.C. 1981 et seq](#)
- [14. 42 U.S.C. 2000d et seq](#)

[15. U.S. Const. Amend. XIV, Equal Protection Clause](#)

[16. 22 PA Code 711.1 et seq](#)

[17. 24 P.S. 1715-A](#)

[18. 24 P.S. 1723-A](#)

19. Pol. 1003.1

20. Pol. 2000

21. Pol. 2018

22. Pol. 2047

23. Pol. 2049

24. Pol. 1013.3

25. Pol. 2033

26. Pol. 3017

27. Pol. 6006

28. Pol. 1013.2

[29. 20 U.S.C. 1232g](#)

[30. 34 CFR 106.44](#)

[31. 34 CFR 106.45](#)

[32. 34 CFR 106.71](#)

[33. 34 CFR Part 99](#)

[34. 34 CFR 106.30](#)

35. Pol. 1013

36. Pol. 1013.1

[37. 34 U.S.C. 12291](#)

[38. 20 U.S.C. 1092](#)

[39. 34 CFR 106.8](#)

40. Pol. 1050

41. Pol. 3017.1

[18 Pa. C.S.A. 2709](#)

[20 U.S.C. 1400 et seq](#)

[28 CFR Part 41](#)

[28 CFR Part 35](#)

[34 CFR Part 100](#)

[34 CFR Part 104](#)

[34 CFR Part 110](#)

[U.S. Const. Amend. I](#)

Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

[Office for Civil Rights - Resources for Addressing Racial Harassment](#)

Pol. 1022

Pol. 1038

Pol. 2016

Pol. 2020

Pol. 2051

Pol. 5001

Pol. 6015

[1003-Attach 1 Report Form.pdf \(263 KB\)](#)

[1003-Attach 2 Discrimination.docx \(41 KB\)](#)

[1003-Attach 3 Title IX.docx \(79 KB\)](#)





Book	Policy Manual
Section	1000 Programs
Title	Evaluations for Students With Disabilities
Code	1013.1
Status	Active
Adopted	March 1, 2023

## **Purpose**

The Board of Trustees (Board) adopts this policy to define the minimum requirements for educational evaluations conducted to determine eligibility for special education services, instructional levels and programming requirements for students with disabilities, including functional behavioral assessments, determination of specific learning disabilities, and requirements for independent educational evaluations. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

## **Authority**

WAA shall comply with requirements of state and federal laws and regulations when conducting evaluations. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[8\]](#)[\[9\]](#)[\[12\]](#)

An appropriate evaluation of a student, whether conducted by WAA staff or individuals not employed by the Charter School, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by WAA staff, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum.

The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury. [\[3\]](#)[\[13\]](#)

A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities. [\[14\]](#)

A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal laws and regulations. [\[1\]](#)[\[2\]](#)[\[9\]](#)[\[15\]](#)

## **Guidelines**

### **Parent/Guardian Requests**

Parents/Guardians may request an evaluation at any time. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request. [\[3\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

The evaluation shall be completed and a copy of the evaluation report presented to parents/guardians no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term.

Copies of the evaluation report shall be disseminated to parents/guardians at least ten (10) school days prior to the meeting of the IEP team unless this requirement is waived by the parent/guardian in writing.

Parents/Guardians may request a re-evaluation of their student who has an IEP annually. More frequent re-evaluations may only be conducted if the parent/guardian and WAA agree.[\[2\]](#)[\[17\]](#)[\[19\]](#)

Copies of the re-evaluation report shall be disseminated to parents/guardians at least ten (10) school days prior to the meeting of the IEP team unless this requirement is waived by the parent/guardian in writing.

### Appropriate Evaluations

An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student.[\[1\]](#)[\[3\]](#)[\[7\]](#)[\[8\]](#)

An appropriate evaluation shall include:

1. Testing and assessment techniques required in light of information currently available from previous evaluations.
2. Information from parents/guardians and WAA staff familiar with the performance of the student.
3. The student's education records.

The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.

To the extent that the results of such instructional assessments are inconsistent with the results of norm or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain the reason for the inconsistency in his/her report, if possible.

Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure and in compliance with applicable and authoritatively recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained.

All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student.

The evaluation shall include an observation of the student in an educational setting, unless the student is not currently in such a setting. The evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the student, unless s/he does not have a current teacher.

The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

The evaluator shall prepare and sign a full report of the evaluation containing:

1. Clear explanation of the testing and assessment results.
2. Complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores; domain or composite scores; and subtest scores reported in standard, scaled, or T-score format.

3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student.
5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state laws and regulations.

### Criteria for Determining Specific Learning Disabilities

WAA shall develop written procedures for determining whether a student has specific learning disabilities. The written procedures shall include the steps and criteria required by law and regulations when assessing the presence of a specific learning disability. WAA's procedures shall be included in the Annual Report.[\[4\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)

### Functional Behavioral Assessments

The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student's behaviors and to assist with developing a positive Behavior Support Plan. FBAs shall be conducted when:[\[5\]](#)[\[10\]](#)[\[11\]](#)[\[23\]](#)[\[24\]](#)

1. A student's behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming.
2. A student's behavior violates the Code of Student Conduct and is determined to be a manifestation of the student's disability.
3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses.
4. The school contacts law enforcement regarding a student who already has a positive Behavior Support Plan.

FBAs may also constitute part of the initial evaluation to determine eligibility for special education.

### Re-Evaluations

Re-evaluations shall be conducted within the timeframes required by state and federal laws and regulations, at least once every three (3) years, unless the parent/guardian and WAA agree in writing that a re-evaluation is unnecessary. A re-evaluation shall be conducted if WAA determines that the student's educational or related service needs warrant a re-evaluation, or at the request of the student's parent/guardian or teacher, in accordance with federal and state laws and regulations.[\[1\]](#)[\[2\]](#)[\[7\]](#)[\[9\]](#)

For students with intellectual disability, the re-evaluation cannot be waived and must be conducted at least once every two (2) years.

The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury.

### Independent Educational Evaluations

A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by WAA may request an independent educational evaluation at public expense. A parent/guardian is entitled to only one (1) independent educational evaluation at public expense each time WAA conducts an evaluation with which the parent/guardian disagrees. The independent educational evaluation must arise from parents'/guardians' disagreement with WAA's most recent evaluations or re-evaluations of the student. WAA shall be entitled to a copy of all results of independent educational evaluations conducted at public expense.[\[8\]](#)

If an oral request for an independent educational evaluation is made to a professional employee or administrator, that person shall inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable and in the native language of the parent/guardian.

A written request for an independent educational evaluation at public expense shall be immediately forwarded to the Director of Student Services, who may, upon receipt of the written parent/guardian request, ask that the parent/guardian state his/her reasons for disagreement with the evaluation conducted or proposed by WAA. WAA cannot require the parent/guardian to do so, and the refusal of the parent/guardian shall not delay the process required by this policy.

The criteria under which the independent educational evaluation at public expense is obtained must be the same as the criteria used by WAA in conducting an appropriate evaluation, including the location of the evaluation and the qualifications of the examiner, to the extent those criteria are consistent with the parent's/guardian's right to an independent educational evaluation at public expense. The qualified examiners who conduct the independent educational evaluation may not be employed by the public agency responsible for the education of the student.

Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the Director of Student Services shall either initiate a due process hearing to show that WAA's evaluation is appropriate and notify the parent/guardian in writing that s/he has done so or issue to the parent/guardian correspondence containing:

1. Assurance that WAA will provide for an independent educational evaluation at public expense as long as the evaluation meets all of the requirements of an appropriate evaluation and is in compliance with this policy.
2. Statement that WAA will not provide for payment at public expense until it receives directly from the evaluator a complete copy of a report of that evaluation and determines that the evaluation is in compliance with this policy.
3. Request that the parents/guardians consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent/guardian is not required to do so and that WAA will ensure payment is provided for any cost not covered by such sources.
4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contacts the Director of Student Services to arrange for payment of the evaluation.

Upon request, WAA shall provide to parents/guardians information about where an independent educational evaluation may be obtained.

If the evaluation has already been conducted and paid for, WAA shall issue correspondence advising the parent/guardian that the Charter School will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation is in compliance with this policy. WAA shall require documentation substantiating that the parents/guardians paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement.

The Director of Student Services shall send the correspondence to the parent/guardian by certified mail or by other independently verifiable means of conveyance and enclose a copy of this policy.

WAA shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall promptly make that list available to any parent/guardian who requests it.

[3. 22 PA Code 711.24](#)

[4. 22 PA Code 711.25](#)

[5. 22 PA Code 711.46](#)

[6. 34 CFR 300.226](#)

[7. 34 CFR 300.301-300.311](#)

[8. 34 CFR 300.502](#)

[9. 34 CFR 300.503](#)

10. Pol. 1013

11. Pol. 1013.2

[12. 34 CFR 300.300-300.311](#)

[13. 34 CFR 300.306](#)

[14. 34 CFR 300.304](#)

[15. 34 CFR 300.303-300.306](#)

[16. 22 PA Code 711.23](#)

[17. 34 CFR 300.300](#)

[18. 34 CFR 300.301](#)

[19. 34 CFR 300.303](#)

[20. 34 CFR 300.307](#)

[21. 34 CFR 300.309](#)

22. Pol. 1000

[23. 34 CFR 300.530](#)

24. Pol. 1013.3

[20 U.S.C. 1400 et seq](#)

[34 CFR Part 300](#)

[Pennsylvania Training and Technical Assistance Network \(PaTTAN\)](#)



Book	Policy Manual
Section	1000 Programs
Title	Exemption From Instruction
Code	1005.2
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees adopts this policy to ensure that parents/guardians have the right to have their children excused from specific instruction that conflicts with their religious beliefs, in accordance with applicable law and regulations. [\[1\]](#)[\[2\]](#)

### **Guidelines**

Westinghouse Arts Academy Charter School (WAA) shall excuse any student from specific instruction, subject to the following conditions:

1. To assist the Charter School in ensuring that the student is excused from the correct specific instruction, the request must be made in writing and must detail the specific instruction from which the student is to be excused.
2. The written request to be excused shall be sent by the parent/guardian or student to the classroom teacher and Principal. One (1) copy of the request shall be retained in the student's permanent school records, one (1) copy kept by the administration, and one (1) copy submitted to the teacher from whose instruction the student is to be excused.
3. It shall not be the responsibility of WAA or any of its employees to ensure that the student exercises his/her right to be excused in accordance with a parental request. It shall be the responsibility of the student to request permission to leave class when the specific instruction objected to is presented. When the student seeks to be excused, the teacher shall excuse the student if the teacher or administration has a copy of the written request and the written request adequately describes the specific instruction.
4. The written request must contain a statement that the specific instruction described conflicts with the religious beliefs of the student or of the parents/guardians.
5. The parent/guardian and/or student may request suggested replacement educational activities. The only permissible educational activities for this purpose shall be in the nature of replacement instruction that is consistent with the learning objectives set for the course.
6. WAA shall determine where the student shall report during the time the student is excused.
7. All students excused from specific instruction shall be required to achieve the academic standards established by the Charter School. [\[3\]](#)

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- Legal
- [1. 22 PA Code 11.7](#)
  - [2. 22 PA Code 4.4](#)
  3. Pol. 1002



Book	Policy Manual
Section	1000 Programs
Title	Extracurricular Activities
Code	1022
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes the educational values inherent in student participation in extracurricular activities and supports the concept of student activities for such purposes as building social relationships, developing interests and skills, and gaining an understanding of the elements and responsibilities of good citizenship.

All learning and educational experiences offered by Westinghouse Arts Academy Charter School (WAA), curricular and extracurricular, shall be planned and integrated toward attainment of WAA's educational goals and objectives.

### **Definitions**

For purposes of this policy, **extracurricular activities** shall be those programs that are sponsored or approved by the Board and are conducted wholly or partly outside the regular school day; are marked by student participation in the processes of initiation, planning, organizing, and execution; and are equally available to all WAA students who voluntarily elect to participate.[\[1\]](#)

For purposes of this policy, an **athletic activity** shall mean all of the following:[\[2\]](#)[\[3\]](#)[\[4\]](#)

1. Interscholastic athletics.
2. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the school, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.
3. Noncompetitive cheerleading that is sponsored by or associated with the school.
4. Practices, interschool practices and scrimmages for all athletic activities.

### **Authority**

WAA shall make School facilities, supplies and equipment available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with the Equal Access Act.[\[5\]](#)[\[6\]](#)[\[7\]](#)

The Board shall coordinate with local school district(s) to establish plans or agreements for student participation in extracurricular activities.[\[8\]](#)

It shall be the policy of the Board to offer opportunities for participation in interscholastic and intramural athletic programs to male and female students on as equal a basis as is practicable and without discrimination, in accordance with law and regulations.[\[6\]](#)[\[7\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Any extracurricular activity shall be considered under the sponsorship of this Board when it has been approved by the Chief Executive Officer and reported to the Board for its review.

The Board shall maintain the program of extracurricular activities at no cost to participating students, except that students may assume all or part of the costs for travel and attendance at extracurricular events and trips.

Where eligibility requirements are necessary or desirable, the Board shall be informed and must approve the establishment of eligibility standards before they are operable.

### Off-Campus Activities

This policy shall also apply to student conduct that occurs off WAA property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:[13]

1. The conduct occurs during the time the student is traveling to and from WAA or traveling to and from school-sponsored activities, whether or not via WAA furnished transportation.
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. Student expression or conduct materially and substantially disrupts the operations of WAA, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of WAA.
4. The conduct has a direct nexus to attendance at WAA or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of WAA property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at WAA or school-sponsored activities.

### Delegation of Responsibility

Each school year, prior to participation in an athletic activity, as defined in this policy, every student athlete and their parent/guardian shall sign and return the acknowledgement of receipt and review of the following forms to the district in which the activity is taking place :[2][3][4][14][15]

1. Concussion and Traumatic Brain Injury Information Sheet.
2. Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet.

### Guidelines

Guidelines shall ensure that the program of extracurricular activities:

1. Assesses the needs and interests of and is responsive to WAA students.
2. Invites the participation of parents/guardians and community in developing extracurricular activities. Such participation shall be in accordance with the Equal Access Act.[5]
3. Involves students in developing and planning extracurricular activities.
4. Ensures provision of competent guidance and supervision by staff.
5. Guards against exploitation of students.
6. Provides a variety of experiences and diversity of organizational models.
7. Provides for continuing evaluation of the program and its components.
8. Ensures that all extracurricular activities are open to all students and that all students are fully informed of the opportunities available to them.[1][16]

### Participation in Extracurricular Activities of the Student's School District of Residence



Notwithstanding any agreement or plan entered into between WAA and local school district(s), WAA students shall be permitted to participate in the extracurricular activities of their school district of residence, in accordance with law, provided that the student is able to fulfill all of the requirements for participation in such activity established by the school district of residence and WAA does not provide the same activity.[8]

WAA shall cooperate with the student's school district of residence by providing written documentation, which may include providing copies of the student's attendance record and grades, confirming that the student has met the requirements of participation for the extracurricular activity.

WAA shall inform parents/guardians that they must authorize the release of such information, which may constitute information from the student's education record, in order for WAA to provide documentation to the school district of residence to verify that their child is eligible to participate in extracurricular activities.[17]

WAA shall cooperate with local school district(s) to provide information regarding opportunities and requirements for WAA student participation in school district extracurricular activities.

Parents/Guardians shall be notified that the school district of residence is not required to provide transportation to and from extracurricular activities.

### Equal Access Act

The Board encourages secondary level students to pursue clubs and interests that may not be related directly to the curricular programs offered at WAA. In pursuit of such goal and in compliance with law, the Board maintains a limited open forum in which secondary students may meet for voluntary student-initiated activities unrelated directly to the curriculum, regardless of the religious, political, philosophical or other content of the speech related to such activities.

WAA shall provide secondary students the opportunity for non-curriculum-related student groups to meet on the school premises during non-instructional time for the purpose of conducting a meeting within the limited open forum on the basis of religious, political, philosophical, or other content of the speech at such meetings. Such meetings must be voluntary, student-initiated, and not sponsored in any way by WAA, its agents or employees.[5]

**Noninstructional time** is the time set aside by WAA before actual classroom instruction begins, after actual classroom instruction ends, or during the lunch hour.

The meetings of student groups cannot materially and substantially interfere with the orderly conduct of the educational activities at WAA.

The Chief Executive Officer or designee shall establish the length of sessions, number per week, and other limitations deemed reasonably necessary.

WAA retains the authority to maintain order and discipline on WAA premises in order to protect the well-being of students and employees and to ensure that student attendance at such meetings is voluntary.

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Legal

[1. 22 PA Code 12.1](#)

[2. 24 P.S. 1602-A](#)

[3. 24 P.S. 5322](#)

[4. 24 P.S. 1425](#)

[5. 20 U.S.C. 4071 et seq](#)

6. Pol. 1003

7. Pol. 1003.1

[8. 24 P.S. 1719-A](#)

[9. 22 PA Code 4.27](#)

[10. 24 P.S. 1601-C et seq](#)

[11. 34 CFR 106.41](#)

12. Pol. 1010

13. Pol. 2018

14. Pol. 1022.1

15. Pol. 1022.2

[16. 22 PA Code 12.4](#)

17. Pol. 2016

18. Pol. 2004

[19. 24 P.S. 1603-C](#)

[24 P.S. 5321 et seq](#)



Book	Policy Manual
Section	1000 Programs
Title	Field Trips
Code	1021
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Board of Trustees (Board) recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important component of Westinghouse Arts Academy Charter School's (WAA) instructional program. Properly planned and executed field trips can:

1. Supplement and enrich classroom learning by providing educational experiences in an environment outside of school.
2. Arouse new interests among students.
3. Help students relate academic learning to the reality of the world outside of school.
4. Introduce community resources, such as natural, cultural, industrial, commercial, governmental, and educational.
5. Afford students the opportunity to study real things and real processes in their actual environment.

### **Definition**

For purposes of this policy, a **field trip** shall be defined as any trip by students away from Charter School premises that is an integral part of approved planned instruction, is conducted as a first-hand educational experience not available in the classroom, and is supervised by Charter School staff.

### **Authority**

WAA shall establish an annual budget for field trip expenses, including transportation, consider field trips included in planned instruction to have been approved in advance. All field trips not included in the established planned instruction must be approved individually by the Principal.[1]

Field trip expenses may also be covered by approved Charter School parent-teacher organizations.

Students on field trips remain under the supervision and responsibility of this Board and are subject to its rules and regulations.

The Board does not endorse, support nor assume responsibility in any way for any WAA staff member who takes students on trips not approved by the Board or Chief Executive Officer. No staff member may solicit students for such trips within WAA facilities or on Charter School grounds without Board permission.

### **Delegation of Responsibility**

The Chief Executive Officer shall have the authority and discretion to cancel any field trip without prior notice if s/he determines that canceling the field trip is in the best interests of the health, safety, or welfare of the field trip attendees. The Chief Executive Officer may cancel field trips for reasons

including but not limited to, declared states of emergency, natural disasters, extreme weather conditions and alerts issued by the U.S. Department of Homeland Security.

The Chief Executive Officer or designee shall develop administrative procedures for the operation of field trips.

### **Guidelines**

Field trips shall be governed by guidelines which ensure that:

1. The safety and well-being of students will be protected at all times.
2. Permission of the parent/guardian is sought and obtained before any student may participate.
3. The Chief Executive Officer or designee approves the purpose, itinerary and duration of each proposed trip.
4. Each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its value.[2]
5. The effectiveness of field trip activities is monitored and evaluated continuously.
6. Teachers are allowed flexibility and innovation in planning field trips.
7. No field trip will be approved unless it contributes to the achievement of specified instructional objectives.

### **Administration of Medication**

The Board directs planning for field trips to start early in the school year and to include collaboration between administrators, teachers, nurses, parents/guardians and other designated officials.

Decisions regarding administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs.[3][4]

Medication shall be administered in accordance with applicable laws, regulations, Board policies and administrative procedures.[5][6]

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- Legal
1. Pol. 1007
  2. Pol. 1005
  3. Pol. 1003.1
  4. Pol. 1013
  5. Pol. 2010
  6. Pol. 2010.1
- [24 P.S. 1716-A](#)



Book	Policy Manual
Section	1000 Programs
Title	Gender and Gender Identity Discrimination
Code	1003.2
Status	Active
Adopted	March 1, 2023

### **Purpose:**

The purpose of this administrative amendment is to provide additional information and direction about gender and gender identity.

### **Definitions:**

**Birth-Assigned Sex:** Refers to the sex recorded on a person’s original birth certificate at the time of birth.

**Gender Identity:** Refers to one’s internal core sense of gender, which may be different from one’s birth-assigned sex, and which is consistently and uniformly asserted, or for which there is other evidence that the gender identity is sincerely held as part of the individual’s core identity.

**Transgender:** An adjective describing an individual whose gender identity diverges from the birth-assigned sex. An individual can express or assert a transgender gender identity in a variety of ways. Being transgender does not imply any specific sexual orientation.

**Gender Transition:** The processes by which some individuals strive to more closely align their gender identity with outward manifestations. Some people socially transition, whereby they might begin dressing, using names and pronouns and/or be socially recognized based on their gender identity. Others undergo physical transitions in which they modify their bodies through medical interventions. Medical treatments or procedures are not considered a prerequisite for one’s recognition as transgender. Treatments such as hormone therapy may be unaffordable, not medically indicated, or contraindicated for many youth. Surgical treatments are generally not available for schoolage transgender youth.

**Gender Stereotypes:** Refers to stereotypical notions of masculinity and femininity, including expectations of how one expresses or communicates one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

**Gender-Expansive:** A term referring to aspects of gender expression, identity, and interests that go beyond binary prescriptions of behaviors and interests associated primarily with boys or girls. It conveys a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system.

**Student Support Team:** A building-level team composed of appropriate staff, such as the building principal, school counselor, nurse, and teacher(s), that works with the student and family to provide a supportive learning environment.

### **Privacy and Confidentiality**

All students have a right to privacy and this right includes the right to keep one's transgender status private at school. Information about a student's transgender status, legal name, or birth-assigned sex may also constitute confidential protected health information. Disclosing this information to other students, their parents/guardians, or other third parties may violate privacy laws, such as the Family Educational Rights and Privacy Act (FERPA). [1]

Similar to all students, Westinghouse Arts Academy Charter School (WAA) shall ensure that protected health information and education records relating to transgender and gender-expansive students shall be kept confidential in accordance with applicable state and federal privacy laws. Transgender and gender-expansive students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much to share private information. The fact that a student chooses to disclose their transgender status to WAA staff or other students does not authorize WAA staff to re-disclose that information.

To ensure the safety and well-being of the student, WAA personnel should not disclose a student's transgender status to others, including the student's parents/guardians or other WAA personnel, unless: (1) legally required to do so, or (2) the student has authorized such disclosure. Relevant school staff, such as the building principal, guidance counselor, and school psychologist, will work actively and immediately to discuss disclosure to parents/guardians given their legal rights and the importance of collaboration between the school staff, student, and parents/guardians. When contacting the parent or guardian of a transgender student, WAA staff should use the student's legal name and the pronoun corresponding to the student's birth-assigned sex unless the student, parent, or guardian has specified otherwise.

## **Student Transitions**

In most cases, for a transgender student, beginning the process to live openly in a manner consistent with their gender identity is a very private matter.

Since parents/guardians are generally aware of their child's development, notifying a student's parent/guardian about his or her gender identity or transition may be unnecessary. In some cases, however, informing parents/guardians about a student disclosure carries risks for the student, such as physical and/or emotional abuse, abandonment, and/or removal from the home.

Prior to notification of any parent/guardian regarding the transition process, WAA staff must work closely with the student to assess the degree to which, if any, the parent/guardian will be involved in the process and must consider the health, wellbeing, and safety of the transitioning student. Upon notification by a student, parent/guardian, or representative that a student is undertaking, planning to undergo, or has completed a gender transition, the school will promptly inform the notifying individual and the student of the right to request a Student Support Team, consisting of appropriate school staff (e.g., building principal, counselor, nurse, and teacher(s) as appropriate).

When a student transitions during the school year, the Student Support Team shall hold a meeting with the student and parents/guardians, if they are involved in the process. The Student Support Team should discuss a timeline for the transition in order to create the conditions supporting a safe and accepting environment at the school. WAA staff will not require proof of medical treatments as a prerequisite for respecting the student's gender identity. If any objective basis should occur that would justify questioning whether a student's asserted gender identity is genuine, information may be requested to show that the gender identity is sincerely held.

## **Student Support Teams**

Each school shall form a Student Support Team that will serve as a visible resource for all students who have questions and/or concerns regarding any issues related to gender identity and expression. The Student Support Team shall also be a resource for any questions regarding transgender or gender-expansive students.

## **Names and Pronouns**

Every student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity. A court-ordered name or gender change is not required, and the student need not change his or her official records. The building principal or a staff member designee should privately ask transgender or gender-expansive students at the beginning of the school year how they want to be addressed in class, in correspondence to the home, or at conferences with the student's parents/guardians. In compliance with FERPA, the building principal will ensure that the preferred name and pronoun are communicated to staff members with a legitimate educational interest.

## **Student Records**

WAA is required to maintain a mandatory permanent student record that includes a student's legal name and legal gender. However, to the extent that WAA is not legally required to use a student's legal name and gender on other school records or documents, such as school IDs, classroom rosters or the yearbook, WAA will use the name and gender preferred by the student, unless the student requests it not be shared with parent/guardian. WAA will change a student's official record to reflect a change in legal name or gender upon receipt of documentation that such change has been made pursuant to a court order, or through amendment of state or federally issued identification. In situations where WAA staff are required by law to use or to report a transgender student's legal name or gender, such as for purposes of standardized testing, administration and school staff shall implement practices to avoid the inadvertent disclosure of such confidential information.

## **Dress Code**

WAA may enforce dress codes pursuant to Board Policy. Individual school dress codes shall not differentiate student dress based on gender or gender identity. Students shall have the right to dress in accordance with their gender identity, within the constraints of the dress code adopted by the school. WAA staff shall not enforce a school's dress code more strictly against transgender and gender-expansive students than other students.

## **Restrooms**

Having safe access to restroom facilities is important to the health and wellbeing of all people. Schools may maintain separate sex-specific restrooms. However, WAA students shall have access to restroom facilities that correspond to their consistently and uniformly asserted gender identity. Any student who has a need or desire for increased privacy, regardless of the reason, may use an alternative restroom (e.g., single-stall bathroom). Restrooms, as the term is used in this policy, do not include toilet structures or any other areas internal to locker rooms. A transgender or gender-expansive student may request to use a separate non-sex-specific restroom; however, no student shall be required to use an alternative restroom because they are transgender. Under no circumstance should any student be required to use sex-specific restrooms that are inconsistent with their gender identity.

## **Physical Education Classes and Intramural and Interscholastic Athletics**

All students shall be permitted to participate in physical education activities and intramural sport activities in a manner consistent with their gender identity. Regarding interscholastic sports teams, WAA will follow the Pennsylvania Interscholastic Athletic Association's (PIAA) rules regarding mixed-gender

participation. Under these rules, the PIAA will accept the school principal's decision as to the student's gender. In this situation, the principal will identify the student in accordance with his or her gender identity, unless the student requests otherwise.

### **Other Activities, Rules, Policies, and Practices**

As a general rule, in any other circumstance where students are separated by gender, for instance at field trips within the school day, classroom activities, school ceremonies and school photos, each student should be permitted to participate in a manner consistent with their gender identity. Single-gender classes and activities may only be offered in certain circumstances and in accordance with District policy, law and regulation.

### **Training and Professional Development**

In Accordance with this anti-discrimination policy, the Administration will provide specialized training on an as-need basis for specific employees, and generalized training for all employees. WAA shall implement ongoing professional development to build the skills of all staff members to identify, prevent, and respond to bullying, harassment, and discrimination. The content of such professional development shall include, but not be limited to, the information outlined in this policy. Information regarding this policy shall be shared with new school employees.

### **Publication and Media Communications**

This Policy shall be distributed annually as part of the Student and Parent Handbook. WAA shall make consistent efforts to ensure awareness of this policy, as well as the availability of the Student Support Team. Only the CEO or Principal shall communicate to representatives of the media regarding matters of student gender identity. WAA staff shall direct the media to the CEO or Principal. In communicating with the news media, parents/guardians and the community, protecting the privacy of transgender and gender-expansive students shall be a top priority for the spokesperson and all staff.

Legal

[1. 20 U.S.C. § 1232g; 34 CFR Part 99](#)



Book	Policy Manual
Section	1000 Programs
Title	Guidance Counseling
Code	1012
Status	Active
Adopted	March 1, 2023

### **Purpose**

A guidance counseling program is an integral part of Westinghouse Arts Academy Charter School's (WAA) educational program. Such a program can:

1. Assist students in achieving their optimum potential.
2. Enable students to significantly benefit from the offerings of the educational program.
3. Identify intellectual, emotional, social and physical needs.
4. Aid students in recognizing options and making choices in vocational and academic educational planning.
5. Assist students in identifying career options consistent with their abilities and goals.
6. Help students learn to make their own decisions and to solve problems independently.

### **Authority**

The Board of Trustees (Board) directs that students shall be provided a program of guidance and counseling which involves the coordinated efforts of all staff members, under the professional leadership of certificated guidance and counseling personnel.[\[1\]](#)

### **Delegation of Responsibility**

The Chief Executive Officer or designee is directed to implement and maintain a guidance program that serves the needs of students.

### **Guidelines**

The Charter School's program of guidance counseling shall:

1. Be an integral part of the educational program at all levels.
2. Involve staff members at every appropriate level.
3. Honor the individuality of each student.
4. Be coordinated with services provided by locally available social and human services agencies.[\[1\]](#)  
[\[2\]](#)[\[3\]](#)
5. Cooperate with parents/guardians and address their concerns regarding the development of their child.
6. Provide means for sharing information among appropriate staff members in the best interests of the student.[\[4\]](#)

7. Be available equally to all students.[5][6]

8. Establish a referral system that utilizes resources offered by the Charter School and community, guards the privacy of the student, and monitors the effectiveness of such referrals.

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[1. 22 PA Code 12.41](#)

[2. 22 PA Code 12.16](#)

3. Pol. 1046

4. Pol. 2007

5. Pol. 1003

6. Pol. 1003.1

[22 PA Code 4.34](#)



Book	Policy Manual
Section	1000 Programs
Title	Homework
Code	1030
Status	Active
Adopted	March 1, 2023

### **Purpose**

The purpose of homework assignments should be to:

1. Provide practice and reinforcement of skills presented by the teacher.
2. Broaden areas of interest through enrichment.
3. Provide opportunities for parents/guardians to know what their child is studying.
4. Encourage parent/guardian and child interaction.

### **Guidelines**

Each student shall be responsible for completing homework assignments as directed. [\[1\]](#)

Homework shall complement classroom instruction and be planned and evaluated with respect to its purpose, appropriateness, and completion time.

The demand of homework upon the students' time shall be consistent with the best interests of the students in regards to other valuable experiences to be gained outside of school.

There shall be flexibility and difference in homework assignments to individual students, based upon the ability and instructional level of the student.

Homework shall be checked for understanding and corrections shall be reviewed with the student.

Homework shall not be assigned as a form of punishment.

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Legal [1. 22 PA Code 12.2](#)



Book	Policy Manual
Section	1000 Programs
Title	Instructional Supplies
Code	1010
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees (Board) shall supply each staff member and student with the supplies and equipment that are deemed necessary for implementation of the approved educational program.

The Board may require that students provide certain supplies for participation in extracurricular activities.

### **Guidelines**

When individualized and non-reusable clothing or equipment is necessary for reasons of safety or health, students shall be required to provide their own clothing or equipment, which shall meet standards set by Westinghouse Arts Academy Charter School (WAA). Such standards shall be reasonably related to considerations of safety, health and protection of property.[\[1\]](#)

When provision of instructional supplies imposes a financial hardship on a student, WAA may assume the cost as long as such cost doesn't create a financial hardship on the school.

### **Delegation of Responsibility**

The Chief Executive Officer or designee shall establish administrative procedures to ensure that no student is denied participation in the educational program for financial reasons and to guard the privacy of each student.

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Legal [1. 22 PA Code 12.11](#)  
[24 P.S. 5301 et seq](#)



Book	Policy Manual
Section	1000 Programs
Title	Nondiscrimination - Qualified Students With Disabilities
Code	1003.1
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees (Board) shall ensure that all Westinghouse Arts Academy Charter School (WAA) programs and practices are free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

WAA shall provide to each qualified student with a disability enrolled in WAA, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.

The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective or preventative action be taken for substantiated allegations.

### **Confidentiality**

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be maintained, consistent with WAA's legal and investigative obligations.

### **Retaliation**

WAA shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.

### **Definitions**

**Qualified student with a disability** - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of WAA's educational programs, nonacademic services or extracurricular activities. [\[15\]](#)

**Section 504 Team** - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians. [\[12\]](#)

**Section 504 Service Agreement (Service Agreement)** - an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in WAA, in transit to and from WAA, and in all programs and procedures, so that the student has equal access to the benefits of WAA's educational programs, nonacademic services, and extracurricular activities.

**Disability harassment** - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the WAA's educational programs, nonacademic services, or extracurricular activities.[14]

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Director of Special Education as the WAA's Section 504 Coordinator.[16]

WAA shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on WAA's website and in the student handbook. WAA shall take appropriate steps to notify parents/guardians of students applying to or enrolled in WAA of WAA's responsibilities under applicable law and regulations, and that WAA does not discriminate against qualified individuals with disabilities.[17]

### **Guidelines**

#### Identification and Evaluation

WAA shall conduct an annual child find campaign to locate and identify every student with a disability, applying to or enrolled in WAA, thought to be eligible for Section 504 services and protections. WAA may combine this search with IDEA child find efforts, in order to not duplicate efforts.[17][18]

If a parent/guardian or the WAA has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student's current Service Agreement, the parent/guardian or WAA shall provide the other party with written notice.[19]

WAA shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.[19]

WAA shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[19]

WAA shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured).

#### Service Agreement

If a student is determined to be a qualified student with a disability, WAA shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.

WAA shall not implement a Service Agreement until the written agreement is executed by a representative of WAA and a parent/guardian.

WAA shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.

#### Educational Programs/Nonacademic Services/Extracurricular Activities

WAA shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when WAA determines that educating the student in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home.[20]

WAA shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, extracurricular activities, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.[20][21][22][23][24]

### Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.[25]

### Confidentiality of Student Records

All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations, and Board policy.[26][27][28]

### Discipline

When necessary, WAA shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.[29][30]

### Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act. [31][32][33]

The Chief Executive Officer or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Chief Executive Officer or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.[29][31][34][35][36][37][38][39][40][41][42][43][44]

In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Chief Executive Officer or designee shall use the same criteria used for students who do not have a disability.[14][35][44]

For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, WAA, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.[36]

In accordance with state law, the Chief Executive Officer shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by qualified students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-

sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.[32][44]

## **PROCEDURAL SAFEGUARDS**

WAA shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student's parent/guardian, and a review procedure.[25]

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.

If an impartial due process hearing is initiated by WAA or parents/guardians as part of the procedural safeguard process, the hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[45]

## **COMPLAINT PROCEDURE**

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[14]

### Step 1 – Reporting

A student or parent/guardian who believes s/he has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 Coordinator. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 Coordinator.

A WAA employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Section 504 Coordinator, as well as properly making any mandatory police or child protective services reports required by law.[46]

If the Section 504 Coordinator is the subject of a complaint, the complainant shall report the incident directly to the Chief Executive Officer.

The complainant or reporting employee may be encouraged to use WAA's report form, available from the Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

### Step 2 – Investigation

The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from WAA property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians



and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Section 504 Coordinator, who shall promptly inform law enforcement authorities about the allegations.[14][46][47][48]

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling WAA's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

### Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Section 504 Coordinator, or Chief Executive Officer, within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Section 504 Coordinator to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further WAA action, and a recommended disposition of the complaint. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.

The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by FERPA and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.[26][27][28]

### Step 4 – Charter School Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, WAA shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. WAA shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and WAA program environment. WAA staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative procedures, and state and federal laws.

### Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the Chief Executive Officer within fifteen (15) days.
2. The Chief Executive Officer shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.
3. The Chief Executive Officer shall prepare a written response to the appeal within twenty (20) days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

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Legal

1. [22 PA Code 12.1](#)
2. [22 PA Code 12.4](#)
3. [22 PA Code 4.4](#)
4. [22 PA Code 711.2](#)
5. [22 PA Code 711.3](#)
6. [22 PA Code 711.45](#)
7. [24 P.S. 1723-A](#)
8. [24 P.S. 1732-A](#)
9. [28 CFR Part 35](#)
10. [28 CFR Part 36](#)
11. [29 U.S.C. 794](#)
12. [34 CFR Part 104](#)
13. [42 U.S.C. 12101 et seq.](#)
14. Pol. 1003
15. [42 U.S.C. 12102](#)
16. [34 CFR 104.7](#)
17. [34 CFR 104.32](#)
18. Pol. 1013
19. [34 CFR 104.35](#)
20. [34 CFR 104.34](#)
21. [34 CFR 104.37](#)
22. Pol. 1012
23. Pol. 1022
24. Pol. 6010
25. [34 CFR 104.36](#)
26. Pol. 2016
27. [20 U.S.C. 1232g](#)
28. [34 CFR Part 99](#)
29. Pol. 2018
30. Pol. 2033
31. [22 PA Code 10.2](#)
32. [24 P.S. 1303-A](#)
33. [35 P.S. 780-102](#)
34. [22 PA Code 10.21](#)

[35. 22 PA Code 10.22](#)

[36. 22 PA Code 10.23](#)

[37. 22 PA Code 10.25](#)

[38. 24 P.S. 1302.1-A](#)

39. Pol. 1013.2

40. Pol. 2018.1

41. Pol. 2018.2

42. Pol. 2022

43. Pol. 2027

44. Pol. 6005.1

[45. 22 PA Code 711.62](#)

46. Pol. 6006

[47. 18 Pa. C.S.A. 2709](#)

48. Pol. 6015

[24 P.S. 1744-A](#)

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Book	Policy Manual
Section	1000 Programs
Title	Review of Instructional Materials by Parents/Guardians and Students
Code	1005.1
Status	Active
Adopted	March 1, 2023

### **Authority**

The Board of Trustees adopts this policy to ensure that parents/guardians and students have an opportunity to review instructional materials and have access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.[\[1\]\[2\]](#)

### **Definition**

**Instructional material** means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). For purposes of this policy, the term does not include academic tests or academic assessments.[\[1\]\[3\]](#)

### **Guidelines**

Upon request by a parent/guardian or student, Westinghouse Arts Academy Charter School (WAA) shall make available existing information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.[\[1\]\[3\]\[4\]\[5\]](#)

The following conditions shall apply to any request:

1. To assist WAA in providing the correct records to meet the needs of the requesting party, the request must be in writing, setting forth the specific material being sought for review.
2. The written request must be sent to the classroom teacher AND the Principal.
3. WAA shall respond to the parent/guardian or student within no more than ten (10) school days by designating the time and location for the review.[\[1\]](#)
4. WAA may take necessary action to protect its materials from loss, damage or alteration and to ensure the integrity of the files, including the provision of a designated employee to monitor the review of the materials.
5. No parent/guardian or student shall be permitted to remove the material provided for review or photocopy the contents of such file. The taking of notes by parents/guardians and students shall be permitted.

Under federal law, the rights provided to parents/guardians to inspect any instructional materials used as part of the student's educational curriculum transfer to the student when the student turns eighteen (18) years old or is an emancipated minor. These rights do not transfer under state law; therefore, parents/guardians retain their rights to access information about the curriculum and to review instructional materials.[\[1\]\[2\]](#)

### **Delegation of Responsibility**

The Chief Executive Officer or designee shall notify parents/guardians and students of this policy and its availability. This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.[\[1\]](#)

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Legal

[1. 20 U.S.C. 1232h](#)

[2. 22 PA Code 4.4](#)

3. Pol. 1027

4. Pol. 1002

5. Pol. 1005

Pol. 2035



Book	Policy Manual
Section	1000 Programs
Title	Service Animals in School
Code	1013.5
Status	Active
Adopted	March 1, 2023

## **Purpose**

The Board and Westinghouse Arts Academy Charter School (WAA) adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from school programs, activities and services, and to ensure that WAA does not discriminate on the basis of disability.

## **Definition**

**Service animal** means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.[1](#)

**Miniature Horses** may be utilized as service animals if: [2](#)

1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.
2. The facility can accommodate the type, size and weight of the miniature horse.
3. The presence of the miniature horse does not compromise the safe operation of the facility.

The work or tasks performed by a service animal shall be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.[1](#)

The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.[1](#)

## **Authority**

The Board shall permit individuals with disabilities to use service animals in WAA buildings; on WAA property; and on vehicles that are owned, leased or controlled by the WAA, in accordance with this policy and applicable state and federal laws and regulations.[2](#), [3](#), [4](#), [5](#)

## **Guidelines**

### **Admission of Service Animals to Schools**

A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. However, there is no automatic right to be accompanied by a service animal in the school setting.

Parents/Guardians of students with disabilities who believe the student needs to bring a service animal to school in order to receive a free and appropriate public education, shall notify the building principal or the Section 504 or IEP team. The appropriate team shall evaluate the request to use the service animal in school, gather necessary information and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodating needs. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.[6](#)

Before a service animal shall be allowed in a WAA building, or on WAA property or vehicles, WAA shall request the following documentation from the owner or handler of the animal:[2](#)

1. Verification of the need for a service animal.
2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability.
3. Proof of current vaccinations and immunizations of the service animal.[7](#)

### Admission of Service Animals to Public Events

Individuals with disabilities may be accompanied by their service animals while on WAA property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.[23](#)

School administrators may inquire of the owner or handler of an animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.[2](#)

WAA shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.[2](#)

### Delegation of Responsibility

The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in WAA buildings and on WAA property and vehicles.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in WAA buildings or on WAA property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

The owner or handler of a service animal shall be solely responsible for:

1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.[2](#)
2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
3. Damages to WAA buildings, property and vehicles caused by the animal.
4. Injuries to students, employees, volunteers and visitors caused by the animal.

Annual submission of documentation of vaccinations and immunizations.

The building principal shall receive and forward to the Director of Special Education each completed Special Education request by an individual with a disability to be accompanied by a service animal. The Director of Special Education shall respond to the request.

WAA administrators may exclude a service animal from WAA buildings, property and vehicles under the following circumstances:

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Animal is not housebroken.
4. Presence of the animal significantly disrupts or interferes with the educational process.
5. Presence of the animal would require a fundamental alteration to the program.

Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.

Legal

[7. 3 P.S. 455.1 et seq](#)

[6. 28 CFR 35.130](#)

[5. 42 U.S.C. 12101 et seq](#)

[4. 29 U.S.C. 794](#)

[3. 43 P.S. 953](#)

[2. 28 CFR 35.136](#)

[1. 28 CFR 35.104](#)





Book	Policy Manual
Section	1000 Programs
Title	Standards for Victims of Violent Crimes
Code	1044
Status	Active
Adopted	March 1, 2023

### **Purpose**

The Pennsylvania Department of Education, as required by federal law, hereby adopts the following standards for a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends. [\[1\]](#)[\[2\]](#)

### **Definitions**

As used in these standards, the following terms shall be defined as provided herein: [\[3\]](#)

**Local Educational Agency or LEA** - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.

**Safe public school** - shall mean a public school that has not been designated as a persistently dangerous school under the standards for identifying persistently dangerous schools or that has had such designation removed by the Department.

**Victim or student victim** - shall mean the student against whom a violent criminal offense has been perpetrated while the student was in or on the grounds of the public elementary or secondary school that s/he attends.

**Violent criminal offense** - is defined as any of the following offenses that are set forth in Title 18 of the Pennsylvania Consolidated Statutes:

1. Kidnapping.
2. Robbery.
3. Aggravated assault (on the student).
4. Rape.
5. Involuntary deviate sexual intercourse.
6. Sexual assault.
7. Aggravated indecent assault.
8. Indecent assault.
9. Attempt to commit any of the following: homicide, murder or voluntary manslaughter.

### **Guidelines**

Student Opportunity to Transfer

1. Except as provided below, a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends, must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.
2. In order for a student victim to be entitled to transfer to another school under these standards, the violent criminal offense first must be reported to law enforcement authorities by the student, the student's parent/guardian, or school officials.
3. A student victim (or his/her parent/guardian) may apply to the LEA to transfer to another school within thirty (30) calendar days after the incident is reported to school authorities.

## **Delegation of Responsibility**

### LEA's Responsibilities

1. Within ten (10) calendar days of receiving notice of the violent criminal offense, the LEA shall notify the student victim that s/he has the right to transfer to a safe public elementary or secondary school within the LEA, including a public charter school.
2. The notification and offer to transfer shall state that no student is required to transfer to another school.
3. Upon receipt of an application to transfer, the LEA should transfer the student as soon as possible, and shall transfer the student within ten (10) calendar days after receiving the application.
4. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.
5. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.
6. A charter school only has to accept a student who meets its admission criteria if space is available.
7. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.

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Legal

[1. 20 U.S.C. 7912](#)

[2. 22 PA Code 403.6](#)

[3. 22 PA Code 403.2](#)

[24 P.S. 2603-B](#)

[22 PA Code 403.1](#)



Book	Policy Manual
Section	1000 Programs
Title	Student Assistance Program
Code	1046.2
Status	Active
Adopted	November 2, 2022

## Introduction

In Pennsylvania, every middle and high school has a Student Assistance Program (SAP). A SAP team is comprised of school personnel and community agency staff. SAP team members are trained to identify and assist students who may be having problems in school due to difficult life events, mental health problems, and/or drug and alcohol problems. These students are then referred for counseling or other assistance with the permission of their parents. Parents are an important part of the team.

## Procedure

Students are referred to the SAP team by teachers and other school personnel. Students and parents can also refer students whom they are concerned about. Students themselves can go directly to a SAP team member and ask for help.

Participation in the SAP process is voluntary and confidential. Parents will be contacted to sign a permission form. Once the permission form is signed, SAP members will begin working with the student to identify needs and obtain appropriate services.

In-school behaviors that may result in a SAP referral:

- Withdrawing from family and friends and/or school
- Changing friends
- Unexplained physical injuries
- Talking or writing about death and/or suicide
- Symptoms of depression, fatigue and/or listlessness
- Defying authority, both at home and at school
- Acting aggressively and/or outbursts of anger
- Lying
- Sudden drop in grades
- Increased number of absences and/or tardies
- Talking freely about drug use and/or drug and alcohol experimentation

Personal circumstances for which a parent might make a referral:

- Recent death of a loved one
- Divorce

- Family relocation
- Relationship problem
- Other traumatic event

After referral:

1. The SAP team will gather information about the student's school performance from school staff. A SAP team member will also talk to the parents in person or by phone about their observations and concerns.
2. Together, parents and the SAP team will develop a plan of action to help the student achieve success in school. The plan will build on the student's strengths and may involve activities and/or services in school or from a community agency.

The SAP team will continue to work with parent and the student to provide support. The team will also keep parents informed about the student's progress and success in school.



Book	Policy Manual
Section	1000 Programs
Title	Student Services
Code	1046
Status	Active
Adopted	November 2, 2022

### **Authority**

The Board of Trustees (Board) directs that every six (6) years, Westinghouse Arts Academy Charter School (WAA) shall develop a written plan for implementing a comprehensive and integrated program of student services, based on the needs of students. The plan shall be made available for public inspection and comment in WAA's administrative offices for a minimum of twenty-eight (28) days prior to approval by the Board.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### **Guidelines**

Services offered by community agencies in the School shall be coordinated by and be under the general direction of the School. [\[1\]](#)

The following categories of services shall be provided by the School and included in the student services plan: [\[1\]](#)

1. Developmental services that address students' needs throughout their enrollment in the School, which include: guidance counseling, psychological services, health services, home and school visitor services, and social work services that support students in addressing academic, behavioral, health, personal and social development issues.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)
2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.
3. Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists.

The Charter School shall plan and provide for a Student Assistance Program (SAP) in accordance with applicable law and regulations. [\[9\]](#)[\[10\]](#)[\[11\]](#)

The Charter School's student services shall: [\[1\]](#)

1. Be an integral part of the instructional program at all levels.
2. Provide information to students and parents/guardians about the educational opportunities of the School's instructional program and how to access those opportunities.
3. Provide career information and assessments to inform students and parents/guardians about work and career options available to individual students.[\[4\]](#)
4. Provide basic health services required by law for students and provide information to parents/guardians about the health needs of their children.[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[12\]](#)

### **Delegation of Responsibility**

The Chief Executive Officer or designee shall be responsible to develop, implement and monitor a student services plan that complies with state regulations and is available to all students.

The Chief Executive Officer or designee shall ensure that all persons delivering student services are specifically licensed or certified as required by law or regulations.[\[1\]](#)

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Legal

[1. 22 PA Code 12.41](#)

[2. 22 PA Code 4.13](#)

3. Pol. 1000

4. Pol. 1012

5. Pol. 1013

6. Pol. 2009

7. Pol. 2010

8. Pol. 2010.1

[9. 22 PA Code 12.42](#)

[10. 24 P.S. 1547](#)

11. Pol. 2036

12. Pol. 2027

Pol. 2009.1

Pol. 2035.1

Pol. 6008



Book	Policy Manual
Section	1000 Programs
Title	Textbooks and Resource Materials
Code	1008
Status	Active
Adopted	March 1, 2023

## **Purpose**

The Board of Trustees (Board) recognizes the importance of providing textbooks and resource materials as reliable sources of information in the Charter School's approved curriculum and planned instruction.

## **Definitions**

**Textbooks** shall be defined as the books used as the basic source of information in the planned instruction.

**Resource materials** shall include nonfiction and fiction books, magazines, reference books, supplementary titles, multimedia and digital materials, software and instructional materials.

## **Delegation of Responsibility**

The Chief Executive Officer, in consultation with administrative and professional staff members, shall be responsible for the selection and approval of textbooks and resource materials.

The Chief Executive Officer or designee shall establish administrative procedures for reviewing, evaluating and selecting textbooks and resource materials.

A list of all approved textbooks and resource materials used in the Charter School shall be maintained by the Chief Executive Officer or designee and shall be available to Trustees, staff, students, parents/guardians and the Charter School community.[2]

## **Guidelines**

### **Accessible Format of Instructional Materials**

The Board adopts the National Instructional Materials Accessibility Standard (NIMAS) and shall provide print and instructional materials, including textbooks and resource materials, in alternate or specialized accessible formats in a timely manner to students who are blind or other persons with print disabilities, in accordance with law and regulations.[3][4][5][6]

The Charter School shall take all reasonable steps to ensure that students who are blind or other persons with print disabilities have access to accessible format instructional materials at the same time that students without disabilities have access to instructional materials. The Charter School shall not withhold instructional materials from other students until instructional materials in accessible formats are available.

The Charter School shall take all reasonable steps to ensure that students enrolling in the Charter School after the start of the school year have access to accessible format instructional materials within ten (10) school days from the time the need for accessible or specialized format instructional materials is determined.

## Legal

1. Pol. 0006
2. Pol. 1005.1
3. [20 U.S.C. 1474](#)
4. [22 PA Code 711.45](#)
5. Pol. 1003.1
6. Pol. 1013



Book	Policy Manual
Section	1000 Programs
Title	Title I - Comparability of Services
Code	1050
Status	Active
Adopted	March 1, 2023

### **Purpose**

The equivalent distribution of resources is one means Westinghouse Arts Academy Charter School (WAA) shall use to ensure all students receive a quality education. This policy demonstrates WAA's commitment to ensure that no discrimination occurs in the distribution of resources funded by state and local sources, regardless of the receipt of federal funds.

### **Authority**

The Board of Trustees (Board) directs that each school program receiving Title I funds must use state and local funds to provide services that, taken as a whole, are at least comparable to services in those school programs in the Charter School that do not receive Title I funds.[\[1\]](#)

If all school programs at WAA receive Title I funds, the Board directs that state and local funds shall be used to provide services that, taken as a whole, are substantially comparable in each school program.[\[1\]](#)

The Board acknowledges that comparability may be measured on a grade-span by grade-span basis or a school-by-school basis.

### **Definition**

For purposes of this policy, **grade span** is defined as a similar two-grade span difference or less. For example, a grade span of K-2 to K-4, not a grade span of K-2 to K-5.

### **Delegation of Responsibility**

If WAA has more than one (1) building per grade span, the Federal Programs Coordinator shall complete a Detailed School Data Sheet.

The Federal Programs Coordinator shall annually complete a Comparability Assurance Form to provide written assurance of equivalence among school programs, including the provision of curriculum materials; instructional supplies; and teachers, administrators and other staff.

### **Guidelines**

#### **Allowable Exclusions**

For the purposes of determining comparability, WAA may exclude:[\[1\]](#)

1. State and local funds expended for language instruction education programs.[\[2\]](#)
2. Excess costs associated with providing services to students with disabilities.[\[3\]](#)[\[4\]](#)
3. Unpredictable changes in enrollment or personnel assignments occurring after the beginning of the school year.

4. Other expenditures from supplemental state or local funds consistent with the intent of Title I.

### Complaints

Complaints by individuals and organizations regarding implementation of equivalence between school programs shall be processed in accordance with Board policy.[5]

### **Revised 5/2021**

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Legal

[1. 20 U.S.C. 6321](#)

2. Pol. 1038

3. Pol. 1003.1

4. Pol. 1013

5. Pol. 7006



Book	Policy Manual
Section	1000 Programs
Title	Trauma-Informed Approach
Code	1046.1
Status	Active
Adopted	March 1, 2023

## **Purpose**

The Board of Trustees (Board) recognizes the impact that trauma may have on the educational environment of Westinghouse Arts Academy Charter School (WAA), individual student achievement, and the WAA community as a whole. The Board desires to address the effects of trauma in order to meet the academic, behavioral and professional needs of students and staff. The purpose of this policy is to direct WAA staff to develop and implement a plan for trauma-informed approaches to education throughout WAA.

## **Definitions**

**Trauma** - for purposes of this policy, includes effects of an event, series of events or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's cognitive functioning and physical, social, emotional, mental or spiritual well-being. [\[1\]](#)

**Trauma-informed approach** - for purposes of this policy, includes a school-wide approach to education and a classroom-based approach to student learning that recognizes the signs and symptoms of trauma and responds by fully integrating knowledge about trauma into policies, professional learning, procedures and practices for the purposes of recognizing the presence and onset of trauma, resisting the reoccurrence of trauma and promoting resilience tailored to WAA's culture, climate and demographics and the community as a whole. [\[1\]](#)

**Secondary trauma** - the impact of working with students experiencing trauma on a regular basis, which may cause traumatic responses and/or burnout on the individual providing support and care.

## **Authority**

The Board directs WAA staff to develop and implement a trauma-informed approach plan that uses evidence-based practices and reflects the needs and resources of WAA community. [\[2\]](#)

The Board shall review current WAA resources, programs, school climate measures, partnerships with outside agencies, procedures and Board policies through a trauma-informed lens, and shall make revisions or determinations as necessary to facilitate implementation of the WAA's trauma-informed approach plan.

This shall include, but not be limited to:

1. Student attendance policy and practices that focus on reasons for absence and school attendance improvement. [\[3\]](#)
2. Student disciplinary policies, practices and a Code of Student Conduct that incorporate restorative practices. [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)
3. Curriculum and planned instruction that embed social and emotional learning. [\[8\]](#)[\[9\]](#)

4. Student services policies and programs that focus on development and support of students.[10][11][12][13][14]
5. Policies and training that focus on building and maintaining appropriate, supportive relationships between adults and students in WAA community.[15][16][17]
6. School wellness policy, instruction and practices that promote healthy behaviors.[18]
7. Policies and practices that promote student safety and security, and build positive relationships with law enforcement agencies.[19][20][21][22][23]
8. Threat assessment policy and practices that focus on understanding a student's background in order to appropriately assess behavior and address the student's needs.[24]
9. Review of the annual budget to ensure fiscal resources for training and programs related to the trauma-informed approach plan.[25]
10. Review of the facilities and future facilities planning to provide environments that are attentive to the needs of students and staff with transition and sensory sensitivities.[26]
11. Culturally responsive practices that focus on identifying, valuing and integrating the cultures, languages, heritage and experiences of all students and staff to ensure a supportive school climate and community.

### **Delegation of Responsibility**

The Board designates the Chief Executive Officer or designee to oversee the implementation of WAA's trauma-informed approach plan and integrate the coordination of services and professional development into WAA's comprehensive plan.[2][12][14][15][19][27]

The Board directs the Chief Executive Officer or designee to research and apply for available funding opportunities for implementation of WAA's trauma-informed approach plan aligned with the provisions of law.[2]

The Board directs the School Safety and Security Coordinator to include information regarding WAA's implementation of the trauma-informed approach plan into the annual report to the Board on school safety and security practices.[21]

### **Guidelines**

#### Training

WAA's trauma-informed approach plan shall include provisions for evidence-based training and professional development, based on assigned roles and responsibilities, including but not limited to:[2]

1. Required training for newly appointed or reappointed Trustees on best practices related to trauma-informed approach, in accordance with applicable law and Board policy.[28][29]
2. Required training on trauma-informed approach as part of the professional education plan, in accordance with applicable law and Board policy.[15][30]
3. Training on trauma-informed approach and trauma-related topics for all WAA staff and contracted service personnel to increase knowledge and understanding of trauma's impact on students and staff.[15][31]
4. Training on trauma-informed approach for all school security personnel employed or contracted by WAA, as well as invitation to training for local law enforcement agencies with which WAA maintains a Memorandum of Understanding to increase knowledge and awareness in interacting with students who may have experienced trauma.[20][21]
5. Opportunities for volunteers, parents/guardians and other community members to obtain resources or attend training or information sessions on trauma-related approach and trauma-related topics impacting WAA community.[17][32]

## Screening

The Board directs WAA staff to identify and implement evidence-based screening tools for students and WAA community based on the trauma-informed approach plan, and in accordance with applicable law and regulations, including obtaining parental consent where appropriate or required. Screening tools may include, but are not limited to, those identifying the prevalence of Adverse Childhood Experiences (ACEs), social-emotional needs, and school climate indicators. Screening shall be conducted by qualified WAA staff or community agencies with which WAA has a contract or other agreement.[12][14][24][33]

The trauma-informed approach plan shall require that screening results are reviewed by appropriate WAA staff or other contracted providers, and referrals for individual educational and behavioral services or evaluation for such services are made when indicated by individual or universal screening. Identification and referrals for special education and related services evaluations shall comply with applicable state and federal laws and regulations, and Board policy.[11][34][35]

## Services

WAA's trauma-informed approach plan shall include provisions for identification of student needs, a referral system for individual assessments and coordination of services among the student and student's family, WAA, and county-based services, community care organizations, public health entities, nonprofit youth service providers, community-based organizations, before-school or after-school care providers, or other similar community groups.[2]

Coordinated student services shall be based on WAA's approved trauma-informed approach plan, which shall address recognition and response to the effects of trauma on education and instruction, absenteeism and school completion, and the secondary impact of trauma on WAA employees.[2]

WAA's trauma-informed approach plan shall be implemented within the current framework for Positive Behavioral Interventions and Support (PBIS).

The trauma-informed approach plan shall address coordination with designated WAA staff and teams responsible for implementing the WAA's approved plan for 9-12 student services and other WAA programs including, but not limited to, special education and related services, guidance counseling, Student Assistance Program, threat assessment team, health services, and home and school visitor services.[10][11][12][13][14][24][27][34]

Parental notification and consent may be required prior to referral for or implementation of student services, in accordance with applicable law and regulations.[12][13][14]

WAA shall develop partnerships with community-based services and organizations, public health entities, nonprofit youth service providers and other community groups to implement the trauma-informed approach plan and provide referrals and/or services to address and mitigate the impact of trauma for students and staff in accordance with WAA's approved plan and framework for support.

The Board shall, where appropriate, review and approve a Memorandum of Understanding or other agreement with each partnering organization or entity for the provision of services, in accordance with the resources of WAA and the approved trauma-informed approach plan.

## Education

WAA's trauma-informed approach plan shall integrate age-appropriate instruction for students related to trauma-informed topics and social-emotional learning as part of the WAA's approved curriculum. Instructional topics may include, but not be limited to resilience, self-awareness, self-management, responsible decision-making, relationship skills and social awareness, safe and healthy choices and behaviors, coping strategies, seeking help for self or others;[8][23]

## Staff Wellness and Support

WAA shall monitor and address the impact of trauma, including secondary trauma, on WAA employees as part of the trauma-informed approach plan. The plan shall include training and resources to identify the warning signs of trauma and provide confidential support and services to promote staff wellness,

including but not limited to, Employee Assistance Program; work environment that provides space for separation and self-regulation; and training on development of self-care plans and peer support;

### Data Collection and Plan Review

WAA shall review and revise the trauma-informed approach plan as needed, as part of WAA's 9 -12 student services plan, based on a review of relevant data, WAA resources and programs, and the needs of students and staff. Such data may include, but not be limited to:

1. Aggregate data from evidence-based screening tools administered as part of the trauma-informed approach plan.
2. Anecdotal information from staff and students related to trauma and secondary trauma impact in WAA environment.
3. Feedback from parents/guardians and the community on WAA's implementation of trauma-informed approach to education.
4. Results of school climate surveys and other student or staff surveys on WAA environment.
5. Aggregate data on student absences, Student Assistance Program referrals, health and school nurse services, student removal discipline and graduation rates.
6. Aggregate data on Employee Assistance Program use and staff feedback on training related to trauma-informed approach.
7. Office for Safe Schools reports.
8. Safe2Say Something aggregate data.
9. PBIS inventories and surveys.

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Legal

[1. 24 P.S. 102](#)

[2. 24 P.S. 1311-B](#)

3. Pol. 2004

4. Pol. 1013.2

5. Pol. 1013.3

6. Pol. 2018

7. Pol. 2033

8. Pol. 1005

9. Pol. 1007

10. Pol. 1012

11. Pol. 1013

12. Pol. 1046

13. Pol. 2009

14. Pol. 2036

15. Pol. 3033

16. Pol. 6024

17. Pol. 7018

18. Pol. 2046

19. Pol. 6005

20. Pol. 6005.1

21. Pol. 6005.2

22. Pol. 6006

23. Pol. 6019

24. Pol. 2036.1

25. Pol. 4001

26. Pol. 5001

27. Pol. 1000

[28. 24 P.S. 328](#)

29. Pol. 0004

[30. 24 P.S. 1205.7](#)

31. Pol. 6018

32. Pol. 7016

33. Pol. 2035.1

34. Pol. 1003.1

35. Pol. 1013.1

[PA Commission on Crime and Delinquency, School Safety and Security Committee - Model Trauma-Informed Approach Plan](#)