



Book	Policy Manual
Section	6000 Operations
Title	Acceptable Use of Internet, Computers and Network Resources
Code	6015
Status	Active
Adopted	November 2, 2022

Purpose

The Westinghouse Arts Academy Charter School (“WAACS”) Board encourages and supports the appropriate use of computer technology for staff and students as part of the instructional program and administrative responsibilities. The appropriate use of technology can improve and accentuate learning and teaching. WAACS maintains a technology infrastructure that is designed to facilitate the appropriate use of technology for students and staff.

Computer networks may be contained within one classroom or within one building (local area network- LAN), may link several buildings together (wide area network- WAN), or they may extend beyond the borders of WAACS (Internet). Regardless of the size or scope of the computer network, WAACS rules, policies, and guidelines will apply to all users who are using the school district’s LAN or WAN, or who are accessing WAACS information through the Internet.

Definitions

The term child pornography is defined under both federal and state law.

Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:[\[1\]](#)

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

Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.[\[2\]](#)

The term harmful to minors is defined under both federal and state law.

Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:[\[3\]](#)[\[4\]](#)

1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
2. Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or

perverted sexual acts, or lewd exhibition of the genitals; and

3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.

Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:[\[5\]](#)

1. Predominantly appeals to the prurient, shameful, or morbid interest of minors;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.

Obscene - any material or performance, if:[\[5\]](#)

1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and
3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.[\[4\]](#)

Hacking - the act of gaining unauthorized entry or attempting to gain unauthorized entry into WAACS' computer network, servers, and/or data files for the purpose of:

1. Determining the data structure and security restrictions of the computer system.
2. Making unauthorized changes in the data structure and security restrictions of the computer system.
3. To make unauthorized use of services provided by the computer system for purposes of sharing information regarding all of the above with other unauthorized users.

Authority

The availability of access to electronic information does not imply endorsement by WAACS of the content, nor does WAACS guarantee the accuracy of information received. WAACS shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.

WAACS shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources.

WAACS monitors internal network use. This monitoring comes in a variety of forms from suspicious query reports generated from filtering software to the review of emails or Internet use on WAACS accounts. This policy establishes the clear expectation among students and staff that their use of WAACS computers, Internet resources accessed through WAACS LAN or WAN and any other access through WAACS servers may be subject to review at random and/or through a specific search.

The WAACS Board establishes that the use of computers, computer facilities, computer networks, and computer resources is a privilege, not a right. Inappropriate, unauthorized, and/or illegal use may result in the cancellation of the privilege. In addition, when the district establishes that an employee or student has used these resources in violation of this policy, appropriate disciplinary action may be taken in accordance with the district's established discipline policies and procedures.

The Board declares that use of the WAACS's Internet, computers and network resources is a privilege, not a right. WAACS's Internet, computers and network resources are the property of the WAACS. Users shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over the Charter School's Internet, computers or network resources, including personal files or any use of the Charter School's Internet, computers or network resources. The Charter School reserves the right to monitor, track, and log network access and use; monitor fileserver space utilization by Charter School users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The Charter School shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the Charter School's Internet, computers and network resources.[7][8][9]

The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the Chief Executive Officer or designee.

The WAACS reserves the right to restrict access to any Internet sites or functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking. Specifically, the Charter School operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers used and accessible to adults and students. The technology protection measure shall be enforced during use of Charter School computers with Internet access.[3][4][15]

Upon request by students or staff, the Chief Executive Officer or designee shall expedite a review and may authorize the adjustment of Internet blocking/filtering software to enable access to material that is blocked through technology protection measures but is not prohibited by this policy.[15]

Upon request by students or staff, building administrators may authorize the temporary adjustment of Internet blocking/filtering software to enable access for bona fide research or for other lawful purposes. Written permission from the parent/guardian is required prior to adjusting Internet blocking/filtering software for a student's use. If a request for temporary adjustment of Internet blocking/filtering software is denied, the requesting student or staff member may appeal the denial to the Chief Executive Officer or designee for expedited review.[3][16]

Delegation of Responsibility

WAACS shall make every effort to ensure that this resource is used responsibly by students and staff.

WAACS shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the Charter School website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon request.[6][15]

Users of WAACS networks or WAACS -owned equipment shall, prior to being given access or being issued equipment, sign user agreements acknowledging awareness of the provisions of this policy, and awareness that the WAACS uses monitoring systems to monitor and detect inappropriate use

Student user agreements shall also be signed by a parent/guardian.

Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.

Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in WAACS and on the Internet.

Building administrators shall make initial determinations of whether inappropriate use has occurred.

The Chief Executive Officer or designee shall be responsible for recommending technology and developing procedures used to determine whether WAACS's Internet, computers or network resources are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:[3][4][17]

1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board.
2. Maintaining and securing a usage log.
3. Monitoring online activities of minors.

The Chief Executive Officer or designee shall develop and implement administrative procedures that ensure students are educated on network etiquette and other appropriate online behavior, including:[\[4\]](#)

1. Interaction with other individuals on social networking websites and in chat rooms.
2. Cyberbullying awareness and response.[\[13\]](#)[\[18\]](#)

Guidelines

Network accounts shall be used only by the authorized owner of the account for its approved purpose. Network users shall respect the privacy of other users on the system.

All data files created, transmitted, or stored on WAACS equipment are the property of WAACS and are not protected by any right to privacy; provided, however, that student information protected by the Family Educational Rights and Privacy Act (FERPA) or other federal or state statute(s) requiring confidentiality will be treated as confidential according to the terms of the statute(s). No Confidential data shall be transmitted from a WAACS network, unless permitted by applicable law or until appropriate permissions are received according to the law. WAACS expressly declares that its computer resources, computer networks, social media, web page, and related facilities are not a public forum, and reserves the right to deny access to any user whose use would serve to establish a public forum.

Consistent with the terms of Section 2, Authority, no employee or student using WAACS technology shall have any right of privacy or expectation of privacy with respect to anything done with said technology. The technology belongs to, is licensed to, or is accessible through technology that is owned by or licensed to WAACS. WAACS retains all rights as an owner or licensee with respect to all technology that it owns or licenses and has, unless restricted by an express agreement with a third party supplier, the rights of an owner or licensee, including, the rights to use, transfer, inspect, copy, delete, read, or store any such technology.

Safety

It is WAACS's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher or administrator. Network users shall not reveal personal information to other users on the network, including chat rooms, email, social networking websites, etc.[\[10\]](#)[\[11\]](#)[\[12\]](#)

Internet and computer safety measures shall effectively address the following:[\[4\]](#)[\[17\]](#)

1. Control of access by minors to inappropriate matter on the Internet and World Wide Web.
2. Safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
3. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information regarding minors.
5. Restriction of minors' access to materials harmful to them.

Prohibitions

Users are expected to act in a responsible, ethical and legal manner in accordance with Board policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited when using WAACS's Internet, computers or network resources:

1. Facilitating illegal activity.
2. Commercial or for-profit purposes.
3. Product advertisement or political lobbying.
4. Bullying/Cyberbullying.[13][18]
5. Hate mail, discriminatory remarks, and offensive or inflammatory communication.
6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.[19]
7. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.[20]
8. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy.
9. Inappropriate language or profanity.
10. Transmission of material likely to be offensive or objectionable to recipients.
11. Intentional obtaining or modifying of files, passwords, and data belonging to other users.
12. Impersonation of another user, anonymity, and pseudonyms.
13. Fraudulent copying, communications, or modification of materials in violation of copyright laws. [19]
14. Loading or using of unauthorized games, programs, files, or other electronic media.
15. Disruption of the work of other users.
16. Destruction, modification, abuse or unauthorized access to network hardware, software and files.
17. Accessing WAACS 's Internet, computers or other network resources without authorization.
18. Disabling or bypassing the Internet blocking/filtering software without authorization.
19. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.

Security

System security is protected through the use of passwords. Failure to adequately protect or update passwords could result in unauthorized access to personal or WAACS files. To protect the integrity of the system, these guidelines shall be followed:

1. Users shall not reveal their passwords to another individual.
2. Users are not to use a computer that has been logged in under another user's name.
3. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network.

Copyright

The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the Internet or network shall be subject to fair use guidelines and applicable laws and regulations.[19][21]

Charter School Website

The Charter School shall establish and maintain a website and shall develop and modify its web pages to present information about the Charter School under the direction of the Chief Executive Officer or designee. All users publishing content on the Charter School website shall comply with this and other applicable Board policies and administrative procedures.

Users shall not copy or download information from the Charter School website and disseminate such information on unauthorized web pages without authorization from the Chief Executive Officer or designee.

Consequences for Inappropriate Use

Internet, computer and network users shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.[\[15\]](#)

Illegal use of the Internet, computers or network resources; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy.

Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings.

Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.

Failure to comply with this policy or inappropriate use of the Charter School's Internet, computers or network resources shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.[\[7\]](#)[\[8\]](#)[\[9\]](#)

© PSBA 2020, charter school series made available by permission exclusively through Bent Creek Services

Legal

- [1. 18 U.S.C. 2256](#)
- [2. 18 Pa. C.S.A. 6312](#)
- [3. 20 U.S.C. 7131](#)
- [4. 47 U.S.C. 254](#)
- [5. 18 Pa. C.S.A. 5903](#)
- [6. 24 P.S. 1743-A](#)
7. Pol. 2018
8. Pol. 2033
9. Pol. 3017
10. Pol. 1003
11. Pol. 1003.1
12. Pol. 1004
13. Pol. 2049
14. Pol. 2018.2
- [15. 24 P.S. 4604](#)
- [16. 24 P.S. 4610](#)
- [17. 47 CFR 54.520](#)
- [18. 24 P.S. 1303.1-A](#)
19. Pol. 6014
20. Pol. 2037
- [21. 17 U.S.C. 101 et seq](#)

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

[24 P.S. 1716-A](#)

[24 P.S. 4601 et seq.](#)

Pol. 2020

Pol. 6024



Book	Policy Manual
Section	6000 Operations
Title	Administrative Committees
Code	6032
Status	Active

Purpose:

The Board of Directors (Board) authorizes the Chief Executive Officer or designee to establish such committees within Westinghouse Arts Academy Charter School (WAA) as they finds necessary for proper administration of board policies and for the improvement of the total educational program.

Guidelines

All administrative committees created by the Chief Executive Officer or designee shall be for the purpose of obtaining the advice and counsel of faculty, administrative, and supervisory personnel of the system and to aid in communication. Such committees shall exercise no inherent authority. Authority for establishing policy remains with the Board and authority for implementing policy remains with the Chief Executive Officer or designee.

The membership, composition, and responsibilities of committees will be defined by the Director and may be changed at their discretion.

Committee meetings must be held outside of normal operating hours.

Due to FLSA rules on non-exempt compensation, non-exempt employees will not be eligible to participate on committees.

Time spent in committee meetings can be claimed as comp time pursuant to the comp time policy [1]

Legal	1. 3030.1 Comp Time
-------	---------------------



Book	Policy Manual
Section	6000 Operations
Title	Bus Safety
Code	6010.1
Status	Active
Adopted	November 2, 2022

Transportation Changes.

Any change in transportation must be made no later than 11:00 AM the morning of the request. The appropriate forms must be submitted to the main office. For example, if a student is not taking the bus home and is getting picked up by a friend/ relative the office must be notified not later than 11:00 AM.

Guidelines

Bus Behavior. Students who take a school bus are expected to act responsibly and respectfully at all times. The Student Code of Conduct and Policies apply whenever a student is on a school bus.

- The Principal will contact any parent or guardian whose child fails to act responsibly and respectfully on the bus.
- The Principal will impose the appropriate consequences for the misbehavior.

Students must:

- Be at the bus stop 5-10 minutes prior to the scheduled time.
- Cross in front of the school bus when crossing a street.
- Keep buses clean, sanitary, and orderly.
- Obey bus drivers, as they are in full charge of buses and pupils while in transit.
- Always ride seated in an assigned seat facing the front of the bus.
- Never cause damage to the school bus and report any damage to the driver. Any student disfiguring or mutilating a bus will be required to pay for the damage and may be denied further use of buses.
- Never get off the bus at any stop other than their own assigned bus stop, unless they have written permission from their parents.
- Never fight, scuffle, or incite any disturbance creating a hazard to the safety of others on the bus.
- Never use obscenities or profane language on the school bus.
- Not extend arms or head out of the bus window at any time.

The bus driver will make referrals for discipline. Westinghouse Arts Academy Charter School will investigate each referral and impose appropriate consequences. Possible consequences include:

- First Referral – Bus Discipline Letter

- Second Referral – 1 day bus suspension
- Third Referral – 3 day bus suspension
- Fourth Referral – 5 day bus suspension (Parent Conference will be scheduled before the child is permitted to ride the bus.)
- Fifth Referral – 10 day bus suspension (Parent Conference will be scheduled before the child is permitted to ride the bus.)
- Sixth Referral – Loss of bus privileges for the remainder of the school year.

Westinghouse Arts Academy Charter School reserves the right to impose appropriate consequences depending on the severity of the situation.



Book	Policy Manual
Section	6000 Operations
Title	Maintaining Professional Adult/Student Boundaries
Code	6024
Status	Active

Authority

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

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

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

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

Definition

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

Delegation of Responsibility

The Chief Executive Officer or designee shall annually inform students, parents/guardians, and all adults regarding the contents of this Board policy through employee handbooks, student handbooks, and other appropriate methods.

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

Independent contractors doing business with the Charter School shall ensure that their employees who have interaction with students or are present on Charter School grounds are informed of the provisions of this policy.[1]

Guidelines

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

Prohibited Conduct

Romantic or Sexual Relationships –

Adults shall be prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the Charter School, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.

[\[2\]](#)[\[3\]](#)

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

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

Social Interactions –

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

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

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging personal notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal or administrator, or supervisor.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction, or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.

12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal or administrator, or supervisor.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building principal or administrator, or supervisor.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
15. Telling a student personal secrets or sharing personal secrets with a student.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.
18. Engaging in harassing or discriminatory conduct prohibited by other Board policies or by state or federal law and regulations.[4][5]

Electronic Communications –

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

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

Electronic communication with students shall be for legitimate educational or Charter School operational reasons only.

When available, Charter School-provided email or other Charter School-provided communication devices, networks and platforms shall be used when communicating electronically with students. The use of Charter School-provided email or other Charter School-provided communication devices, networks and platforms shall be in accordance with Board policies and administrative procedures.[6]

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal or administrator, or supervisor.

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

Exceptions

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

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

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

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

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall promptly notify the building principal, administrator or Title IX Coordinator. Reports may be made using the Discrimination/Sexual Harassment/Bullying/Hazing/Retaliation Report Form or by making a general report verbally or in writing. Upon receipt of a report, Charter School staff shall promptly notify the building principal or administrator.[4][7]

All Charter School employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[8][9]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Chief Executive Officer, Title IX Coordinator and the educator's immediate supervisor, promptly, but not later than fifteen (15) days following discovery of such misconduct.[4][7][10][11]

If the Chief Executive Officer or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Chief Executive Officer or designee shall make a report, in accordance with applicable law, regulations and Board policy.[8][9][10][11][12][13][14][15][16][17]

It is a violation of Board policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[4][7]

Investigation

The Title IX Coordinator shall promptly assess and address allegations of inappropriate conduct in accordance with the procedures for reports of discrimination or Title IX sexual harassment.[4][7]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the person making the report or any witnesses. If as the result of an investigation any individual, including the reported adult, the person making the report, or a witness is found to have knowingly provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and Board policies. Obstruction includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.[4][7][11][18][19][20][21]

Disciplinary Action

A Charter School employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable Board disciplinary policies and administrative procedures.[7][11][18]

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

Training

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

The Charter School, at its sole discretion, may require independent contractors and their employees who interact with students or are present on Charter School grounds to receive training on this policy and related procedures.[1]

Revised 8/20 © PSBA 2020, charter school series made available by permission exclusively through Bent Creek Services

Legal

1. Pol. 6018
- [2. 18 Pa. C.S.A. 3124.2](#)
- [3. 24 P.S. 2070.9f](#)
4. Pol. 1003
5. Pol. 1003.1
6. Pol. 6015
7. Pol. 1004
- [8. 23 Pa. C.S.A. 6311](#)
9. Pol. 6006
- [10. 24 P.S. 2070.9a](#)
11. Pol. 3017.1
- [12. 22 PA Code 10.2](#)
- [13. 22 PA Code 10.21](#)
- [14. 22 PA Code 10.22](#)
- [15. 24 P.S. 1302.1-A](#)
- [16. 24 P.S. 1303-A](#)
17. Pol. 6005.1
18. Pol. 3017
19. Pol. 1013.3
20. Pol. 2018
21. Pol. 2033
- [22 PA Code 235.1 et seq](#)
- [23 Pa. C.S.A. 6301 et seq](#)
- [24 P.S. 1716-A](#)
- [24 P.S. 1732-A](#)
- [24 P.S. 2070.1a et seq](#)



Book	Policy Manual
Section	6000 Operations
Title	Public Records
Code	6001
Status	Active
Adopted	November 2, 2022

Purpose

Westinghouse Arts Academy Charter School (WAACS) recognizes the importance of public records as the record of the School's actions and the repository of information about this School. The public has the right to access and procure copies of public records, with certain exceptions, subject to law, Board policy and administrative procedures. [\[1\]](#)[\[2\]](#)

Definitions

Financial record - any account, voucher or contract dealing with the receipt or disbursement of funds or acquisition, use or disposal of services, supplies, materials, equipment or property; or the salary or other payments or expenses paid to an officer or employee, including the individual's name and title; and a financial audit report, excluding the audit's underlying work papers. [\[1\]](#)

Public record - a record, including a financial record, that is not protected by a defined privilege or is not exempt from being disclosed under one of the exemptions in Pennsylvania's Right-to-Know Law or under other federal or state law or regulation, or judicial decree or order.

Record - information, regardless of physical form or characteristics, that documents a School transaction or activity and is created, received or retained pursuant to law or in connection with a School transaction, business or activity, including: a document; paper; letter; map; book; tape; photograph; film or sound recording; information stored or maintained electronically; and a data-processed or image-processed document.

Response - the School's notice informing a requester of a granting of access to a record or the School's written notice to a requester granting, denying, or partially granting and partially denying access to a requested record.

Requester - a legal resident of the United States, or an agency, who requests access to a record.

Authority

WAACS shall make the School's public records available for access and duplication to a requester, in accordance with law, Board policy and administrative procedures. [\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Delegation of Responsibility

The Board shall designate an Open Records Officer, who shall be responsible to: [\[6\]](#)

1. Receive written requests for access to records submitted to the School.
2. Review and respond to written requests in accordance with law, Board policy and administrative procedures.
3. Direct requests to other appropriate individuals in the School or in another agency.

4. Track the School's progress in responding to requests.
5. Issue interim and final responses to submitted requests.
6. Maintain a log of all record requests and their disposition.
7. Ensure School staff are trained to perform assigned job functions relative to requests for access to records.

Upon receiving a request for access to a record, the Open Records Officer shall: [\[6\]](#)[\[7\]](#)[\[8\]](#)

1. Note the date of receipt on the written request.
2. Compute and note on the written request the day on which the five-day period for response will expire.
3. Maintain an electronic or paper copy of the written request, including all documents submitted with the request, until the request has been fulfilled.
4. If the written request is denied, maintain the written request for thirty (30) days or, if an appeal is filed, until a final determination is issued, or the appeal is deemed denied.

Guidelines

Requesters may access and procure copies of the public records of the School during the regular business hours of the administration office. [\[5\]](#)

A requester's right of access does not include the right to remove a record from the control or supervision of the Open Records Officer.

The School shall not limit the number of records requested. [\[2\]](#)

When responding to a request for access, the School is not required to create a record that does not exist nor to compile, maintain, format or organize a record in a manner which the School does not currently use. [\[9\]](#)

Information shall be made available to individuals with disabilities in an appropriate format, upon request and with sufficient advance notice. [\[10\]](#)[\[11\]](#)[\[12\]](#)

The School shall post the following information at the administration office and on the School's website: [\[4\]](#)[\[13\]](#)

1. Contact information for the Open Records Officer.
2. Contact information for the state's Office of Open Records or other applicable appeals officer.
3. The form to be used to file a request, with a notation that the state Office of Open Records form may also be used if the School decides to create its own form.
4. Board policy and administrative procedures governing requests for access to the School's public records.

Request for Access

A written request for access to a public record shall be submitted on the required form(s) and addressed to the Open Records Officer. [\[4\]](#)[\[13\]](#)[\[14\]](#)

Written requests may be submitted to the School in person, by mail, to a designated facsimile machine, and to a designated email address.

Each request must include the following information: [\[5\]](#)[\[14\]](#)

1. Identification or description of the requested record, in sufficient detail.

2. Medium in which the record is requested.

3. Name and address of the individual to receive the School's response.

The School shall not require an explanation of the reason for the request or the intended use of the requested record, unless otherwise required by law.[\[14\]](#)

Fees

Except for the duplication fees established by the state, the Board shall approve a list of reasonable fees relative to requests for public records. The School shall maintain a list of applicable fees and disseminate the list to requesters.[\[15\]](#)

No fee may be imposed for review of a record to determine whether the record is subject to access under law.[\[15\]](#)

Prior to granting access, the School may require prepayment of estimated fees when the fees required to fulfill the request are expected to exceed \$100.[\[15\]](#)

The Chief Executive Officer or designee may waive duplication fees when the requester duplicates the record or the Chief Executive Officer or designee deems it is in the public interest to do so.[\[15\]](#)

Response to Request

School employees shall be directed to immediately forward requests for access to public records to the Open Records Officer.[\[6\]](#)[\[16\]](#)

Upon receipt of a written request for access to a record, the Open Records Officer shall determine if the requested record is a public record and if the School has possession, custody or control of that record.[\[8\]](#)

The Open Records Officer shall respond as promptly as possible under the existing circumstances, and the initial response time shall not exceed five (5) business days from the date the written request is received by the Open Records Officer.[\[8\]](#)

The initial response shall grant access to the requested record; deny access to the requested record; partially grant and partially deny access to the requested record; notify the requester of the need for an extension of time to fully respond; or request more detail from the requester to clearly identify the requested material.

If the School fails to respond to a request within five (5) business days of receipt, the request for access shall be deemed denied.[\[8\]](#)

Extension of Time

If the Open Records Officer determines that an extension of time is required to respond to a request, in accordance with the factors stated in law, written notice shall be sent within five (5) business days of receipt of the request. The notice shall indicate that the request for access is being reviewed, the reason that the review requires an extension, a reasonable date when the response is expected, and an estimate of applicable fees owed when the record becomes available.[\[8\]](#)[\[17\]](#)

Up to a thirty-day extension for one (1) of the listed reasons does not require the consent of the requester. If the response is not given by the specified date, it shall be deemed denied on the day following that date.

A requester may consent in writing to an extension that exceeds thirty (30) days, in which case the request shall be deemed denied on the day following the date specified in the notice if the Open Records Officer has not provided a response by that date.

Granting of Request

If the Open Records Officer determines that the request will be granted, the response shall inform the requester that access is granted and either include information on the regular business hours of the administration office, provide electronic access, or state where the requester may go to inspect the

records or information electronically at a publicly accessible site. The response shall include a copy of the fee schedule in effect, a statement that prepayment of fees is required in a specified amount if access to the records will cost in excess of \$100 and the medium in which the records will be provided.

A public record shall be provided to the requester in the medium requested if it exists in that form; otherwise, it shall be provided in its existing medium. However, the School is not required to permit use of its computers.[\[5\]](#)

The Open Records Officer may respond to a records request by notifying the requester that the record is available through publicly accessible electronic means or that the School shall provide access to inspect the record electronically. If the requester, within thirty (30) days following receipt of the School's notice, submits a written request to have the record converted to paper, the School shall provide access in printed form within five (5) days of receipt of the request for conversion to paper.[\[5\]](#)[\[18\]](#)

A public record that the School does not possess but is possessed by a third party with whom the School has contracted to perform a governmental function and which directly relates to that governmental function shall be considered a public record of the School. When the School contracts with such a third party, the School shall require the contractor to agree in writing to comply with requests for such records and to provide the School with the requested record in a timely manner to allow the School to comply with law.[\[19\]](#)

If the Open Records Officer determines that a public record contains information both subject to and not subject to access, the Open Records Officer shall grant access to the information subject to access and deny access to the information not subject to access. The Open Records Officer shall redact from the record the information that is not subject to access. The Open Records Officer shall not deny access to a record if information is able to be redacted.[\[20\]](#)

If the Open Records Officer responds to a requester that a copy of the requested record is available for delivery at the administration office and the requester does not retrieve the record within sixty (60) days of the School's response, the School shall dispose of the copy and retain any fees paid to date.[\[21\]](#)

Notification to Third Parties

When the School produces a record that is not a public record in response to a request, the Open Records Officer shall notify any third party that provided the record to the School, the person that is the subject of the record, and the requester.[\[22\]](#)

The Open Records Officer shall notify a third party of a record request if the requested record contains a trade secret or confidential proprietary information, in accordance with law and administrative procedures.[\[22\]](#)

Denial of Request

If the Open Records Officer denies a request for access to a record, whether in whole or in part, a written response shall be sent within five (5) business days of receipt of the request. The response denying the request shall include the following:[\[8\]](#)[\[23\]](#)

1. Description of the record requested.
2. Specific reasons for denial, including a citation of supporting legal authority.
3. Name, title, business address, business telephone number, and signature of the Open Records Officer on whose authority the denial is issued.
4. Date of the response.
5. Procedure for the requester to appeal a denial of access.

The Open Records Officer may deny a request for access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the School.[\[19\]](#)

The Open Records Officer may deny a request for access to a record when timely access is not possible due to a disaster, or when access may cause physical damage or irreparable harm to the record. To the extent possible, a record's contents shall be made accessible even when the record is physically unavailable.[\[19\]](#)

Information that is not subject to access and is redacted from a public record shall be deemed a denial.[\[20\]](#)[\[23\]](#)

If a written request for access to a record is denied or deemed denied, the requester may file an appeal with the state's Office of Open Records within fifteen (15) business days of the mailing date of the Open Records Officer's response or deemed denial.[\[7\]](#)

© PSBA 2020, charter school series made available by permission exclusively through Bent Creek Services

Legal

- [1. 65 P.S. 67.102](#)
- [2. 65 P.S. 67.302](#)
- [3. 65 P.S. 67.305](#)
- [4. 65 P.S. 67.504](#)
- [5. 65 P.S. 67.701](#)
- [6. 65 P.S. 67.502](#)
- [7. 65 P.S. 67.1101](#)
- [8. 65 P.S. 67.901](#)
- [9. 65 P.S. 67.705](#)
- [10. 28 CFR 35.160](#)
- [11. 28 CFR 35.164](#)
- [12. 42 U.S.C. 12132](#)
- [13. 65 P.S. 67.505](#)
- [14. 65 P.S. 67.703](#)
- [15. 65 P.S. 67.1307](#)
- [16. 65 P.S. 67.702](#)
- [17. 65 P.S. 67.902](#)
- [18. 65 P.S. 67.704](#)
- [19. 65 P.S. 67.506](#)
- [20. 65 P.S. 67.706](#)
- [21. 65 P.S. 67.905](#)
- [22. 65 P.S. 67.707](#)
- [23. 65 P.S. 67.903](#)
- [15 Pa. C.S.A. 5508](#)
- [24 P.S. 1728-A](#)
- [24 P.S. 1732-A](#)
- [24 P.S. 1743-A](#)
- [24 P.S. 518](#)
- [42 U.S.C. 12101 et seq](#)
- [65 P.S. 67.101 et seq](#)