

PUPILS

**Crispus Attucks Charter School
ENROLLMENT POLICY NO. 200**

Adopted: September 26, 2022

The Board of Trustees of Crispus Attucks Youthbuild Charter School ("Charter School") recognizes that its enrollment policy must reflect current requirements of the Pennsylvania Public School Code and 22 Pa. Code, Chapter 11, the Pennsylvania Charter School Law at 24 P.S. §17-1723-A, Pennsylvania Public School Code, and Pennsylvania Department of Education's ("PDE") Basic Education Circulars on Enrollment of Students and Charter School Law. Therefore, the Charter School, as a public charter school, complies with these enrollment procedures to ensure that both resident and eligible non-residents are promptly enrolled through the policy provisions set forth below.

Every child of school age who is a resident of a Pennsylvania school district is entitled to a public school education. Resident students include those residing with their parent(s) and eligible non-resident students include those living with a Pennsylvania school district resident who is supporting the child gratis and nonresident children living in facilities or institutions and seeking enrollment. Once the required enrollment documentation described below is provided, the Charter School must enroll children and permit them to attend school. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the Charter School's receipt of the required documents, if a space exists pursuant to the school's Admission/Lottery Policy.

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), a Pennsylvania school district resident, or any other person having charge or care of the child, the Charter School shall require that the following information be documented before enrolling the child and allowing the child to attend school:

1. Proof of the child's age

Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism - notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.

2. Immunizations required by law

Acceptable documentation includes: either the child's immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.

3. Proof of residency

Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, or Department of Transportation identification card. While more than one form of residency confirmation may be required, the Charter School should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. See the paragraph on Homeless Students for guidance in that situation. (Also see attached Residency Affidavit.)

Parents/Guardians must continue to provide the Charter School with residency information after enrollment when residency changes or may be questioned to ensure that Parents/Guardians comply with applicable residency requirements as Pennsylvania residents and/or if Student becomes a resident of a school district other than the one when originally enrolled.

4. Parent Registration Statement

A sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted to any school entity. The Charter School may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. (See Charter School Enrollment Forms on School website for Parent Registration Statement).

During the enrollment process and prior to admission to a charter school, the parent, guardian, or person having control of a student shall provide a sworn statement stating whether the student was previously or is presently suspended or expelled from any public or private school for any offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. The school from which the student was suspended or expelled and the dates of suspension or expulsion must be provided. Any willful false statement shall be a misdemeanor of the third degree.

5. Home Language Survey

All students seeking first time enrollment in a school shall be given a home language survey in according with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey.

Act 110 Requirement

In Pennsylvania, K-12 public schools are required to remove, transfer or reassign students who are adjudicated delinquent or convicted of sexual assault when the offending student and the victim are enrolled in the same school. With regard to enrollment of students, this amended section of the Public School Code requires:

(g) Prior to admission to a public school entity, the parent, guardian or other person having control or charge of a student shall, upon registration, provide a sworn statement or

affirmation stating whether the student was previously or is presently expelled under the provisions of this section. The registration shall include the name of the school from which the student was expelled with the dates of expulsion and shall be maintained as part of the student's disciplinary record. Any willful false statement made under this subsection shall be subject to 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). See Act 110 Statement below.

Sexual assault includes any of the offenses specified under the following provisions of 18 Pa.C.S. (relating to crimes and offenses) relating to rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, and indecent assault.

Documents Which May Be Requested but Not As a Condition of Enrollment - Items Which May Be Requested

Although the Charter School may ask for any of the information below, the Charter School may not require it as a condition of enrolling or admitting a child and a child's enrollment or attendance may not be delayed until these documents are provided. Among the documents that the Charter School may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, a school district may not require that a physical examination be conducted as a condition of enrollment.

Registration Form

A registration form, filled out by families for student enrollment, may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Failure to complete this form will not be made a condition of the student's enrollment.

Documentation Required from Other Sources

The Charter School is also entitled by law to receive information on an enrolling student from the previous school, public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, the Charter School, as the receiving local educational agency, will not require this information as a precondition to enrollment and will not delay a student's admission for lack of this information.

Student Education Records

Upon enrollment, the Charter School contacts the student's former school for a copy of the student's education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by the Charter School. School districts shall enroll students within 5 business days regardless of receipt of records from the previous districts.

Disciplinary Records

Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have 10 days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment or school attendance.

Prohibited Requests - Items Which May Not Be Requested

For both enrollment and also for residency determinations, the Charter School will not request or require any of the following: a social security number; the reason for a child's placement if not living with natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. The Charter School will not inquire as to the immigration status of a student as part of the admissions or residency process.

Student Classifications for Education Entitlement

• Resident Students and Court Orders or Custody Agreements

The Charter School may require a parent/guardian to provide a custody or dependency order when the child is being enrolled at the Charter School pursuant to parent relying on court order or custody agreement as the basis for enrollment. The Charter School will not require a custody order or agreement as a condition of enrollment in any circumstances other than the circumstance specified above. (See attached Affidavit of Custody).

• Students Living With a Resident Adult other than a Parent

When a child is living with an adult other than a parent, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that adult's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, the Charter School shall require the resident to file **only one** of the following:

1. **A sworn and notarized statement** from the resident of the school district indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (See Charter School Enrollment Forms on School website for section 1302 Statement., or

2. Appropriate legal documentation to show dependency or guardianship, which may include a custody order. The Charter School may require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, the Charter School will enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. (See attached Affidavit of Support), if a space exists pursuant to the school's Admission/Lottery Policy.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain.

- **Foster Children**

Students who are "awaiting foster care placement" are no longer considered homeless for purposes of the McKinney-Vento Education for Homeless Children and Youth ("EHCY") program. The deletion of "awaiting foster care placement" went into effect on December 10, 2016. (Section 725(2)(B)(i)).

- **Nonresident Children Living in Facilities or Institutions**

A child living in a district in which there is located a licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for the care or training of children or adolescents, shall be admitted to that district's schools if living at or assigned to the facility or institution. If the school district or residence of a child living at or assigned to a facility or institution cannot be determined, but the child is determined to be a resident of the Commonwealth, the child shall be permitted to attend the public schools of the district. This includes a child placed by the child's resident parents or guardians at a facility or institution and subsequently abandoned or deserted.

- **Emancipated Minors**

An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll at Charter School without any additional assistance from an adult.

- **Homeless Students**

The Charter School will ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident

family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who meet the definition of "unaccompanied homeless youth" pursuant to the Mc-Kinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 *et seq.*).

Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians

Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, Charter School administration will consult with the respective county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."

Homeless youth are entitled to immediate enrollments, if a space exists pursuant to the Admissions/Lottery Policy and their families are not required to prove residency regarding school enrollment. These students are considered residents of the district where they are presently residing, or continue their education in the district of prior attendance.

- **Pre-Adoptive and Adoptive Students**

The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the respective school district.

- **School-Age Children of Military Personnel**

When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period of time, the students are entitled to attend school in the school district in which they are residing.

Other Issues Related to Enrollment

- **Address Confidentiality Program (ACP)**

Some families may enroll a student using an ACP card, which lists a post office box as their address. This is their legal address and the Charter School will not require additional information about their residence. School records from the student's former school will be forwarded through the ACP.

- **Age**

Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 if identified pursuant to the Individuals with Disabilities Education Act of 2004. The Charter School will not refuse admission to a child who meets the age requirement. Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma ("GED"), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department of Education will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

- **Children and Families with Limited English Proficiency**

Children and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the student in school promptly per applicable federal law.

- **Twins and Multiple Siblings**

While the Public School Code provision governing twins and multiple siblings is not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use the Public School Code provision for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

Submitting Enrollment Complaints to the Department Of Education

When a dispute arises regarding enrollment of a student, the person attempting to enroll the child or the Charter School may bring the dispute to the attention of the Department's School Services Unit. A complaint may be filed by mail, email or by phone with written follow up. After receipt of a complaint, a Department representative will contact the Charter School, family or other involved parties to determine the facts, whether the child is entitled to enrollment at the Charter School and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to the Charter School and the individual who filed the complaint.

If the Charter School does not enroll the student within five (5) school days after receiving the written determination and space exists pursuant to the school's Admissions/Lottery

Policy, the Department will issue a letter to the Charter School requesting its position on the situation. The Charter School will have five (5) school days to respond to the request. If the Charter School refuses to enroll the student or does not respond, the matter will be forwarded to the Department's Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if the Charter School's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

Written Policies

The Charter School's written policy on student admission is a public record and will be posted to the school's website.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Attachment A -- Crispus Attucks Charter School Parental Registration Statement

Student Name _____

Date of Birth _____ Grade _____

Parent or Guardian Name _____

Address _____

Telephone Number _____

Pennsylvania School Code §13-1304-A states in part "Prior to admission to any school entity, the parent, guardian or other person having control or charge of a student shall, upon registration provide a sworn statement or affirmation stating whether the pupil was previously or is presently suspended or expelled from any public or private school of this Commonwealth or any other state for an action of offense involving a weapon, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property."

Please complete the following:

I hereby swear or affirm that my child was _____ was not _____ previously suspended or expelled, or is _____ is not _____ presently suspended or expelled from any public or private school of this Commonwealth or any other state for an act or offense involving weapons, alcohol or drugs, or for the willful infliction of injury to another person or for any act of violence committed on school property. I make this statement subject to the penalties of 24 P.S. §13-1304-A(b) and 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities, and the facts contained herein are true and correct to the best of my knowledge, information and belief.

<p>If this student has been or is presently suspended or expelled from another school, please complete: Name of the school from which student was suspended or expelled:</p> <p>_____</p> <p>Dates of suspension or expulsion:</p> <p>_____</p> <p>(Please provide additional schools and dates of expulsion or suspension on back of this sheet.) Reason for suspension/expulsion (optional) _____</p>

Signature of Parent or Guardian

Date

Any willful false statement made above shall be a misdemeanor of the third degree. This form is maintained as part of the student's disciplinary record

Attachment B - SWORN STATEMENT BY RESIDENT UNDER §13-1302 TO BE COMPLETED BY RESIDENT ONLY

Instructions: Please complete the following statement. If the potential student is living, or will be living, in a household with more than one resident adult who will assume responsibility for the student, all such adult residents must complete and sign this statement.

This is a legal document. You may ask to see a copy of 24 P.S. §13-1302 prior to signing this document, and consult with an attorney if you have any questions or do not understand any portion of this document.

1. Your Name _____
Home Address _____
Home Telephone Number _____ Work Number _____

2. Do you live in the school district and does the child live with you? Yes ____ No ____

3. Child's Full Name _____
Birth Date _____ Grade _____
Name & Address of Last School Attended _____
Date child began/will begin to reside in your home _____

4. Are you supporting this child gratis (without personal compensation or gain)? Yes ____ No ____

5. Will you assume all personal obligations related to school requirements for this child that may include providing for required immunizations, uniforms, fees/fines, citations/fines for truancy, attending parent-teacher conferences, or attending meetings/hearings concerning discipline?
Yes ____ No ____

6. Do you intend to keep and support the child continuously and not merely through the school term?
Yes ____ No ____

Through my notarized signature, I/We understand that the school district, pursuant to guidelines issued by the Department of Education and their own written policy, may require other reasonable information to be submitted to confirm this sworn statement.

Signed by resident(s) and notarized _____

Per 24 P.S. §13-1302, a person who knowingly provides false information in the above statement for the purpose of enrolling a child in a school district for which the child is not eligible commits a summary offense and shall, upon conviction for such violation, be sentenced to pay a fine of no more than three hundred dollars (\$300) for the benefit of the school district in which the person resides or to perform up to two hundred forty (240) hours of community service, or both. In addition, the person shall pay all court costs and shall be liable to the school district for an amount equal to the cost of tuition calculated in accordance with §2561 during the period of enrollment.

Attachment C - GUIDELINES FOR REASONABLE INFORMATION TO SUBSTANTIATE SWORN STATEMENT BY RESIDENT UNDER 24 P.S. §13-1302

Pursuant to Act 35 of 2001 (24 P.S. §13-1302(a)(2)), school districts may request information from the resident to substantiate the assertions made in the sworn statement of the resident, provided that the district has adopted a policy regarding this additional substantiating information and that the policy conforms with this Basic Education Circular. If the school district has elected to require substantiating information and advised the resident thereof, then the resident must submit the information before the district is required to accept the child as a student.

A district may require that more than one form of residency confirmation be provided. However school districts and charter schools should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. Examples of documentation that can support the factors in §1302 include:

Signer is a Resident of the District

- Current Utility bill, or
- Deed, or
- Lease, or
- Department of Transportation identification or drivers license, or
- Pennsylvania Department of Transportation vehicle registration, or
- Property tax bill, or
- Copy of State/Federal program enrollment, (examples include, but not limited to, TANF or CHIP), or
- Current credit card bill.

Signer is Supporting the Child Gratis

- Copy of completed county form or court order transferring child support payments to resident, if applicable, or
- Copy of completed State form notifying Department of Welfare of child's new residence, if applicable,
- Copy of lease/rental agreement identifying the child as a tenant, if applicable, or
- sworn statement by the resident.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive support, child support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child shall not be deemed to be personal compensation or gain.

Signer will Assume All Personal Obligations for the Child Relative to School Requirements
Sworn statement by resident shall be satisfactory evidence thereof.

Signer Intends to so Keep and Support the Child Continuously and Not Merely Through the School Term

Sworn statement by resident shall be satisfactory evidence thereof.

Attachment D - Crispus Attucks Charter School Act 110 Verification

I/We _____ being duly sworn to law
Dispose and say: THAT I/We am/are the Parent(s)/Legal Guardian(s) of
_____ (the pupil);

THAT The pupil has NOT previously been expelled under the provisions of 24 P.S. § 13-1318.1 entitled: "Students Convicted or Adjudicated Delinquent of Sexual Assault."

THAT The pupil is NOT currently expelled under the provisions of 24 P.S. § 13-1318.1 entitled: "Students Convicted or Adjudicated Delinquent of Sexual Assault."

Any willful false statement made above shall be a misdemeanor of the third degree.

This form shall be maintained as part of the student's disciplinary record.

THAT I/We recognize the following:

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A PERSON WHO KNOWINGLY PROVIDES FALSE INFORMATION IN A SWORN STATEMENT FOR THE PURPOSE OF ENROLLING A CHILD IN A SCHOOL DISTRICT (OR CHARTER SCHOOL TO THE EXTENT PERMITTED BY LAW) FOR WHICH THE CHILD IS NOT ELIGIBLE COMMITS A SUMMARY OFFENSE AND SHALL, UPON CONVICTION FOR SUCH VIOLATION, BE SENTENCED TO PAY A FINE OF NO MORE THAN THREE HUNDRED DOLLARS (\$300) FOR THE BENEFIT OF THE SCHOOL DISTRICT (OR CHARTER SCHOOL TO THE EXTENT PERMITTED BY LAW) IN WHICH THE PERSON RESIDES OR TO PERFORM UP TO TWO HUNDRED FORTY (240) HOURS OF COMMUNITY SERVICE, OR BOTH. IN ADDITION, THE PERSON SHALL PAY ALL COSTS AND SHALL BE LIABLE TO THE SCHOOL DISTRICT (OR CHARTER SCHOOL TO THE EXTENT PERMITTED BY LAW) FOR AN AMOUNT EQUAL TO THE COST OF TUITION CALCULATED IN ACCORDANCE WITH SECTION 2561 OF THE PUBLIC SCHOOL CODE DURING THE PERIOD OF ENROLLMENT.

I make this statement subject to the penalties of 24 P.S. §13-1304-A(b) and 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities, and the facts contained herein are true and correct to the best of my knowledge, information and belief.

PARENT/GUARDIAN: _____

Address: _____ Phone: _____

PARENT/GUARDIAN: _____

Address: _____ Phone: _____

Crispus Attucks Charter School IMMUNIZATION NO. 203

Adopted: January 10, 2001

Revised: August 28, 2017

The Board of Trustees of the Crispus Attucks Youthbuild Charter School ("Charter School") recognizes the necessity that school children be immunized against diseases which spread easily in schools and interrupt school life and learning for individuals and groups. Due to changes in the Pennsylvania Department of Health Regulations effective August 1, 2017, this Policy supersedes and replaces all prior policies regarding student immunizations and is in effect beginning August 1, 2017.

In accordance with applicable Pennsylvania regulations, a student shall not be admitted to or permitted to attend school unless the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C (relating to immunization), have been met or the student has received from the Chief Executive Officer ("CEO") or his/her designee a medical or religious exemption from immunization under 28 Pa. Code § 23.84 (relating to exemption from immunization). 22 Pa. Code. Chapter 11.20.

In accordance with Title 28, Chapter 23.83 of the Pennsylvania Code, as of August 1, 2017, the Board of Trustees directs the CEO or his/her designee to ascertain that each student has been immunized in accordance with the regulations set forth in Title 28 Pa. Code Chapter 23.81-87 and further directs the CEO or his/her designee, in conjunction with the school nurse, to oversee the school's adherence to the requirements set forth in the applicable regulations and this Immunization Policy as well as any additional applicable immunization requirements mandated by the Pennsylvania Department of Health:

The below are the immunizations that will be required as a condition of attendance at school as of **August 1, 2017**. The CEO, in conjunction with the school nurse, is directed to monitor changes in state regulations regarding immunization requirements and to ensure that the school complies with applicable immunization requirements:

All Grades for New School Year

- 4 doses of tetanus, diphtheria and acellular pertussis* (1 dose on or after the 4th birthday)
- 4 doses of polio (4th dose on or after 4th birthday and at least 6 months after previous dose given) **
- 2 doses of measles, mumps, rubella ***

- 3 doses of hepatitis B
- 2 doses of varicella (chickenpox) or evidence of immunity

* Usually given as DTP or DTaP or DT or Td

**A 4th dose not necessary if the 3rd dose was administered at age 4 years or older and at least 6 months after the previous dose

*** Usually given as MMR

In addition to the immunizations listed above, the following immunizations are going to be required as a **condition of entry for students entering the 7th grade; or, in an ungraded class, for students in the school year that the student is 12 years of age:**

- 1 dose of tetanus, diphtheria, acellular pertussis (Tdap) on the first day of 7th grade
- 1 dose of meningococcal conjugate vaccine (MCV) on the first day of 7th grade

Additionally, as a condition of entry for students entering the 12th grade:

- 1 dose of meningococcal conjugate vaccine (MCV) on the first day of 12th grade
If one dose was given at 16 years of age or older, that shall count as the twelfth grade dose.

“Attendance at school” is defined, in pertinent part, as attendance at a grade, or special classes, kindergarten through 12th grade, including public, private, parochial, vocational, intermediate unit and home education students and students of cyber and charter schools. Attendance at a pre-kindergarten program operated by a school district, an early intervention program operated by a contractor or subcontractor including intermediate units, school districts and private vendors, or at private academic preschools is conditional upon the child’s satisfaction of the immunization requirements specifically set forth in another section: § 27.77. If the CEO has any questions regarding the applicability of the revised regulations to students attending the Charter School at any grade or level, the CEO is directed to contact the Charter School’s solicitor for clarification.

Day 1 of New School Year:

- A child is required to have any single dose vaccine upon school entry, or risk exclusion.
 - Tdap (1) 7th grade Day 1

- In the case of a multi-dose vaccine, regulations require that the child have at least one dose of the vaccine upon school entry or risk exclusion.
 - DTaP (4) kindergarten
 - Polio (4) kindergarten
 - HepB (3) kindergarten
 - MMR (2) kindergarten
 - Varicella (2) kindergarten
 - MCV (2) 7th - 12th grades

Days 1-5 of New School Year:

If additional doses are required and are medically appropriate within the first five days of school: the child shall have either the final dose during that five-day period; or the child shall have the next scheduled dose and shall also provide a medical certificate setting out the schedule for the remaining doses.

Medical Plan/Certificate

If the child has at least one dose, but needs additional doses, and those doses are not medically appropriate during the first five days of school, the child may provide a medical certificate on or before the fifth school day showing the doses are scheduled to be administered.

The medical certificate shall be signed by a physician, certified registered nurse practitioner (CRNP) or physician assistant (PA). If the child will be receiving the immunizations from the department or a public health department, a public health official may sign the medical certificate.

A child who meets these requirements may continue to attend school even if the child does not have all the required vaccinations, so long as the child complies with the vaccination schedule in the medical plan/certificate. School administrators or their designees are required to review that medical plan/certificate every 30 days to ensure that the child is in compliance.

Exemptions:

The only permitted exemptions from the immunization requirements listed above are pursuant to the Pennsylvania Code:

- Medical reasons;

- Religious beliefs; or
- Philosophical/strong moral or ethical conviction.

The Charter School must adhere to these requirements. For the medical reasons, children need not be immunized if a physician or the physician's designee provides a written statement that immunization may be detrimental to the health of the child. 28 Pa. Code 23.84(a). When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to Chapter 23. Regarding the other two exemptions, children need not be immunized if the parent, guardian or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief. 28 Pa. Code 23.84(b).

Waivers

The following circumstances warrant waiver of the Immunization requirements:

- If the child is homeless
- If the child is unable to locate his records due to a disaster
- If a child transfers into the school
- If there is a national vaccine shortage

Foreign exchange students or those visiting Pennsylvania schools:

Foreign exchange students or foreign students visiting Pennsylvania schools need at least one dose of each antigen and are then granted a provisional enrollment, same as any student enrolling in a Pennsylvania schools.

Homeless students:

Per the Waiver section above, the Charter School shall immediately enroll the student in school, even if the student lacks records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation. (See the Pennsylvania Department of Education's Basic Education Circulars for "Education for Homeless Youth" or "Enrollment of Students.")

Responsibilities of Schools and Administrators:

The CEO or his/her designee is directed to appoint a knowledgeable person (i.e. school nurse, director of school health services) to perform the following:

(1) Inform the parent, guardian or emancipated child at registration or prior to registration, if possible, of the requirements of Chapter 23.

(2) Ascertain the immunization status of a child prior to admission to school or continued attendance at school.

The parent or guardian of a child or the emancipated child who has not received the immunizations required under § 23.83 shall be **informed** of the specific immunizations required and **advised** to go to the child's usual source of care or nearest public clinic to obtain the required immunizations.

The school shall maintain **on file** a certificate of immunization for a child enrolled. An alternative to maintaining a certificate on file is to transfer the immunization information from the certificate to a **computer database**. The certificate of immunization or a facsimile thereof generated by computer shall be returned to the parent, guardian or emancipated child or the school shall transfer the certificate of immunization (or facsimile) with the child's record to the new school when a child withdraws, transfers, is promoted, graduates or otherwise leaves the school.

The Charter School may remove a student from school during an outbreak if in Charter School health records, the student is exempt from immunizations.

School Reporting to the Department of Health:

Below are school reporting requirements with which the Charter School **must** comply:

- The Charter School shall report immunization data to the Department by December 31st of each year, using forms provided by the Department.

Department of Health Forms/Monitoring:

The Department of Health is to provide the certificates of immunization to schools. If the Charter School does not receive same, the CEO or his/her designee shall direct that the appropriate request be made to obtain the certificates and shall consult with the Charter School's solicitor as may be necessary.

The Department will monitor for compliance and will have access to school immunization records whether the records are maintained as certificates or whether the records are contained in a school's computer database. The CEO or his/her designee, in conjunction with the school nurse, must maintain immunization records in accordance

with Department of Health regulations and facilitate appropriate monitoring and access procedures.

Vaccine Acronyms:

<u>Vaccine names</u>	<u>Abbreviations</u>
Tetanus, diphtheria and acellular pertussis	DTaP (<7 years)/Tdap)
Tetanus, diphtheria	DT, Td
Polio	IPV
Measles, mumps, rubella	MMR
Hepatitis B	HepB
Varicella	Var
Meningococcal Conjugate	MCV

Confidentiality

All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.



BOARD OF TRUSTEES POLICY
No. 207
Section: Pupils
Title: Health Examinations
Date Adopted: January 10, 2001

Section 1. Purpose: In compliance with the School Code, the board shall require that students of the School submit to health and dental examinations to:

- A. protect the school community from the spread of communicable disease
- B. insure that the student's participation in health, safety, and physical education courses meets his/her individual needs
- C. insure that the learning potential of each child is not lessened by a remediable physical disability

Section 2. Authority: Students shall receive a comprehensive health examination as required by the CAO (required at the 11th grade). These examinations will be conducted by the school physician. A private examination conducted at the parent's request and at their expense will be accepted in lieu of the school examination.

For each pupil transferring to the CAYBCS the CAO or his/her designee shall request an adequate health record from the transferring school.

The individual pupil record of health examinations shall be maintained as a confidential record subject to statute and the policies of the School (B.P. 213)

A student who present a statement signed by his/her parent or guardian that a medical examination is contrary to his/her religious beliefs shall be examined only when the State Secretary of Health determines that the student presents a substantial health menace to the health of other persons.

Where it appears to school health officials or teachers that a student deviates from normal growth and development and where school examinations reveal conditions requiring health or dental care, the parent or guardian of the child shall be so informed and a recommendation shall be made that the parent consult a private physician or dentist. The parent shall be required to report to the school the action taken subsequent to such notification. When the parents or guardians inform the school of financial inability to provide an examination, the school shall advise them of the availability of public assistance. Where no action is taken, the school may conduct further examinations.



BOARD OF TRUSTEES POLICY

No. 207

Section: Pupils

Title: Use of Medication

Date Adopted: January 10, 2001

Section 1. Purpose: The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication in accordance with the direction of a parent or family physician to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health, welfare, or comfort of the student.

Section 2. Definition: For purposes of this policy, "medication" shall include all medicines prescribed by a physician, any patent drug, aspirin, cough medications, etc.

Section 3. Authority: Before any medication may be administered to any student during school hours, the Board shall require the written request of the parent which shall give permission for such administration. The document(s) shall be kept on file in the office of the school nurse or administrative office.

Section 4. Delegation of Responsibility: The CAO or his/her designee shall develop procedures for the administration of medication which provide that:

- A. all medications shall be administered by the school nurse or his/her designee
- B. medication shall be securely stored in the original container supplied by the physician, pharmacist, or manufacturer.
- C. The school nurse shall maintain a record of medications under the name of the student to whom medication was or may be administered
- D. All medication shall be taken to the school nurse's office or school office immediately upon the student's arrival at school



BOARD OF TRUSTEES POLICY
No. 210
Title: Reporting Pupil Progress
Date Adopted:

Section 1. Purpose: The Board believes that the cooperation of school and home is a vital ingredient in the growth and education of the whole student. It recognizes its responsibility to keep parents and students informed of student welfare and progress in school. It also recognizes the effects of State Board Regulations and Federal Regulations governing school and pupil records. (B.P. 213)

Section 2. Authority: The Board directs the establishment of a system of reporting student progress which shall include written reports for every student and shall require all appropriate staff members to comply with such a system as part of their teaching responsibility.

Section 3. Delegation of Responsibility: The CAO in conjunction with appropriate teaching staff members shall develop procedures for reporting student progress to students, parents or guardians which utilize various methods of reporting appropriate to grade level and curriculum content.



BOARD OF TRUSTEES POLICY
No. 211
Section: Pupils
Title: Assessing Student Progress
Date Adopted: January 10, 2001

Section 1. Purpose: The Board recognizes that a system of assessing student achievement can help the student, teachers, and parents to better assess the student's progress toward personal educational goals. (See B.P. 210 and 213)

Section 2. Definition: Grading shall be that system of measuring and recording each student's progress achievement which enables the student, parents, and teachers to learn the student's strengths and weaknesses. Such grades shall measure the student's progress against both his/her own potential for achievement and the achievement of others in the class as appropriate to the grade level and subject matter.

Section 3. Delegation of Responsibility: The Board directs that the instructional program of the District include a system of grading for all pupils which is consistent with the educational goals of the district. The CAO or his/her designee shall develop procedures for implementing such a system of grading.



BOARD OF TRUSTEES POLICY
No. 214
Section: Pupils
Title: Graduation Requirements
Date Adopted: January 10, 2001

Section 1. Purpose: It shall be the policy of the Board to acknowledge each student's successful completion of the instructional program appropriate to the student's interests and needs by the award of a diploma or certificate at fitting graduation ceremonies.

Section 2. Authority: The Board shall award a regular high school diploma to every student enrolled in this district who meets the requirements of graduation established by this Board.

The requirement for graduation shall be the completion of work and studies representing the instructional program as mandated by the CAO.

The Board requires that each candidate for graduation shall have met minimum of standards as evidenced both in class work and on the designated examination

Section 3. Delegation of Responsibility: The CAO or his/her designee shall develop procedures for implementing this policy which include:

- A. the careful recording of each student's progress and accumulation of graduation requirements.
- B. Counseling of students to know what is expected of them for completion of their schooling.
- C. Issuance of periodic warnings to students in danger of not fulfilling graduation requirements.
- D. Preparation of a list of all graduating students for the information of the Board and release to the public.
- E. Preparation of suitable diplomas for graduating students.
- F. Planning and execution of graduation ceremonies which fittingly mark this important achievement.



BOARD OF TRUSTEES POLICY
No.215
Section: Pupils
Title: Student Rights and
Responsibilities
Date Adopted: January 10, 2001

The Board of School Directors, as directed by and within the context of the Pennsylvania Code Title 22 Education, Chapter 12 (students) Regulations on Student Rights and Responsibilities, adopts, effective with the publication of this document, the following policy as it relates to student responsibilities and rights.

Section 1. Responsibilities: Every student enrolled in the CAYBCS is expected to exhibit responsible behavior consistent with the kind of conduct traditionally recognized as appropriate in a school setting. Specific areas of responsibility include but are not limited to the following:

- A. Regular school attendance, conscientious effort in classroom work, and conformance to school rules and regulations. Most of all, students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living.
- B. No student has the right to interfere with the education of his/her fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators, and all others who are involved in the education process.
- C. Students should express their ideas and opinions in a respectful manner.
- D. It is the responsibility of the students to conform with the following:
 1. Be aware of all rules and regulations for student behavior and conduct themselves in accord with them. Students should assume that, until a rule is waived, altered, or repealed in writing, it is in effect.
 2. Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
 3. Dress and groom to meet fair standards of safety and health, and to wear the uniform specified by the CAO.
 4. Assist the school staff in operating a safe school for all students enrolled therein.
 5. Comply with Commonwealth and local laws.
 6. Exercise proper care when using public facilities and equipment.
 7. Attend school daily and be on time at all classes and other school functions.
 8. Make up work when absent from school.
 9. Pursue and attempt to complete satisfactorily the courses of study prescribed by Commonwealth and local school authorities.
 10. Not use indecent or obscene language in conversation or in print.

Section 2. Rights: Every student enrolled in the CAYBCS possesses rights which are guaranteed by constitutional law, common law, statute law and case law. Those rights include, but are not limited to the following:

- A. Free and full education as defined by the Commonwealth of Pennsylvania and the CAYBCS Board of Trustees.
- B. Freedom from discrimination consistent with the Pennsylvania Human Relations Act (43 P.S. 951-963).
- C. Due process of law for suspensions (both in-school and out-of-school) and expulsions as defined in sections 12.6, 12.7 and 12.8 of 22 PA Code Chapter 12 and as consistent with constitutional, statutory, common law and case law.
- D. Freedom of expression consistent with the reasonable rules and regulations of the Board of Trustees and administration and exercised in such a fashion so as not to materially and substantially interfere with the educational process, threaten immediate harm to the welfare of the school or community, encourage unlawful activity, or interfere with the right of another individual.
- E. It is the responsibility of every citizen to show proper respect for flag and country. Students who decline because of personal or religious beliefs to salute the flag shall respect the rights of classmates who wish to participate in the salute to the flag.

Section 3. Code of Conduct: The Board of Trustees of the CAYBCS defines the following types of offenses committed by students as being contrary to the rules and regulations adopted by the Board as directed by section 12.3(c) of 22 PA Code Chapter 12 and such offenses will subject students to disciplinary action. Commission of these offenses would lead to exclusion from school (as required by section 12.6(a) of 22 PA Code Chapter 12).

- A. Disobedience, insubordination, or disrespect for the position of those in authority.
- B. Misconduct a. including vulgar language toward teachers, students, or visitors b. including disruption of or material interference with proper school rights of others, however caused.
- C. Possession, use, consumption, selling, dispensing, or aiding or abetting the foregoing, of controlled drugs (except when prescribed by a physician) or alcoholic beverages, or tobacco to include smoking.
- D. Vandalism or willful destruction of property, school property or other property.
- E. Willful intent to do personal harm to any person(s), including fighting and physical injury and including threats, assault, or battery toward teachers or students.
- F. Stealing
- G. Infraction or offense or direct defiance of any of the rules or regulations or policy duly made known or published in student handbooks, memoranda, or otherwise, by teachers, or principals, or the district superintendent or the School Board, or the Pennsylvania Secretary of Education or the Pennsylvania State Board of Education.
- H. The infraction, offense, or direct defiance of any municipal, state or federal law, or regulation.
- I. Unexcused absence or tardiness from school or classes or leaving school without permission or "cutting" classes.
- J. The violation of the Gun Free Schools Act of 1994 (GFSA) or of any similar or related statute as authorized by the Federal legislation.

1. The CAYBCS is required by law to expel for a period of not less than one (1) calendar year a student who is determined to have brought a weapon to school.
2. The CAO of the CAYBCS may modify the expulsion requirement on a case-by-case basis.
3. "Weapon" as referred to in Section 3, Item J of this policy (#215) shall be defined in Section 921 of Title 18 of the United States Code:

According to Section 921, the following are included within the definition:

- o Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - o The frame or receiver of any weapon described above
 - o Any firearm muffler or firearm silencer
 - o Any destructive device, which includes:
 - a. any explosive, incendiary, or poison gas
 1. bomb
 2. grenade
 3. rocket having a propellant charge of more than four (4) ounces
 4. missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce
 5. mine, or
 6. similar device
 - b. any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half (1/2) inch in diameter
 - c. any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled
 - d. according to Section 921, antique firearms are not included in the definition. Class-C common fireworks are not included in the definition of weapon
4. The one-year expulsion requirements applies to students who bring weapons to any setting that is under the control and supervision of the CAYBCS.

Publication of this notice will be sufficient when a copy of this resolution is made available to each student, or when generally distributed in student handbooks or memoranda in which such is to be found or is announced and posted on a bulletin board of general access in each building of the District on a day when school is in session.

The Board further establishes as policy that the reference to Paragraph 12.6 of the cited regulations on exclusions from school, the CAO, when proceeding with exclusions, shall exercise good judgement, using all of the authority vested in him/her within the confines of law and the

cited regulations, especially as to the rules of hearing found in Paragraph 12.8. In all cases of exclusion, the CAO shall prepare and maintain a record of the proceedings.

The Board further establishes as policy that involvement of the student in a rehabilitation program, required random drug testing, or other monitoring and/or treatment protocols may be required as a condition of the student's return to school and/or continued enrollment.



BOARD OF TRUSTEES POLICY
No. 217
Section: Pupils
Title: Use of Bicycles and Motor
Vehicles
Date Adopted: January 10, 2001

Section 1. Purpose: The Board assumes no financial or legal responsibility in regards to the use of bicycles and motor vehicles for travel to and from school by students.

Section 2. Authority: The Board will permit the use of bicycles by students in accordance with the rules of the School.

The Board will permit the use of motor vehicles by students in accordance with the rules of the School provided that such students:

- A. are license drivers
- B. have parental permission when they are minors
- C. have been granted permission by the building principal to drive a motor vehicle on school grounds.

The Board will not be responsible for bicycles or motor vehicles which are lost, stolen or damaged.

Section 3. Delegation of Responsibilities: The CAO or his/her designee shall develop rules and regulations for the operation and parking of bicycles and motor vehicles and shall disseminate those so affected.



CRISPUS ATTUCKS CHARTER SCHOOL

BOARD OF TRUSTEES POLICY

No. 218

Section: Pupils

Title: Care of School Property

Date Adopted: January 10, 2001

Section 1. Purpose: The Board believes that the school should help students learn to respect property and develop feelings of pride in community institutions.

Section 2. Authority: The Board charges each student with responsibility for the proper care of school property, school supplies, and equipment entrusted to his/her use.

Students who wilfully cause damage to school property shall be subject to disciplinary measures. Students and others who damage or deface school property may be prosecuted and punished under law. Parents and guardians of students shall be held accountable for student actions.

Section 3. Delegation of Responsibilities: The CAO or his/her designee shall develop procedures to implement this policy.



BOARD OF TRUSTEES POLICY
No. 219
Title: Students and the Police
Date Adopted: January 10, 2001

Section 1. Purpose: The Board recognizes that compulsory attendance laws impose on the Board the custodianship of the public school students while they are present in the school.

Section 2. Authority: When police request permission to interrogate a student at school, the CAO or his/her designee shall:

- A. determine why such interrogation could not occur at the student's home
- B. attempt to inform the student's parents (under 18 years of age).

Whenever the CAO or designee has determined that the police have a legitimate purpose in interrogating a child within the confines of a school building, the CAO or his/her representative shall be present throughout the proceedings.

When the police request permission to arrest a student at school, the CAO shall:

- A. to the degree possible, determine why such arrest could not be made at the student's home
- B. attempt to inform student's parents
- C. request and inspect the arrest warrant

No student shall be released to police authorities without proper warrant or written parental permission, except in the event of emergency or for the protection of life or property as determined by the CAO.



BOARD OF TRUSTEES POLICY

No. 221

Title: Drug Awareness

Date Adopted: January 10, 2001

Section 1. Purpose: The Board recognizes that the misuse of drugs is a serious problem with legal, physical and social implications for the whole school community. As the educational institution of this district, the schools should strive to prevent drug abuse.

Section 2. Definition: For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances prohibited by law
- B. all "look-alike" drugs
- C. all alcoholic beverages
- D. any drug paraphernalia
- E. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy

Section 3. Authority: The Board prohibits the use, possession distribution of any "drug" (as defined in Board Policy #221 – Section 2):

- A. during school hours
- B. on school property
- C. at any school sponsored event

The privileged confidentiality between students and guidance counselors, school nurses, school psychologists, home and school visitors and other school employees shall be respected and no confidential communication made to any such employee shall be required to be revealed without the consent of the student or his/her parent unless the best interests of the student can be served by doing so.

The possession, use, and/or sale of "drugs" (as defined in Board Policy #221 – Section 2) warrants notification of law enforcement authorities by school authorities.

Section 4. Delegation of Responsibility: The CAO or his/her designee shall prepare rules for the identification, amelioration and control of drug abuse in the schools which shall:

- A. discourage drug abuse
- B. establish procedures for dealing with students suspected of drug use
- C. establish procedures for dealing with students suspected of the possession or distribution of drugs in school



BOARD OF TRUSTEES POLICY
No. 222
Section: Pupils
Title: Pregnant Students
Date Adopted: January 10, 2001

Section 1. Purpose: No student, whether married or unmarried, who is otherwise eligible to attend the CAYBCS shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood; nor shall a pregnant student under the age of 17 be excused from the requirements of the compulsory attendance statute solely for reasons of her pregnancy or maternity.

Section 2. Authority: The Board reserves the right to require as a prerequisite for attendance in the regular classes of the schools and the co-curricular program of the schools that pregnant students present to the CAO or his/her designee her physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

A pregnant student whose mental or physical condition prevents her from attending regular classes, when such condition is certified by a physician, may be assigned to an alternate educational program.

Section 3. Delegation of Responsibility: The CAO or his/her designee shall develop procedures for the implementation of this policy.



Crispus Attucks Charter School
ATTENDANCE AND TRUANCY POLICY NO. 223

Adopted: January 10, 2001

Revised: June 5, 2017

Act 138 of 2016 requires Crispus Attucks Charter School to adopt an attendance policy. 24 P.S. § 13-1327.2. The policy must be designed to accurately determine when a child who is enrolled in Crispus Attucks Charter School has an unexcused absence. The policy must also conform to the provisions of Act 138 of 2016 relating to compulsory attendance.

The following are considered reasonable causes for absence from school: required court attendance, death in the immediate family, major illness, quarantine, educational trips pre-approved by the principal, religious holidays, and up to three visitations/interviews for employment or post-secondary education, as approved by the principal. Any student absent from school for any reason other than the above will be considered as having an unexcused absence (depending on the student's age). If a student is going to be absent, the student must call the school by 8:30 to notify their Case Manager.

All students are required to submit a written excuse from the parent or guardian. Excuse notes must be submitted to the office. An absence from school which is not supported by a written note from parent/guardian within three days of the student's return to school will be charged as unexcused. After three consecutive absences students must bring a doctors' excuse/note to school with them.

Parents/Guardians will receive written/ email/ phone/text notification of unlawful absences, as well as home visits.

Crispus Attucks Charter School will report unexcused absences directly to the Pennsylvania Department of Education annually through the Pennsylvania Information Management System.

Crispus Attucks Charter School enrolls only students who are 17 years of age or older, and are no longer of "compulsory school age" as defined by Act 138 of 2016. 24 P.S. § 13-1326. Therefore, the provisions of Act 138 of 2016 that relate to truant and habitually truant children do not apply.

The school shall remove a student who has more than 10 consecutive days of unexcused absences from its invoices, except that a student who receives special education services and for whom the school continues to be responsible for providing a Free Appropriate Public Education need not be removed from its invoices, and any student who is removed from the school's invoices may be returned to the invoices if he or she again attends the Charter School.

Crispus Attucks Charter School
ATTENDANCE AND TRUANCY POLICY NO. 223

Adopted: January 10, 2001

Revised: June 5, 2017, March 26, 2018

The Crispus Attucks Youthbuild Charter School (the "Charter School") believes that good attendance is essential if students are to achieve and reach their potential. Each day is important for learning. Parents are required to ensure their son/ daughter maintains good attendance.

Truancy - Overview

A child is "truant" if he/she has three (3) or more school days of unexcused absence during the current school year. An unexcused absence is any absence from school without an acceptable excuse (as articulated in the Charter School's Student/Parent Handbook), or without any reason at all. An out of school suspension shall be considered an excused absence.

A child is "habitually truant" if he/she has six (6) or more school days of unexcused absences during the current school year.

A child is not considered truant if he/she is absent from school for failure to meet the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C (relating to immunization), or the student has not received from the CEO or his/her designee a medical or religious exemption from immunization under 28 Pa. Code § 23.84 (relating to exemption from immunization). 22 Pa. Code. Chapter 11.20.

The following are considered reasonable causes for absence from school: required court attendance, death in the immediate family, major illness, quarantine, educational trips pre-approved by the principal, religious holidays, and up to three visitations/interviews for employment or post-secondary education, as approved by the principal. Any student absent from school for any reason other than the above will be considered as having an unexcused absence (depending on the student's age). If a student is going to be absent, the student must call the school by 8:30 to notify their Case Manager.

For the first and second unexcused absences, the Charter School will send the parent/guardian a notice of the unexcused absence as well as attach a copy of the legal penalties for violation of compulsory attendance requirements. In addition to stating the legal consequences, the name and telephone number of a school contact person will be included.

For the third unexcused absence, the Charter School will send the parent/guardian notice by certified mail within 10 school days of the child's third unexcused absence that the child has been truant. This notice shall 1) include a description of the consequences that will follow if the child becomes habitually truant in the future; 2) will be in the mode and language of communication preferred by the person in parental relation; and 3) include the offer of an Attendance Improvement Conference. The Charter School shall send a copy the child's school district of residence.

When a child demonstrates truant behavior, the Charter School will schedule a School Attendance Improvement Conference to discuss the cause of the child's truancy and develop a mutually agreed upon Attendance Improvement Plan to resolve truant behavior. The plan can include a myriad of options for the elimination of truancy that are mutually agreed upon by the participants. The school district of residence shall be provided an option to attend.

Procedure when child is habitually truant:

- Habitually truant children under fifteen (15) years of age: child can be referred to either: 1) a school-based or community-based attendance improvement program; or 2) the county children and youth agency (CYS) for services or possible disposition as a dependent child under the Juvenile Act. Additionally, A citation may be filed against the parent/guardian of a habitually truant child under fifteen (15) years of age in a magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled.
- Habitually truant children fifteen (15) years of age and older: Educational entity can either: 1) refer the child to a school-based or community-based attendance improvement program; or 2) file a citation against the student or parent/guardian in the appropriate magisterial district court. The venue of the filing shall be based on the location of the school in which the child is enrolled or shall be enrolled. If a habitually truant child aged fifteen (15) or older incurs additional absences after a school refers that child to an attendance improvement program, the child may be referred to the local CYS agency for possible disposition as a dependent child.

In all cases, regardless of age, where a habitually truant child is referred to a magisterial district court or CYS, the Charter School will provide verification that it convened and held an Attendance Improvement Conference.

Crispus Attucks Charter School enrolls only students who are 17 years of age or older, and are no longer of "compulsory school age" as defined by Act 138 of 2016. 24 P.S. § 13-1326. Therefore, the provisions of Act 138 of 2016 that relate to truant and habitually truant children do not apply.

Charter School's responsibility to develop an attendance policy:

A charter school must develop an attendance policy that includes: monitoring student attendance and accurately tracking and reporting excused and unexcused absences; providing timely and clear notification to the person in parental relation to the student concerning accumulated unexcused absences; convening the School Attendance Improvement Conference; working with the student's resident school district for referral of the student to a school-based or community-based attendance improvement program or county child and youth agency; or filing a truancy citation.

Although a charter school's policy may differ from that of the school district, the charter school must develop a policy that provides communication and collaboration with a student's resident school district so that the powers and responsibilities are properly exercised under the authority

granted to the district by the General Assembly.

All students are required to submit a written excuse from the parent or guardian. Excuse notes must be submitted to the office. An absence from school which is not supported by a written note from parent/guardian within three days of the student's return to school will be charged as unexcused. After three consecutive absences students must bring a doctors' excuse/note to school with them.

Parents/Guardians will receive written/email/phone/text notification of unlawful absences, as well as home visits.

Case managers will oversee implementation of the attendance improvement plan.

Primary responsibilities of the Charter School, shared responsibilities, and the responsibilities that the Charter School must defer to the school district of residence:

- Accurate monitoring and tracking of excused and unexcused absences. 22 Pa. Code § 11.41.
 - o Charter School's Primary responsibility.
- Written notification to person in parental relation of violation of compulsory attendance at the third unexcused absence. 24 P.S. § 13-1333(a).
 - o Charter School's collaborative responsibility with school district, i.e. Charter School shall send notification with copy to the school district.
- Offer and convene School Attendance Improvement Conference. 24 P.S. § 13-1333(b).
 - o Charter School's collaborative responsibility with school district, i.e. Charter School shall send notification with copy to the school district and invite the school district as a participant.
- Refer child to (a) school-based or community-based attendance improvement program or (b) county child and youth agency for possible disputation as a dependent child. 24 P.S. § 13-1333.1(a)(1).
 - o Charter School's collaborate with school district regarding attendance improvement programs. The Charter School shall work with the school district to establish the record of unexcused absences and notices provided and actions taken by the Charter School. Juvenile dependency referrals will be coordinated through the school district.
- File truancy citation with appropriate MDJ. 24 P.S. § 13-1333.1(a)(2), (b).
 - o Charter School refers to school district. The Charter School shall work with the school district to establish the record of unexcused absences and notices provided and actions taken by the charter school.
- Following school-based or community-based attendance improvement program, refer child to county child and youth agency for possible disposition as a dependent child. 24 P.S. § 13-1333.1(c).

- o Charter School shall refer to school district. The Charter School shall work with the school district to establish the record of unexcused absences and notices provided and actions taken by the charter school.

In the event that information protected by the Family Educational Rights and Privacy Act ("FERPA") is requested by the child's school district of residence, parental consent shall be obtained.

Students that are absent from school for ten (10) or more consecutive days without appropriate documentation will be removed from the Charter School's rolls.

The Charter School will report unexcused absences directly to PDE through the Pennsylvania Information Management System (PIMS).

Children who are habitually truant from school while subject to compulsory school attendance are subject to an assessment to determine if there is a need for general protective services. Children will not be referred to the county children and youth agency for assessment as possibly needing services until after the Charter School has made a formal effort to involve the family and child in resolving the cause of the truant behavior.

School Attendance Improvement Conference and the Attendance Improvement Plan

The Attendance Improvement Plan is developed cooperatively with involved stakeholders through an Attendance Improvement Conference, which is required upon the Charter School's notice to the child's parent/guardian following the child's third unexcused absence. The Charter School will invite the following individuals to the conference:

- The child;
- The person in parental relation to the child;
- Other individuals identified by the person in parental relation who may be a resource (e.g. a grandparent, sibling, family friend, advocate, community member, etc.);
- Appropriate school personnel;
- Appropriate service providers, if applicable (e.g. case managers, behavioral health providers, probation officers, children and youth practitioners, etc.);
- The school district of residence.

If the school district of residence elects to attend, the Charter School shall determine whether it intends to share any FERPA protected information at the meeting and whether the parent will consent to the release of any of that information.

The Charter School is permitted to proceed with the Attendance Improvement Conference and Attendance Improvement Plan without the child's parent present at the Conference.

Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, the Board of Trustees directs the CEO or designee to work with the Charter School's teachers to implement a plan of action that includes but not limited to:

- Sharing and reviewing the Charter School's policy on attendance and student responsibilities with students and families;
- Contacting a child's parent/guardian upon the child's absence from school;
- Meeting individually with students to discuss reason(s) for absence;
- Following up with the CEO (or assigned attendance officer);
- Making referrals to case managers; and
- Collaborating with Student Assistance Teams as appropriate.

The Attendance Improvement Conference engages all participants involved in the child's life to explore possible solutions to increase the child's attendance. Maintaining open communication between the child and adults will facilitate positive outcomes.

The purpose of the Attendance Improvement Conference is to discuss the cause(s) of the truancy and to develop a mutually agreed upon plan to assure regular attendance. Issues to be addressed at the Attendance Improvement Conference will include but not be limited to:

- Appropriateness of the child's educational environment;
- Possible elements of the school environment that inhibit student success;
- Child's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the child's attendance.

The participants in the Attendance Improvement Conference will work collaboratively to conduct a holistic assessment to determine the reason(s) the child is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the child to succeed both socially and academically. This Attendance Improvement Conference also provides an opportunity to ensure that both the child and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements.

The Charter School will not impose discipline for truant behavior that excludes the child from the classroom, including in-school suspension, out-of-school suspension or expulsion.

The primary goal of the Attendance Improvement Conference is the development of a comprehensive Attendance Improvement Plan which is understood by, agreed upon and supported by the child, the parent/guardian, the Charter School representatives and all other conference participants. The Attendance Improvement Plan will include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the Charter School and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and behavioral health supports from the Charter School and/or community organization(s);
- Identification of the school environment issues that affect the child's success and solutions to address these issues;
- Explanation of the child's strengths and responsibilities related to the Attendance

- Improvement Plan;
- Explanation of the family's strengths and responsibilities related to the Attendance Improvement Plan;
- Clarification of method(s) used for monitoring the effectiveness of the Attendance Improvement Plan;
- Explanation of the consequences for each stakeholder if the Attendance Improvement Plan is not fully implemented;
- Discussion of the benefits for successfully implementing the Attendance Improvement Plan; and
- Following up and reporting the outcome of the Attendance Improvement Plan.

The Attendance Improvement Plan substantiates efforts made by the Charter School, the family and other vested third parties to assist the child in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the good faith effort between the Charter School and the child's family should future action be required.

The CEO or designee is directed to develop procedures that may be necessary to implement this policy.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

Sample Letters to Parent of Absent/Truant Student (all letters should be on Crispus Attucks Youthbuild Charter School letterhead, and dated):

First Unexcused Absence

Parent/Guardian Name
Address
City, PA Zip Code

Dear <PARENT'S (OR GUARDIAN'S) NAME>,

<STUDENT NAME> was absent without an approved excuse on <DATE>. This letter is sent to make you aware of this absence. Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. Pennsylvania law and school policy require regular daily attendance. When absences accumulate, it may ultimately result in academic difficulty for <STUDENT NAME>.

We share a common goal to ensure that your child reaches <HIS/HER> full potential. All absences are counted as unexcused until the Charter School receives a written excuse explaining the reason for the absence. If a written excuse is not received within three days, the absence will permanently be added to the student's file as unexcused. This letter serves as our first communication regarding <STUDENT NAME>'s unexcused absences. All unexcused absences need to be reported to the Pennsylvania Department of Education directly. If <STUDENT NAME> has three unexcused absences, the Charter School can take legal action, including but not limited to, filing a citation in the local magisterial district court.

In addition, any absences of ten cumulative days will require a written excuse that indicates <STUDENT NAME> was seen by a doctor or medical practitioner. Enclosed are the penalties for violation of compulsory attendance requirements.

If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure <STUDENT NAME>'s educational success.

Sincerely,

<CEO or Attendance Officer>

(Enclosures: Law)

cc: Attendance Officer
Guidance Counselor
Student File

Second Unexcused Absence

Parent/Guardian Name
Address
City, PA Zip Code

Dear <PARENT'S (OR GUARDIAN'S) NAME>,

This letter is to inform you that <STUDENT NAME> was absent without an approved excuse from school on <DATE>. This is the second unexcused absence recorded this year. Attendance requirements are meant to benefit your child's educational experience. I appreciate your cooperation in trying to improve your child's school attendance and in helping <STUDENT NAME> complete missed assignments on those occasions when <STUDENT NAME> must be absent.

If <STUDENT NAME> accumulates one additional unexcused absence or the equivalent, the Charter School will request that <STUDENT NAME> and parent participate in a student attendance improvement conference. The laws in the Commonwealth of Pennsylvania and the Charter School's truancy policy require that every child of compulsory school age attend school daily. A child must present a written excuse from the parent/guardian or medical practitioner within three days of an absence or the absence will be counted as unexcused. Mental, physical or other urgent reasons can be considered excuses for absences. Enclosed are penalties for violation of compulsory attendance requirements.

I strongly encourage you to contact us to discuss ways to ensure your child's school attendance. Continued unexcused absences could lead to notification of truancy by the Charter School to the magisterial district judge, as well as a referral to the local children and youth agency. You may request a school-family conference at this time to explore possible solutions to your child's unexcused absences. If you have any questions, please call my office at <PHONE>.

Sincerely,

<CEO or Attendance Officer>

(Enclosures: LAW)

cc: Attendance Officer
Guidance Counselor
Student File

Third Unexcused Absence (sent via certified mail and return receipt requested)

Parent/Guardian Name
Address
City, PA Zip Code

OFFICIAL NOTICE OF CHILD'S TRUANCY

Dear <PARENT'S (OR GUARDIAN'S) NAME>:

This letter is to officially notify you that <STUDENT NAME> has been absent from CRISPUS ATTUCKS YOUTHBUILD CHARTER SCHOOL without an excuse on the following dates: <DATE 1, DATE2, and DATE 3 (add subsequent dates as appropriate)>. These absences are unexcused and, therefore, constitute a violation of the compulsory attendance provision of the Public School Code (24 P.S. 13-1327).

You are therefore notified of your child's repeated unexcused absences and strongly encouraged to ensure that your child receives no subsequent unexcused absences. The series of unexcused absences constitute a summary offense under the Public School Code for which penalties may be imposed against you as parent or guardian. Act 138 of 2016 provides for up to a \$750 fine and allows the court to impose parent education classes with your daughter or son and community service sentences for parents of a truant child who do not show that they took reasonable steps to ensure the child's school attendance. Act 138 also provides that truant students lose their driver's license for ninety (90) days for the first offense, and six (6) months for the second offense.

Be advised that the process for development of an Attendance Improvement Plan for your child has now begun, which requires your participation in an attendance improvement conference. If your child receives six (6) unexcused absences, CRISPUS ATTUCKS YOUTHBUILD CHARTER SCHOOL may initiate a proceeding against you before a magisterial district judge, and a referral for general protective services made to the local children and youth agency. Please refer to the enclosed sections in the Public School Code for specific penalties for violation of compulsory attendance requirements for both you and your child.

Sincerely,

<CEO >

(Enclosures: Law)

cc: Attendance Officer
Guidance Counselor
Student File



BOARD OF TRUSTEES POLICY
No. 224
Section: Pupils
Title: Terroristic Threats/Acts
Date Adopted: January 10, 2001

Section 1. Purpose: The Board recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of School students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

Section 2. Definition:

- ♦ Terroristic Threat – Shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience.
- ♦ Terroristic Act – shall mean an offense against property or involving danger to another person

Section 3. Authority: The Board prohibits any student from communicating terroristic threats or committing terroristic acts directed at any any student, employee, Board member, community member or school building.

Section 4. Delegation of Responsibility: The Board directs the CAO to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act.

The CAO shall be responsible for developing administrative regulations to implement this policy.

Staff members and students shall be responsible for informing the CAO or other staff regarding any information or knowledge relevant to a possible or actual terroristic threat or act.

Section 5. Guidelines: When the CAO or his/her designee has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

- a. The CAO or his/her designee may immediately suspend the student.
- b. Based on further investigation, the CAO may report the student to law enforcement officials.
- c. The CAO may recommend expulsion of the student to the Board

If a student is expelled for making a terroristic threat or committing terroristic acts, the Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to others.

If a student is expelled for making terroristic threats or committing terroristic acts, upon return to school, the student shall be subject to random searches.

In the case of exceptional students, the CAYBCS will take all steps necessary to comply with the Individuals With Disabilities Education Act and follow Board policy.

**Crispus Attucks Charter School
DISCIPLINE POLICY NO. 241**

Adopted: June 5, 2017

Revised:

Education is a right. Students of Crispus Attucks Charter School shall be afforded due process if they are to be excluded from school for violations of the Student Code of Conduct. The level of due process depends on the period of exclusion.

Brief Suspension

A suspension of 1 to 3 schools days may be imposed by the principal of Crispus Attucks Charter School or another administrator of the school designated by the principal. Before a suspension of this length is given, the student will be informed of the reasons for the suspension and given an opportunity to respond. However, prior notice of the intended suspension need not be given when the principal or the principal's designee determines that the health, safety, or welfare of the school community is threatened. In such cases, the student will be informed of the reasons for the suspension and given an opportunity to respond as soon as it is reasonably possible to do so.

Longer Suspension

A suspension of 4 to 10 schools days may be imposed by the principal of Crispus Attucks Charter School or another administrator designated by the principal. In addition to the process described in the previous paragraph, imposition of a suspension of 4 to 10 school days requires an informal hearing. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

The following due process requirements shall be observed in regard to the informal hearing:

- (1) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
- (2) Sufficient notice of the time and place of the informal hearing shall be given.
- (3) A student has the right to question any witnesses present at the hearing.
- (4) A student has the right to speak and produce witnesses on his own behalf.
- (5) Crispus Attucks Charter School shall offer to hold the informal hearing within the first 5 days of the suspension.

Expulsion

Exclusion from school for more than 10 consecutive school days shall be considered an expulsion. An expulsion shall only be imposed by a majority vote of the entire Board of Trustees of the Crispus Attucks Charter School after a formal hearing. The formal hearing is to be held in addition to any informal hearing that may be required if a suspension is imposed. The formal hearing may be held before the Board of Trustees, an authorized committee of the board, or a qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire Board of Trustees is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

- (1) Notification of the charges shall be sent to the student and the student's parents or guardians by certified mail.
- (2) At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
- (3) The hearing shall be held in private unless the student or parent requests a public hearing.
- (4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
- (5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
- (6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
- (7) The student has the right to testify and present witnesses on his own behalf.
- (8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.
- (9) The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - (i) Laboratory reports are needed from law enforcement agencies.
 - (ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400-1482).

(iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

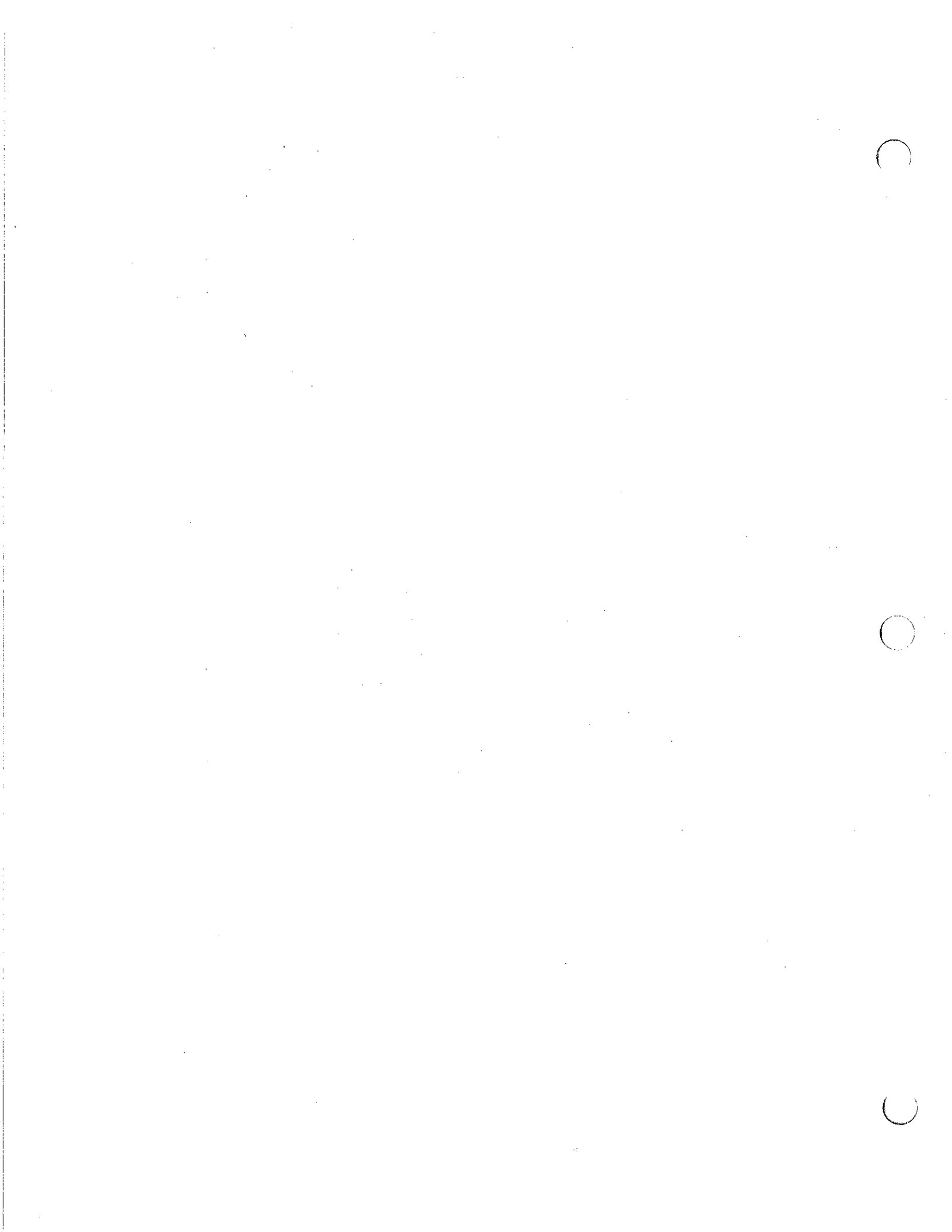
If it is determined after an informal hearing that a student's presence in his or her normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.

If administrators recommend to the Board of Trustees that a formal hearing be held in order to determine whether a student should be expelled from the school, the administration shall not provide any substantive information to the Board of Trustees regarding the conduct for which expulsion is requested outside of the evidence admitted at the formal hearing. To avoid the appearance of unfairness, the administration and the Board of Trustees will be advised and represented by separate counsel from different law firms.

A unique docket number will be assigned when a student is recommended by the administration for expulsion. When a vote is taken by the Board of Trustees on a proposed expulsion, to avoid identifying the student the docket number will be used in the Board's agenda and on any resolutions instead of the student's name, initials, or other potentially identifying information.

If the Board votes to expel a student, it will adopt findings of fact and conclusions of law as well as an order. The findings of fact and conclusions of law will use both the docket number and the student's name. They will be given to the student and the student's parents or guardians but shall not be made available to the public.

Where applicable, the standards and procedures contained in this policy will be modified to meet the requirements of the Individuals With Disabilities Education Act.



Crispus Attucks Youthbuild Charter School

CONSEQUENCES OF STUDENT CONVICTED OR ADJUDICATED DELINQUENT OF SEXUAL ASSAULT POLICY NO. 241.1

Adopted: February 22, 2021

Revised: September 26, 2022

The Pennsylvania Legislature enacted Act 110 in an effort to protect student sexual assault victims. Crispus Attucks YouthBuild Charter School (the "Charter School") has complied with the requirements of Act 110 since its passage. In a manner consistent with state law, this Consequences for Students Convicted or Adjudicated Delinquent of Sexual Assault Policy requires the imposition of disciplinary consequences for a student convicted or adjudicated delinquent of sexual assault upon another student enrolled in the Charter School. To the extent that anything in this Policy could be construed to conflict with the Charter School's charter or applicable State and/or Federal laws, the applicable State and/or Federal laws and/or Charter control.

Requirements

If a student enrolled in the Charter School is convicted or adjudicated delinquent of committing a sexual assault upon another student enrolled in the Charter School, the Charter School shall, pursuant to applicable laws and regulations, take one of the following actions:

- (i) Expel the convicted or adjudicated student.
- (ii) Transfer the convicted or adjudicated student to an alternative education program.
- (iii) Reassign the convicted or adjudicated student to another educational program within the Charter School.

The CEO or designee shall ensure that the convicted or adjudicated student is not educated in the same virtual classroom (or have access to the same virtual space), transported on the same vehicle or allowed to participate in the same school-sponsored activities at the same time as the victim.

The Charter School may not expel, transfer or reassign the convicted or adjudicated delinquent student if:

- (i) The Charter School has already expelled, transferred or reassigned the convicted or adjudicated delinquent student for the same sexual assault.
- (ii) The convicted or adjudicated student does not attend the same school as the victim.

The Charter School is not prohibited from taking action under this policy for convictions or adjudications for sexual assaults that occur outside a school setting if the assault:

(1) was against another student enrolled in the Charter School; and

(2) has the effect of:

(i) substantially interfering with the victim's education;

(ii) creating a threatening or hostile educational environment; or

(iii) substantially disrupting the orderly operation of the school.

A student expelled, transferred or reassigned pursuant to this policy may return to the student's originally assigned educational placement within the Charter School only if:

(1) the victim ceases to be enrolled in the Charter School; or

(2) the conviction or delinquency adjudication on which the expulsion, transfer or reassignment was based is reversed and no appeal is pending.

Nothing in this policy shall be construed as limiting the authority or duty of the Charter School to make an alternative assignment or provide alternative educational services during or after the period of expulsion.

A student convicted of sexual assault upon another student enrolled in the Charter School shall notify the Charter School of the conviction no later than 72 hours after the conviction.

Upon receipt of a student who transfers from a public or nonpublic school during or after the period of expulsion for an act or offense involving a sexual assault conviction or adjudication of delinquency, the Charter School may assign that student to an alternative assignment or provide alternative education services.

Prior to admission to the Charter School, the parent, guardian or other person having control or charge of a student shall, upon registration, provide a sworn statement or affirmation stating whether the student was previously or is presently expelled under the provisions of this policy. The registration shall include the name of the school from which the student was expelled with the dates of expulsion and shall be maintained as part of the student's disciplinary record. Any willful false statement made pursuant to this requirement shall be subject to 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

The Charter School shall, in the case of students with disabilities, take all steps necessary to comply with the Individuals with Disabilities Education Act.

Definitions

"Adjudicated delinquent" means a youth who has been found guilty by a judge of committing a delinquent act.

"Alternative education program" means any program approved by the Pennsylvania Department of Education and implemented by a school district, an area career and technical school, a charter school, cyber charter school, a group of school districts or an intermediate unit, which removes disruptive students from regular school programs in order to provide those students with a sound educational course of study and counseling designed to modify disruptive behavior and return the students to a regular school curriculum.

"Convicted" means a finding of guilty by a judge or a jury or the entry of a plea of guilty or nolo contendere for sexual assault whether or not judgment of sentence has been imposed.

"Delinquent act" means any action taken by a juvenile under the age of eighteen years, who has not been previously transferred to adult criminal court and sentenced as an adult for a felony that would be a violation of law or ordinance if committed by an adult.

"Public school entity" means a school district, independent school, area career and technical school, intermediate unit, charter school, regional charter school or cyber charter school.

"School setting" means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.

"School-sponsored activities" means any assemblies, field trips, class trips, graduation ceremonies, athletics, extracurricular activities, clubs, groups, teams or any activities sponsored, held or approved by the public school entity.

"Sexual assault" shall include any of the offenses specified under the following provisions of 18 Pa.C.S. (relating to crimes and offenses):

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse). Section 3124.1 (relating to sexual assault).

Section 3125 (relating to aggravated indecent assault). Section 3126 (relating to indecent assault).

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

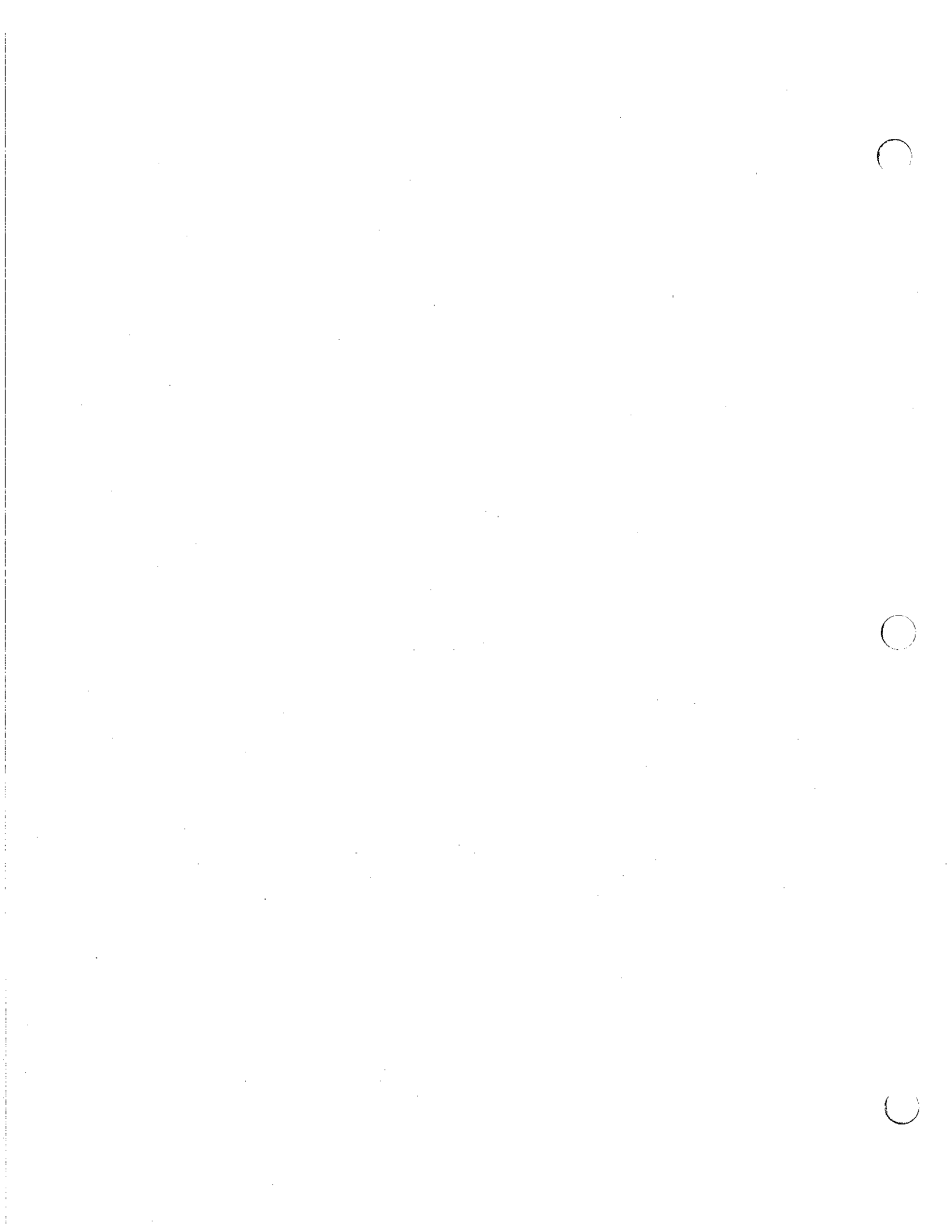


**Crispus Attucks Charter School
School Wellness Policy No. 246**

Crispus Attucks Board of Directors
Adopted: October 12, 2006
Revised: December 11, 2014, June 14, 2018

Crispus Attucks Charter School Board of Trustees
Adopted: October 16, 2006
Revised: Adopted December 15, 2014, May 21, 2018

246. SCHOOL WELLNESS	
1. Purpose	<p>Crispus Attucks Charter School recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education and promotion, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.</p>
2. Authority SC 1422.1 42 U.S.C. Sec. 1758b 7 CFR Sec. 210.31	<p>The Board adopts this policy based on the recommendations of the Wellness Committee and in accordance with federal and state laws and regulations.</p> <p>To ensure the health and well-being of all students, the Board establishes that the Crispus Attucks Charter School shall provide to students:</p> <ol style="list-style-type: none">1. A comprehensive nutrition program consistent with federal and state requirements.2. Access at reasonable cost to foods and beverages that meet established nutrition guidelines.3. Physical education courses and opportunities for developmentally appropriate physical activity during the school day.4. Curriculum and programs for grades K-12 that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.
3. Delegation of Responsibility 42 U.S.C. Sec. 1758b	<p>Crispus Attucks Association, Inc. is the Lead Local Management Agency and shall be responsible to monitor and evaluate the food service program to ensure compliance with the policy and regulations for federal and state laws, including required number of health inspections.</p>



<p>7 CFR Sec. 210.31</p>	<p>The CEO or designee shall be responsible for the implementation and oversight of this policy to ensure the charter school's programs and curriculum is compliant with this policy, related policies and established guidelines or administrative regulations.</p>
<p>7 CFR Sec. 210.31</p>	<p>Staff members responsible for programs related to school wellness shall report to the CEO or designee regarding the status of such programs.</p>
<p>7 CFR Sec. 210.31</p>	<p>The CEO or designee shall annually report to the Board on the district's compliance with law and policies related to school wellness.</p>
<p>42 U.S.C. Sec. 1758b 7 CFR Sec. 210.31</p>	<p>The CEO or designee and the established Wellness Committee shall conduct an assessment at least once every three (3) years on the contents and implementation of this policy as part of a continuous improvement process to strengthen the policy and ensure implementation. This triennial assessment shall be made available to the public in an accessible and easily understood manner and include:</p> <ol style="list-style-type: none"> 1. The extent to which the charter school is in compliance with law and policies related to school wellness. 2. The extent to which this policy compares to model wellness policies. 3. A description of the progress made by the charter school in attaining the goals of this policy.
<p>7 CFR Sec. 210.31</p>	<p>At least once every three (3) years, the charter school shall update or modify this policy as needed, based on the results of the most recent triennial assessment and/or as district and community needs and priorities change; wellness goals are met; new health science, information and technologies emerge; and new federal or state guidance or standards are issued.</p>
<p>42 U.S.C. Sec. 1758b 7 CFR Sec. 210.31</p>	<p>The charter school shall annually inform and update the public, including parents/guardians, students and others in the community, about the contents, updates and implementation of this policy via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods. This annual notification shall include information on how to access the School Wellness policy; information about the most recent triennial assessment; information on how to participate in the development, implementation and periodic review and update of the School Wellness policy; and a means of contacting Wellness Committee leadership.</p>

4. Guidelines

7 CFR
Sec. 210.15, 210.31

Recordkeeping

The charter school shall retain records documenting compliance with the requirements of the School Wellness policy, which shall include:

1. The written School Wellness policy.
2. Documentation demonstrating that the district has informed the public, on an annual basis, about the contents of the School Wellness policy and any updates to the policy.
3. Documentation of efforts to review and update the School Wellness policy, including who is involved in the review and methods used by the district to inform the public of their ability to participate in the review.
4. Documentation demonstrating the most recent assessment on the implementation of the School Wellness policy and notification of the assessment results to the public.

Wellness Committee

42 U.S.C.
Sec. 1758b

The Crispus Attucks Charter School is a program of the Crispus Attucks Association of York, PA. Crispus Attucks serves as the Local Management/ Education Agency.

The Crispus Attucks Association shall establish a Wellness Committee comprised of, but not necessarily limited to, at least one (1) of each of the following: School Board member, district administrator, district food service representative, student, parent/guardian, school health professional, physical education teacher and member of the public. It shall be the goal that committee membership will include representatives from each school building and reflect the diversity of the community.

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing, implementing and periodically reviewing and updating a School Wellness policy that complies with law to recommend to the Board for adoption.

7 CFR
Sec. 210.31

The Wellness Committee shall review and consider evidence-based strategies and techniques in establishing goals for nutrition education and promotion, physical activity and other school based activities that promote student wellness as part of the policy development and revision process.

<p>SC 1513 Pol. 102, 105</p>	<p><u>Nutrition Education</u></p> <p>Nutrition education will be provided within the sequential, comprehensive health education program in accordance with curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.</p> <p>Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.</p>
<p>SC 1512.1 Pol. 102, 105</p>	<p><u>Nutrition Promotion</u></p> <p>Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs.</p> <p>Consistent nutrition messages shall be disseminated and displayed throughout the school, classrooms, cafeteria, homes, community and media.</p>
<p>7 CFR Sec. 210.10, 220.8</p>	<p><u>Physical Activity</u></p> <p>The charter school shall strive to provide opportunities for developmentally appropriate physical activity during the school day for all students through the Mental Toughness Program that begins each school day and several times throughout the school year.</p>
<p>42 U.S.C. Sec. 1751 et seq, 1773 7 CFR</p>	<p><u>Physical Education</u></p> <p>The charter school shall strive to provide opportunities for developmentally appropriate physical activity for students to achieve optimal health, wellness, fitness, and performance benefits through the Mental Toughness program that begins each school day and several additional times throughout the school year.</p> <p><u>Other School Based Activities</u></p> <p>Drinking water shall be available and accessible to students, without restriction and at no cost to the student, at all meal periods and throughout the school day.</p> <p>Nutrition professionals who meet hiring criteria established by the district and in compliance with federal regulations shall administer the school meals program. Professional development and continuing education shall be provided for district nutrition staff, as required by federal regulations.</p>

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<p>Sec 210.30 Pol. 808</p>	<p>The charter school shall provide adequate space, as defined by the school, for eating and serving school meals.</p>
<p>7 CFR Sec. 210.10</p>	<p>Students shall be provided a clean and safe meal environment.</p> <p>Students shall be provided adequate time to eat: ten (10) minutes sit down time for breakfast; twenty (20) minutes sit down time for lunch.</p> <p>Meal periods shall be scheduled at appropriate hours, as required by federal regulations and as defined by the school.</p> <p>Students shall have access to hand washing or sanitizing before meals and snacks.</p> <p>Access to the food service operation shall be limited to authorized staff.</p> <p>Nutrition content of school meals shall be available to students and parents/guardians.</p> <p>To the extent possible, Crispus Attucks shall utilize available funding and outside programs to enhance student wellness.</p> <p>The charter school shall provide appropriate training to all staff on the components of the School Wellness policy.</p> <p>Goals of the School Wellness policy shall be considered in planning all school based activities.</p> <p>Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness.</p> <p>Administrators, teachers, food service personnel, students, parents/guardians and community members shall be encouraged to serve as positive role models through district programs, communications and outreach efforts.</p> <p>The charter school shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for children by communicating relevant information through various methods.</p> <p>Crispus Attucks shall maintain a healthy school environment, including but not limited to indoor air quality, in accordance with the district's healthy learning environment program and applicable laws and regulations.</p>

<p>42 U.S.C. Sec. 1751 et seq, 1773 7 CFR Sec. 210.10, 220.8</p>	<p><u>Nutrition Guidelines for All Foods/Beverages at School</u></p> <p>All foods and beverages available in the charter school during the school day shall be offered to students with consideration for promoting student health and reducing obesity.</p> <p>Foods and beverages provided through the National School Lunch or School Breakfast Programs shall comply with established federal nutrition standards.</p> <p>Foods and beverages offered or sold at school-sponsored events outside the school day, such as athletic events and dances, shall offer healthy alternatives in addition to more traditional fare.</p>
<p>7 CFR Sec. 210.11, 220.12a, 210.31</p>	<p><i>Competitive Foods –</i></p> <p>Competitive foods available for sale shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School). These standards shall apply in all locations and through all services where foods and beverages are sold to students, which may include, but are not limited to: a la carte options in cafeterias, vending machines, school stores, snack carts and fundraisers.</p> <p>Competitive foods are defined as foods and beverages offered or sold to students on school campus during the school day, which are not part of the reimbursable school breakfast or lunch.</p>
<p>7 CFR Sec. 210.11, 210.31</p>	<p>For purposes of this policy, school campus means any area of property under the jurisdiction of the school that students may access during the school day.</p>
<p>7 CFR Sec. 210.11, 210.31</p>	<p>For purposes of this policy, school day means the period from midnight before school begins until thirty (30) minutes after the end of the official school day.</p>
<p>7 CFR Sec. 210.11</p>	<p>The school board may impose additional restrictions on competitive foods, provided that the restrictions are not inconsistent with federal requirements.</p>
<p></p>	<p><i>Fundraiser Exemptions –</i></p>
<p>Pol. 229</p>	<p>Fundraising activities held during the school day involving the sale of competitive foods shall be limited to foods that meet the Smart Snacks in School nutrition standards, unless an exemption is approved in accordance with applicable Board policy and administrative regulations.</p>
<p>7 CFR Sec. 210.11</p>	<p>The charter school may allow a limited number of exempt fundraisers as permitted by the Pennsylvania Department of Education each school year: up to five (5)</p>

<p>7 CFR Sec. 210.11, 210.31</p> <p>SC 504.1</p>	<p>exempt fundraisers in elementary and middle school buildings, and up to ten (10) exempt fundraisers in high school buildings. Exempt fundraisers are fundraisers in which competitive foods are available for sale to students that do not meet the Smart Snacks in School nutrition standards.</p> <p>The charter school shall establish administrative regulations to implement fundraising activities, including procedures for requesting a fundraiser exemption.</p> <p><i>Non-Sold Competitive Foods –</i></p> <p>Non-sold competitive foods available to students, which may include but are not limited to foods and beverages offered as rewards and incentives, at classroom parties and celebrations, or as shared classroom snacks, shall meet or exceed the standards established by the charter school.</p> <p>If the offered competitive foods do not meet or exceed the Smart Snacks in School nutrition standards, the following standards shall apply:</p> <ol style="list-style-type: none"> 1. Rewards and Incentives: <ul style="list-style-type: none"> Foods and beverages shall not be used as a reward or incentive in district schools. 2. Classroom Parties and Celebrations: <ol style="list-style-type: none"> a. Classroom parties/celebrations with food/beverages shall be limited to no more than one (1) per month in each classroom. <p>The charter school shall provide a list of suggested nonfood ideas and healthy food and beverage alternatives to parents/guardians and staff, which may be posted via the district website, student handbook, newsletters, posted notices and/or other efficient communication methods.</p> <p><i>Marketing/Contracting –</i></p> <p>Any foods and beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School) and comply with established Board policy and administrative regulations.</p> <p>Exclusive competitive food and/or beverage contracts shall be approved by the Board, in accordance with provisions of law. Existing contracts shall be reviewed and modified to the extent feasible to ensure compliance with established federal nutrition standards, including applicable marketing restrictions.</p>
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Pol. 209.1

Management of Food Allergies in District Schools

Crispus Attucks shall establish Board policy and administrative regulations to address food allergy management in the charter school in order to:

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.
2. Ensure a rapid and effective response in case of a severe or potentially life-threatening allergic reaction.
3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities.

Safe Routes to School

Crispus Attucks shall cooperate with local municipalities, public safety agency, police departments and community organizations to develop and maintain safe routes to school.

References:

School Code – 24 P.S. Sec. 504.1, 1337.1, 1422, 1422.1, 1422.3, 1512.1, 1513

National School Lunch Program – 42 U.S.C. Sec. 1751 et seq.

School Breakfast Program – 42 U.S.C. Sec. 1773

Healthy, Hunger-Free Kids Act of 2010 – P.L. 111-296

National Food Service Programs, Title 7, Code of Federal Regulations –
7 CFR Part 210, Part 220

PSBA Revision 2/17

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OLD

Crispus Attucks YouthBuild Charter School

Section: Pupils
Title: Student Wellness Policy No. 246
Adopted: October 12, 2006 by Crispus Attucks Board of Directors
Adopted: October 16, 2006 by Crispus Attucks YouthBuild Charter School Board of Directors
Revised: Adopted December 11, 2014 by Crispus Attucks Board of Directors
Revised: Adopted December 15, 2014 by Crispus Attucks Charter School Board of Directors

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

To ensure the health and well being of all students, the Board establishes that Crispus Attucks YouthBuild Charter School shall provide to students:

- A Comprehensive nutrition program consistent with federal and state requirements
- Physical activity opportunities for developmentally appropriate physical activity during the school day.
- Curriculum and programs that are geared to grade 12 that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

Delegation of Responsibility

Crispus Attucks Association, Inc. is the Lead Local Management Agency and shall be responsible to monitor and evaluate the food service program to ensure compliance with the policy and regulations for federal and state laws.

The CEO or designee shall be responsible to monitor Charter School programs and curriculum to ensure compliance with this policy, related policies and established guidelines or administrative regulations.

Staff members responsible for programs related to student wellness shall report to the CEO regarding the status of such programs.

The CEO or designee shall annually report to the Board on compliance with the law and policies related to student wellness.

Wellness Committee

The Crispus Attucks YouthBuild Charter School is a program of the Crispus Attucks Association of York, PA. Crispus Attucks serves as the Local Management/ Education Agency.

Crispus Attucks Association shall appoint a Wellness Committee to promote student wellness, proper nutrition education, and regular physical activity as part of the total learning experience.

The Wellness Committee may survey parents/guardians and/or students; conduct community forums or focus groups; collaborate with appropriate community agencies and organizations; and engage in similar activities, within the budget established for these purposes.

The Wellness Committee shall provide periodic reports to the CEO or designee regarding the status of its work, as required.

Nutrition Education

The goal of nutrition education is to teach, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with State Board of Education curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.

Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.

Nutrition education lessons activities shall be age appropriate and behavior focused.

Nutrition education shall be integrated into other subjects to complement but not replace academic standards based on nutrition education. Teachers shall cooperate with food services, other agencies, community organizations to provide opportunities for appropriate student projects related to nutrition.

Linking nutrition education with physical education shall reinforce lifelong lifestyle balance. Consistent nutrition messages shall be publicized throughout the school learning environment. Nutrition messages shall extend beyond the school environment by involving families and communities.

Physical Education

The charter school shall strive to provide opportunities for developmentally appropriate physical activity for students to achieve optimal health, wellness, fitness, and performance benefits through the Mental Toughness YouthBuild program that begins each school day and several additional times throughout the school year.

Other School Based Activities

Crispus Attucks Association, Inc. shall provide adequate space for eating and serving school meals.

Students shall be provided a clean and safe meal environment

Students shall be provided adequate time to eat: not less than fifteen (15) minutes to sit down for breakfast; and not less than thirty (30) minutes to sit down time for lunch.

Meal periods shall be scheduled at appropriate hours.

Drinking water shall be available at all meal periods and throughout the school day.

Students shall have access to hand washing or sanitizing before meals and snacks.

Nutrition professionals who meet the LEA criteria shall administer the school meals program.

Professional development shall be provided for nutrition staff and staff involved at the point of meal service.

Food Safety Training shall be offered to teachers and management and administrative staff that meet the HACCP guidelines. Training shall be offered annually.

Access to the food service areas shall be limited to authorized staff.

Snack food or snack beverages shall not be provided as student rewards.

Nutrition content of school meals shall be available to students and parents/guardians.

To the extent possible, Crispus Attucks shall utilize available funding and outside programs to enhance student wellness.

Food shall not be used in the schools as a reward or punishment.

Appropriate training shall be scheduled to all staff on the components of the Student Wellness Policy.

Goals of the Student Wellness Policy shall be considered in planning all school-based activities.

Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness.

Administrators, teachers, food service personnel, students, parents/guardians, and community members shall be encouraged to serve as positive role models through programs, communications and outreach efforts.

Crispus Attucks YouthBuild Charter School shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for students by communicating relevant information through various methods.

Nutrition Guidelines

All foods available during school hours shall be offered to students with consideration for promoting student health and reducing obesity.

Foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative.

Competitive Foods

Competitive foods are defined as foods offered at school other than through the National School Lunch or School Breakfast Programs and include a la carte foods, snacks and beverages; vending food, snacks and beverages; school store food, snacks and beverages; fundraisers; classroom parties; holiday celebrations; and food from home.

All foods available in the charter school during the school day shall be offered to students with consideration for promoting student health and reducing childhood obesity. The school participates as in the National School Lunch and School Breakfast Programs. Foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative, as well as applicable laws, statutes, and regulations, including the Nutrition Standards for Competitive Foods in Pennsylvania Schools for the School Nutrition Incentive as written, as well as the Smart Snacks Nutrition Standards for Foods. Reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

Ala Carte options: Crispus Attucks Association, Inc does not offer meal service options.

Safe Routes to School

Crispus Attucks shall access, and, to the extent possible, implement improvements to make walking and biking to school safer and easier for students.

Crispus Attucks shall cooperate with local municipalities, public safety agency, police departments, and community organizations to develop and maintain safe routes to school.

Administrators shall seek and utilize available federal and state funding for safe routes to school, when appropriate.

References:

CHILD NUTRITION AND WIC AUTHORIZATION ACT of 2004 - P.L 108-265, Section 4

School Code – 24 P.S. Sec. 504.1, 1337.1, 1422, 1422.1, 1512.1, 1513

OLD

**Child Nutrition WIC Reauthorization Act of 2004 – PL 108-265 Section 204
Framework for developing a legally compliant wellness policy**

Title: **Student Wellness Policy 246**
Adopted: **October 12, 2006 by Crispus Attucks Board of Directors**
Adopted: **October 16, 2006 by Crispus Attucks YouthBuild Charter School Board of Directors**
Revised: _____

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

Authority (P.L. 108-265 Section 204)

To ensure the health and well being of all students, the Board establishes that Crispus Attucks YouthBuild Charter School shall provide to students:

- ❖ A Comprehensive nutrition program consistent with federal and state requirements
- ❖ Physical education courses and opportunities for developmentally appropriate physical activity during the school day.
- ❖ Curriculum and programs that are geared to grade 12 that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

Delegation of Responsibility

Crispus Attucks Association, Inc. is the Lead Local Management Agency and shall be responsible to monitor and evaluate the food service program to ensure compliance with the policy and regulations for federal and state laws. The local agency manager is Robert J Hollis, Associate Director of the organization.

- ❖ The Superintendent or designee shall be responsible to monitor Charter School programs and curriculum to ensure compliance with this policy, related policies and established guidelines or administrative regulations.

- ❖ Staff members responsible for programs related to student wellness shall report to the Superintendent regarding the status of such programs.

The Superintendent or designee shall annually report to the School Board on compliance with the law and policies related to student wellness. The report shall include:

- ❖ Assessment of school environment regarding student wellness issues
- ❖ Assessment of school curriculum for physical activity
- ❖ Listing of activities and programs to promote nutrition and physical activity.
- ❖ Suggestions for improvement in specific areas.
- ❖ Recommendations for policy and/or program revisions.
- ❖ Feedback received from Charter School staff, students, parents/guardians, community members and Wellness Committee.

Guidelines Wellness Committee

The Crispus Attucks YouthBuild Charter School is a program of the Crispus Attucks Association of York, PA. Crispus Attucks serves as the Local Management/ Education Agency.

Crispus Attucks Association shall appoint a Wellness Committee comprised of at least one (1) of each of the following: Charter School Board member, Charter School administrator, food service representative, student, parent/guardian, member of the community or public (i.e., a teacher; representative of the local agency; representative of community organization; food vendor; or school counselor. The Committee shall be chaired by the agency Associate Director.

The Wellness Committee shall prepare a Wellness Policy that promotes student wellness, proper nutrition education, and regular physical activity as part of the total learning experience.

The Wellness Policy is to be completed by September 30, 2006. The School Board adopted Wellness Policy shall be submitted to the Department of Education, Division of Food and Nutrition on or before November 3, 2006.

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing a Student Wellness Policy that complies with law to recommend to the Board for adoption.

The Wellness Committee may examine related research and laws, assess student needs and the current school environment, review existing Board policies and administrative regulations, and raise awareness about student health issues. The Wellness Committee may make policy recommendations to the School Board related to other health issues necessary to promote student wellness.

The Wellness Committee shall endeavor to establish community partnerships with local health agencies to help promote nutrition and health initiatives.

The Wellness Committee may survey parents/guardians and/or students; conduct community forums or focus groups; collaborate with appropriate community agencies and organizations; and engage in similar activities, within the budget established for these purposes.

The Wellness Committee shall provide periodic reports to the Superintendent or designee regarding the status of its work, as required.

Nutrition Education

The goal of nutrition education is to teach, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with State Board of Education curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.

Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.

Nutrition education lessons activities shall be age appropriate and behavior focused.

Nutrition education shall be integrated into other subjects to complement but not replace academic standards based on nutrition education. Teachers shall cooperate with food services, other agencies, community organizations to provide opportunities for appropriate student projects related to nutrition.

Linking nutrition education with physical education shall reinforce lifelong lifestyle balance. Consistent nutrition messages shall be publicized throughout the school learning environment. Nutrition messages shall extend beyond the school environment by involving families and communities.

Physical Education

Crispus Attucks YouthBuild Charter School shall provide quality physical education instruction that promotes lifelong physical activity and provides instruction in skills and knowledge necessary for lifelong participation.

A comprehensive physical education course of study that focuses on providing students the skills, knowledge and confidence to participate in lifelong, health enhancing physical activity shall be implemented.

A varied and comprehensive curriculum that leads to students becoming and remaining physically active for a lifetime shall be provided in the physical education program.

A sequential physical education program consistent with State Board of Education curriculum regulations and Health, Safety and Physical Education academic standards shall be developed and implemented.

Adequate amounts of planned instruction shall be provided in order for students to achieve the proficient level of the Health, Safety and Physical Education academic standards.

A local assessment system shall be implemented to track student progress on the Health, Safety and Physical Education academic standards.

Students shall be moderately to vigorously active as much time as possible during a physical education class. Documented medical conditions and disabilities shall be accommodated during class.

Safe and adequate equipment, facilities and resources shall be provided for physical education classes.

Certified health and physical education staff shall teach physical education.

Appropriate professional development shall be provided for physical education teachers.

Physical education classes shall have a teacher-student ratio comparable to those of other classes.

Physical activity shall not be used as a form of punishment.

▪ **Other School Based Activities**

Crispus Attucks Association, Inc. shall provide adequate space for eating and serving school meals.

Students shall be provided a clean and safe meal environment

Students shall be provided adequate time to eat: not less than fifteen (15) minutes to sit down for breakfast; and not less than thirty (30) minutes to sit down time for lunch.

Meal periods shall be scheduled at appropriate hours. Breakfast times shall be not earlier than 7:30 AM and not later than 8:30 AM. Lunchtime shall be not before 11:45 AM and not later than 1:00 PM.

Drinking water shall be available at all meal periods and throughout the school day.

Students shall have access to hand washing or sanitizing before meals and snacks.

Nutrition professionals who meet the LEA criteria shall administer the school meals program.

Professional development shall be provided for nutrition staff and staff involved at the point of meal service.

Food Safety Training shall be offered to teachers and management and administrative staff that meet the HACCP guidelines. Training shall be offered annually.

Access to the food service areas shall be limited to authorized staff.

Snack food or snack beverages shall not be provided as student rewards.

Nutrition content of school meals shall be posted at the food service window prior to meal service; weekly menus shall be posted. Menus shall be available for parents and students.

To the extent possible, Crispus Attucks shall utilize available funding and outside programs to enhance student wellness.

Food shall not be used in the schools as a reward or punishment.

Appropriate training shall be scheduled to all staff on the components of the Student Wellness Policy.

Goals of the Student Wellness Policy shall be considered in planning all school-based activities.

Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness.

Administrators, teachers, food service personnel, students, parents/guardians, and community members shall be encouraged to serve as positive role models through programs, communications and outreach efforts.

Crispus Attucks YouthBuild Charter School shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for students by communicating relevant information through various methods.

▪ **Nutrition Guidelines**

All foods available during school hours shall be offered to students with consideration for promoting student health and reducing obesity.

Foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative.

▪ **Competitive Foods**

Competitive foods are defined as foods offered at school other than through the National School Lunch or School Breakfast Programs and include a la carte foods, snacks and beverages; vending food, snacks and beverages; school store food, snacks and beverages; fundraisers; classroom parties; holiday celebrations; and food from home.

All competitive foods available to students shall comply with the Nutritional Standards for Competitive Foods in Pennsylvania Schools. The nutritional standards shall be implemented as a

One (1) year plan

Two (2) year plan

Three (3) year plan

All competitive foods available to students shall comply with the established nutrition guidelines, as listed in the

Student Wellness Policy

Administrative regulations

guidelines

procedures

Ala Carte options: Crispus Attucks Association, Inc does not offer meal service options.

▪ **Safe Routes to School**

Crispus Attucks shall access, and, to the extent possible, implement improvements to make walking and biking to school safer and easier for students.

Crispus Attucks shall cooperate with local municipalities, public safety agency, police departments, and community organizations to develop and maintain safe routes to school.

Administrators shall seek and utilize available federal and state funding for safe routes to school, when appropriate.

References:

CHILD NUTRITION AND WIC AUTHORIZATION ACT of 2004 - P.L 108-265, Section 4

This policy is intended to provide a framework for developing a legally compliant wellness policy. The policy adopted by Crispus Attucks YouthBuild Charter School must be developed by the appointed Wellness Committee. The Wellness Committee should choose only the options it deems necessary for the successful implementation of a Student Wellness Plan.

Crispus Attucks Charter School
Bullying/Cyberbullying Policy No. 249

Adopted: December 11, 2008

REVISED: June 25, 2012; August 24, 2015; June 25, 2018

1. Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

2. Definitions

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop, in transit to and from school, using the school network or technology, or at any activity sponsored, supervised or sanctioned by the school.

3. Authority

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

4. Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

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

The CEO or designee shall ensure that this policy and administrative Regulations are reviewed annually with students.

The CEO or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.

School administration shall annually provide the following information with the Safe School Report:

1. Board's Bullying Policy.
2. Report of bullying incidents.

3. Information on the development and implementation of any bullying prevention, intervention or education programs.

5. Guidelines

This policy shall be disseminated annually to students. This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district web site, if available.

Education

The district will develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:

- Counseling within the school.
- Parental conference.
- Loss of school privileges.
- Transfer to another school building, classroom or school bus.
- Exclusion from school-sponsored activities.
- Detention.
- Suspension.
- Expulsion.
- Counseling/Therapy outside of school.
- Referral to law enforcement officials.

References:

School Code – 24 P.S. Sec. 1302-A, 1303.1-A
School Board of Education Regulations – 22 PA Code sec. 12.3
Board policy –215, 241, 815



Old

CRISPUS ATTUCKS CHARTER SCHOOL

"PREPARING STUDENTS TO BECOME MENTALLY TOUGH"

EST. 1999

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YORK PENNSYLVANIA 17401
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Mrs. Jacqueline Martino-Miller
CEO

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SECTION: PUPILS
TITLE: BULLYING/CYBERBULLYING
ADOPTED: December 11, 2008
REVISED: June 25, 2012, August 24, 2015

249. BULLYING/CYBERBULLYING

1. Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

2. Definitions SC 1303.1-A

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

SC 1303.1-A

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop, in transit to and from school, or at any activity sponsored, supervised or sanctioned by the school.

3. AUTHORITY

SC 1303.1-A

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the districts legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

4. Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

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

SC 1303.1-A

The CEO or designee shall ensure that this policy and administrative

Regulations are reviewed annually with students.

The CEO or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.

School administration shall annually provide the following information with the Safe School Report:

1. Board's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

5. Guidelines
SC 1303.1-A
Title 22
Sec. 12.3
Pol. 218

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students. This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district web site, if available.

Education

SC 1302-A,
1303.1-A

Pol. 236 The district will develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Consequences for Violations

SC 1303.1-A
Pol. 218, 233

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:

- Counseling within the school.
- Parental conference.
- Loss of school privileges.
- Transfer to another school building, classroom or school bus.
- Exclusion from school-sponsored activities.
- Detention.
- Suspension.
- Expulsion.
- Counseling/Therapy outside of school.
- Referral to law enforcement officials.

References:

School Code – 24 P.S. Sec. 1302-A, 1303.1-A

School Board of Education Regulations – 22 PA Code sec. 12.3

Board policy – 000, 218, 233, 236

SECTION: PUPILS



TITLE: BULLYING/CYBERBULLYING

ADOPTED: December 11, 2008

REVISED: June 25, 2012

249. BULLYING/CYBERBULLYING

1. Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

2. Definitions
SC 1303.1-A

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.

3. AUTHORITY
SC 1303.1-A

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the districts legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

4. Delegation of
Responsibility
SC 1303.1-A

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying. The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students. The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board. District administration shall annually provide the following information with the Safe School Report:

1. Board's Bullying Policy.
 2. Report of bullying incidents.
 3. Information on the development and implementation of any bullying prevention, intervention or education programs.
5. Guidelines
SC 1303.1-A
Title 22
Sec. 12.3
Pol. 218

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district web site, if available.

Education

SC 1302-A,
1303.1-A
Pol. 236

The district will develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Consequences for Violations

SC 1303.1-A
Pol. 218, 233

A student who violates this policy shall be subject to appropriate disciplinary action Consistent with the Code of Student Conduct, which may include:

- Counseling within the school.
- Parental conference.
- Loss of school privileges.
- Transfer to another school building, classroom or school bus.
- Exclusion from school-sponsored activities.
- Detention.
- Suspension.
- Expulsion.
- Counseling/Therapy outside of school.
- Referral to law enforcement officials.

References:

School Code – 24 P.S. Sec. 1302-A, 1303.1-A
School Board of Education Regulations – 22 PA Code sec. 12.3
Board policy – 000, 218, 233, 236

Crispus Attucks Charter School

TITLE IX POLICY no. 250

Adopted: October 24, 2016

Revised:

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, protects students from discrimination based on sex in educational programs or activities that receive Federal financial assistance. Title IX states that:

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient, which receives Federal financial assistance.

This policy reaffirms the commitment of Crispus Attucks Charter School to comply with Title IX. This policy covers student on student as well as employee on student sexual harassment.

Charter School shall not retaliate against any person for opposing an unlawful educational practice or policy, or making charges, testifying or participating in any complaint or action under Title IX.

In providing any aid, benefit, or service to a student, a Charter School shall not, on the basis of sex:

1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
3. Deny any person any such aid, benefit, or service;
4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
5. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;

6. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

Title IX Coordinator

The Charter School has appointed a Title IX Coordinator to ensure its compliance with Title XI. The core responsibilities of the Title IX Coordinator will be:

- Coordinate Title IX efforts including the development, implementation, and monitoring of appropriate disclosures, policies, procedures and practices designed to comply with federal and state legislation, regulation, and case law requiring the prompt and equitable resolution of all complaints pursuant to Title IX;
- Provide leadership, direction and supervision for all activities and personnel of the Title IX program including consulting with relevant policy-making bodies and senior personnel for the purpose of advising, clarifying and identifying necessary action to eliminate sex and/or gender-based discrimination in all educational programs and activities, to ensure that access to facilities, opportunities, and resources is gender equitable throughout the district or campus;
- Provide ongoing training, consultation, and technical assistance on Title IX for all students and employees, with specialized training content for hearing officers/boards, investigators, campus law enforcement and appeals officers;
- Develop, implement and coordinate campus and/or school-based strategic efforts aimed at the prevention of sexual violence and other forms of sex and/or gender-based discrimination;
- Develop and disseminate educational materials, including brochures, posters, and web-based materials that inform members of the school or campus community (students, faculty, administrators, staff, and parents) of Title IX rights, responsibilities and resources both within and external to school/campus premises;
- Oversee prompt, effective, and equitable intake, investigation, processing, issuing of findings of fact, and timely resolution of all instances of sex/gender discrimination made known to responsible employees and/or reported or filed by students, faculty, employees, third parties, or by members of the broader community;
- Oversee Title IX compliance efforts of other campus/school delegates, departments and offices (e.g., investigators, student conduct/discipline, victim services, public safety, nurse/health services, counseling services, student affairs, human resources, faculty/academic affairs, athletics, etc.);

- Provide appropriate notice of an investigation; determine the extent of an investigation; ensure provision of initial remedial actions; assure compliance with timelines; deliver appropriate notice of charges, notice of hearing, notice of outcome, and remedies, and provide a repository for and source of institutional record-keeping (may also be delegated);
- Provide guidance and assistance to alleged victims of sexual violence and sex/gender discrimination including referral to support resources, notice of right to file internal grievances, notice of the right to grieve to the US Department of Education Office for Civil Rights, and notice of the right to report incidents to law enforcement;
- Monitor institutional compliance with and provide ongoing consultation on Section 504 of the Rehabilitation Act of 1973 and related federal and state laws prohibiting discrimination and harassment against all protected classes;
- Organize and maintain grievance files, disposition reports, and other records regarding Title IX compliance, including annual reports of the number and nature of filed complaints and the disposition of said complaints, data collection, climate assessment, pattern monitoring; and
- Serve as the main contact for government inquiries pursuant to Title IX.

Sexual Harassment

Title IX prohibits sex-based harassment by peers, employees, or third parties that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the recipient's education programs and activities (*i.e.*, creates a hostile environment). In accordance with U.S. Department of Education's Office of Civil Rights ("OCR") Guidance, a variety of related factors must be considered in order to determine if a hostile environment has been created. It directs the conduct in question to be viewed from both a subjective and an objective perspective. Specifically, OCR's standards require that the conduct be evaluated from the perspective of a reasonable person in the alleged victim's position, considering all the circumstances. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single or isolated incident of sexual violence may create a hostile environment.

Sexual harassment includes, but is not limited to, sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's success in school;

2. Submission to or rejection of such conduct by a student is used as the basis for school decisions affecting such student; or
3. Such conduct has the purpose or effect of unreasonably interfering with a student's work performance or creating an intimidating, hostile, or offensive school environment.

Gender-Based Harassment

Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation. Gender-based harassment is another form of sex-based harassment and refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature. Similarly, the actual or perceived sexual orientation or gender identity of the parties does not change a Charter School's obligations. Recent court cases have recognized acts of harassment directed at a person because of gender to be sexual harassment, regardless of the intent behind the act. The Charter School adopts this interpretation as part of its policy.

Allegations of Sexual Harassment Occurring Off School Grounds

Title IX applies with equal force to conduct off Charter School grounds so long as it occurs in the context of an educational program or activity of the Charter School. Such programs and activities include but are not limited to activities that take place during Charter School sponsored field trips, athletic team or school band travel and other events for Charter School clubs that occur off campus. Once the Charter School is put on notice of out of school sexual violence against a student, it must investigate and determine whether the conduct may have continuing effects that create a hostile environment as if the conduct had occurred at school. If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures. Because students often experience the continuing effects of off-school grounds sexual harassment in the educational setting, the Charter School should consider the effects of the off-school grounds conduct when evaluating whether there is a hostile environment at the Charter School. For example, if a student alleges that he or she was sexually assaulted by another student off school grounds, and that upon returning to the Charter School he or she was taunted and harassed by other students who are the alleged perpetrator's friends, the Charter School should take the earlier sexual assault into account in determining whether there is a sexually hostile environment. The Charter School also should take steps to protect a student who was assaulted off school grounds from further sexual harassment or retaliation from the perpetrator and his or her associates.

Sexual harassment is a violation of federal and state laws and may expose not only Charter School as a school entity, but individuals employed by Charter School, to significant liability under the law.

When the Charter School knows or reasonably should know of possible sex-based harassment, it will take immediate and appropriate steps to investigate or otherwise determine what occurred. If an investigation reveals that the harassment created a hostile environment, the Charter School will take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent the harassment from recurring, and, as appropriate, remedy its effects.

Examples of Prohibited Conduct

The following are examples of acts that violate Title IX. These examples are not to be construed as an all-inclusive list of prohibited acts under the policy:

- A. Physical assaults of a sexual nature, such as:
 - 1. Rape, sexual battery, molestation or attempts to commit those offenses, or committing an act with intent to cause fear in another of immediate bodily harm or death; and
 - 2. Intentional physical contact which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against or poking a student's body, or touching of the clothing covering the immediate area of the complainant's intimate body parts.

- B. Unwelcome sexual advances, propositions or other sexual comments such as:
 - 1. Sexually-oriented gestures, sounds, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any student;
 - 2. Preferential treatment or promise of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit any student to engage in sexual activity for compensation or reward; and
 - 3. Subjecting or threatening to subject a student to unwelcome sexual attention or conduct, or intentionally making success in school more difficult because of the student's gender.

- C. Display of publications anywhere within the Charter School's control such as:
 - 1. Displaying pictures, posters, cartoons, calendars, graffiti, objects, promotional materials, reading materials, music, or other materials that are sexually suggestive, sexually demeaning, or pornographic.

Exceptions will be considered in situations where nudity or sexually explicit language is necessary to convey a message important to public health or safety or are otherwise pedagogically appropriate. Subject to the foregoing exceptions, visual material will be presumed to be sexually suggestive if it depicts a person of either sex who is nude or seminude or who is posed for the obvious purpose of displaying or drawing attention to private portions of his or her body;

2. Displaying or publicizing, in any virtual classroom environment, materials that are sexually revealing, sexually suggestive, sexually demeaning or pornographic;
3. Displaying signs or other materials purporting to segregate a student by gender on the Charter School computer network system;
or
4. Possession of such material in a manner that it is reasonably foreseeable that they might be seen by others.

D. Sexual Favoritism:

The granting or withholding of Charter School opportunities and benefits including, but not limited to, assignments, discipline, and progress marking and reporting constitute Title IX violations when based on sexual favoritism, and is prohibited.

E. Other Forms of Title IX Violations:

Other conduct that has the purpose or effect of unreasonably interfering with a student's work performance or learning conditions on the basis of gender may also constitute violations, and therefore, is prohibited. Examples of conduct which, when based upon gender, violate Title IX, include:

1. Assigning disagreeable or unsafe assignments; or not making comparable assignments that would tend to disadvantage a student's development;
2. Withholding information, materials, equipment or supplies which are necessary for the efficient performance of an assignment;
3. Unreasonably failing to cooperate or assist students with school-related matters;
4. Interfering with a student's efforts to satisfactorily complete an assignment;

5. Maintaining unequal standards of performance;
 6. Ostracizing students, or otherwise making it known to students that they are not welcome because of their gender;
or
 7. Referring to students by sexually denigrating or insulting names because of their gender.
- F. Retaliation for Title IX complaints. A non-exhaustive list of examples of retaliation may include:
1. Arbitrary discipline, threats, unwarranted change of assignments, providing inaccurate information, or failing to cooperate or discuss school-related matters with any student because that student has complained about, been a witness to or resisted Title IX prohibited harassment, discrimination or retaliation; and
 2. Intentionally pressuring, falsely denying, lying about, or covering up or attempting to cover up conduct such as that described in any item above.

Making a Complaint

The Charter School will:

1. Publish a Notice of Nondiscrimination on the Basis of Sex in its education programs and activities, including that Title IX requires it not to discriminate in such a manner. The notice must state that inquiries concerning the application of Title IX may be referred to Charter School's Title IX Coordinator or to OCR. It will include the name or title, office address, telephone number, and e-mail address for the Charter School's Title IX Coordinator. The notice will be prominently posted on the Charter School's website and at various locations throughout the Charter School and published in electronic and printed publications of general distribution that provide information to students and employees about the Charter School's services and policies;
2. Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX that include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator or designee will be available to meet with students as needed; and

3. Prominently post this policy (including the compliant procedures contained in this policy) on the school website; send it electronically to all members of the school community; make it available at various locations throughout the Charter School; and summarize it or attach it to the school's handbooks, codes of conduct, and catalogs for students, parents of elementary and secondary students, faculty, and staff.

Should the Title IX Compliance Officer be the person accused of the sexual harassment or should the complainant feel that the Title IX Compliance Officer is in some way responsible for the Title IX violation, the complainant may bring his or her concerns directly to the attention of the CEO, who will follow the procedures outlined below.

Complaint Procedures

The student may seek either an informal or formal resolution of his or her complaint:

A. Informal

The student or his or her parent may request the Title IX Compliance Officer to intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated. In such case the Title IX Compliance Officer must meet with the alleged offender, take a statement with regard to the allegations, and, if warranted, require that the alleged offender participate in non-disciplinary counseling. The alleged offender, if he or she is a student, shall have the right to have his or her parent present during the meeting with the Title IX Compliance Officer. The Title IX Compliance Officer shall document, in writing, all actions taken regarding investigation of the allegations, including statements of other student(s) and/or school administration/staff/contractor(s) or volunteer(s). The complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. Moreover, in cases involving allegations of sexual assault, an informal resolution or mediation is not appropriate even on a voluntary basis.

B. Formal

A student who believes that his or her Title IX rights have been violated or a parent, who believes that his or her child's Title IX rights have been violated, may file a complaint requesting a formal investigation into the allegations. Formal complaints shall be taken in writing by the Title IX Compliance Officer and signed by the complainant. A thorough and complete investigation shall be conducted by the Title IX Compliance Officer.

This investigation shall determine: (1) whether or not the conduct occurred; (2) whether the conduct constitutes a violation of Title IX or of this policy, and, (3) if the conduct was a violation, what actions the Charter School will take to end the violation, eliminate any hostile environment, and prevent its recurrence, which may include imposing sanctions on the perpetrator and providing remedies for the complainant and broader student population.

To the extent possible and allowed by law, confidentiality shall be maintained within the confines of the investigation of the alleged prohibited behavior. All parties will be treated with dignity and due process.

C. Interim Measures

During the pendency of an investigation, the Charter School will take reasonable interim measures in order to prevent further possible Title IX issues. These may include taking steps to avoid further contact between the complainant and the alleged perpetrator by removal of the alleged perpetrator from complainant's homeroom/classroom, transportation, lunch, extracurricular activities and other school day activities/programming in which contact is foreseeable. The Title IX Compliance Officer shall provide the complainant with periodic updates on the status of the investigation. The Title IX Compliance Officer shall also ensure that the complainant is aware of his or her Title IX rights and any available student assistance programs and resources, such as victim advocacy, academic support, counseling, disability services, health, and mental health services. The Title IX Compliance Officer shall also inform the complainant of his or her right to seek outside legal assistance and of his or her right to report a crime to local law enforcement.

Even when a Title IX Compliance Officer has determined that the Charter School can respect a complainant's request for confidentiality and therefore may not be able to respond fully to an allegation of sexual violence and initiate formal action against an alleged perpetrator, these interim measures may be taken to protect the complainant while keeping the identity of the complainant confidential.

D. Confidentiality

Before a student reveals information that he or she may wish to keep confidential, the Charter School should make every effort to ensure that the student understands:

1. the Charter School employee's obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX Coordinator, other appropriate school officials, local law enforcement and Child Line pursuant to Mandatory Reporter duties;
2. the student's option to request that the Charter School maintain his or her confidentiality, which the Title IX Compliance Officer will consider; and
3. the student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services. If the student requests confidentiality, the Title IX Compliance Officer should make every effort to respect this request and should evaluate the request

in the context of the Charter School's responsibility to provide a safe and nondiscriminatory environment for all students.

Procedures for Investigating and Resolving Complaints

A. Title IX Compliance Officer

The Title IX Compliance Officer shall be capable of conducting a thorough and complete investigation and shall seek advice and assistance from the Board of Trustees if the Title IX Compliance Officer believes that he or she lacks the capacity to conduct a thorough and complete investigation of the alleged misconduct. If the Title IX Compliance Officer and the CEO are the ones accused of violating Title IX, the Board will appoint a qualified individual who is not employed by the Charter School to conduct the investigation.

B. Conducting Investigations/Holding Hearings

The Title IX Compliance Officer receiving a Title IX complaint shall take the details of the complaint in writing and have the complainant sign it. All Title IX complaints against a student shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy,

- The Title IX Compliance Officer shall meet with every complainant to listen and understand the allegations. The complainant may have his or her Parent(s) present during any such meeting. The accused, if he or she is a student, shall also have the right to have his or her parent(s) present at any meetings with the Title IX Compliance Officer as well.
- From these meetings, the Title IX Compliance Officer will conduct an adequate, reliable, and impartial investigation of complaint(s), which includes interviewing and obtaining statements from any witnesses of both the complainant and alleged perpetrator, and the review of all evidence presented. Parties will be provided updates until a determination is made in writing.
- The complaint will be decided using a preponderance of the evidence standard (*i.e.*, it is more likely than not that sexual harassment or violence occurred).
- Even though FERPA limits disclosure of certain information in disciplinary proceedings, the Title IX Compliance Officer will disclose information to the complainant about the sanction imposed on the perpetrator when the sanction directly relates to the complainant. This includes an order that the perpetrator stay away from the complainant, or that the perpetrator is prohibited from attending school for a period of time, or is transferred to other homeroom/classes in the Charter School building.

- If the Title IX Compliance Officer makes a decision finding that the complainant's allegations are substantiated by a preponderance of the evidence, the appropriate level of discipline consistent with Charter School's strong policy against Title IX misconduct will be determined by the Discipline Coordinator, Title IX Compliance Officer and any other Administration as part of the Charter School's Board approved disciplinary process. If the Title IX Compliance Officer or the discipline coordinator believes that the imposition of in school suspension, out of school suspension, or expulsion against an accused student may be appropriate, then an informal or formal hearing shall be held. The formal disciplinary procedures contained in the Charter School's Code of Conduct shall be followed for such hearings to assure due process protection for the accused. Documents regarding substantiated charges of sexual harassment shall be placed in the accused student's file. Documents regarding unsubstantiated charges shall not be placed in student files, but shall be maintained by the Board of Trustees in a confidential file established expressly for retaining complaints of Title IX complaints against students.
- Notice of the right and how to appeal this decision will be included with the Decision to both students and Parents.

C. Other Reporting Requirements

If the complaint involves sexual assault, rape or conduct of a criminal nature, the local Police Department shall be contacted and a report of the incident made by the Charter School. (A report must also be made by the any mandatory reporter to Child Line and the Department of Public Welfare in accordance with the Charter School's Board approved Mandatory Reporter Policy. If there is any question of whether the conduct complained of constituted criminal activity, the Charter School's Board Solicitor should be contacted immediately. Knowledge of a law enforcement investigation does not relieve the Charter School of its independent Title IX obligation to investigate the conduct.

D. Training

Employees will be trained so that they know to report harassment to appropriate school officials, and so that employees with the authority to address harassment know how to respond properly. Training for employees will include practical information about how to identify types of conduct that constitute sexual harassment or violence, how to identify warning signals that may need attention and how to report sexual harassment and violence. This training will be provided to any employees likely to witness or receive reports of sexual harassment and violence, including teachers, school security, school administrators, school counselors, and health personnel. All persons involved in implementing a recipient's grievance procedures (e.g., Title IX Coordinators, investigators, and adjudicators) must have training or experience in handling complaints of sexual harassment and sexual violence, and with the Charter School's grievance procedures. The training also will include applicable confidentiality requirements. In

sexual violence cases, the fact-finder and decision-maker also will have adequate training or knowledge regarding sexual violence.

Additionally, the Charter School will ensure that staff members are capable of providing culturally competent counseling to all complainants. It will ensure that its counselors and other staff who are responsible for receiving and responding to complaints of sexual violence, including investigators and hearing board members, receive appropriate training about working with Lesbian/Gay/Bi-sexual/Transgender and gender-nonconforming students and same-sex sexual violence.

The Charter School will also ensure that any school reporting forms, information, or training about sexual violence be provided in a manner that is accessible to students and employees with disabilities, for example, by providing electronically-accessible versions of paper forms to individuals with print disabilities, or by providing a sign language interpreter to a deaf individual attending a training.

To ensure that students understand their rights under Title IX, the Charter School will provide age-appropriate training to its students regarding Title IX and sexual violence. Training may be provided separately or as part of the Charter School's broader training on sex discrimination and sexual harassment.

The Charter School may include these education programs in its orientation programs for new students, faculty, staff, and employees, training for student athletes and coaches, and school assemblies and "back to school nights." These programs will include a discussion of what constitutes sexual harassment and sexual violence, the Charter School's policies and disciplinary procedures, and the consequences of violating these policies.

The Charter School also will include such information in their employee handbook and any handbooks that student athletes and members of student activity groups receive. These materials will include where and to whom students should go if they are victims of sexual violence. These materials also will tell students and school employees what to do if they learn of an incident of sexual violence.

CONCLUSION

If any section of this procedure is declared invalid, the remaining sections shall remain valid and unaffected.

**Crispus Attucks Charter School
Homeless Students Policy No. 251**

Adopted: February 24, 2014

Revised: January 23, 2017, April 22, 2019

PURPOSE

The McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 *et seq.*), provides authority for the McKinney-Vento Education for Homeless Children and Youth ("EHCY") program. Pursuant to EHCY program, State educational agencies ("SEAs") must ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths. The SEAs and local educational agencies ("LEAs") in the State must review and revise any laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. LEAs and schools may not separate homeless students from the mainstream school environment on the basis of their homelessness. Homeless students must also have access to the education and other services that they need to meet the same challenging State academic standards to which all students are held. (Section 721 of the McKinney-Vento Act, as amended by the Every Student Succeeds Act).

The Every Student Succeeds Act ("ESSA") was signed into law on December 10, 2015, (P.L. 114-95), and reauthorizes the Elementary and Secondary Education Act ("ESEA") of 1965, which was enacted in its previous version as the No Child Left Behind ("NCLB") Act, in 2002.

ESSA amended Section 724(g) of the McKinney-Vento Act, requiring the Secretary of Education to develop, issue, and publish in the Federal Register guidelines concerning ways in which a State: (1) May assist LEAs to implement the provisions related to homeless children and youths amended by the ESSA; and, (2) May review and revise policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school.

The Board of Trustees ("Board") of the Crispus Attucks Charter School ("Charter School") recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other Charter School students. The Board shall make reasonable efforts to identify homeless children, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law regulations.

The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation, and success in the Charter School of

homeless students, based on the recommendation of the Chief Executive Officer ("CEO").

DEFINITIONS

Section 725 of the McKinney-Vento Act, as amended by the ESSA, defines the following terms:

- (a) "Homeless children and youths" means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes –
- (1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
 - (2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 - (3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - (4) Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965, as amended), who qualify as homeless because they are living in circumstances described in this definition.
- (b) "Enroll and enrollment" include attending classes and participating fully in school activities.
- (c) "Unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian.
- (d) The terms "enroll" and "enrollment" are defined to include attending classes and participating fully in school activities.
- (e) The term "school of origin" is the school in which the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. The definition of "school of origin" now also specifically includes preschools and, when a child or youth completes the final grade level

served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722(g)(3)(I)).

Note: Students who are "awaiting foster care placement" are no longer considered homeless for purposes of EHCY program. The deletion of "awaiting foster care placement" went into effect on December 10, 2016. (Section 725(2)(B)(i)).

CHARTER SCHOOL LIAISON DUTIES

The Board designates the CEO or his/her designee to serve as the Charter School's liaison for homeless students and families.

The Charter School's liaison shall coordinate with:

- a) Local service agencies that provide services to homeless children, youth and families.
- b) School districts on issues of records transfer, per pupil allocation, transportation and special education programs to ensure that homeless children who are in need of special education and related services are located, identified, and evaluated.
- c) State and local housing agencies responsible for comprehensive housing affordability strategies.

In addition to the duties already imposed on the Charter School liaison the following paragraphs (a) through (c) below set forth what the statute now requires of liaisons for homeless children and youths:

- (a) Ensure that school personnel providing services under the McKinney-Vento Act receive professional development and other support. (Section 722(g)(6)(A)(ix)).
- (b) Ensure that unaccompanied homeless youths (i) are enrolled in school, (ii) have opportunities to meet the same challenging State academic standards as other children and youths, and (iii) are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid. (Section 722(g)(6)(A)(x)).

- (c) Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is understandable. (Section 722(g)(6)(A)(vi)).

In addition, LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act. (Section 722(g)(6)(D)).

These duties are in addition to those already required of the liaison:

1. Identify homeless children and youth including preschool age children;
2. Inform parents or guardians of educational rights and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children;
3. Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act and forms to such places as schools, family shelters, and food pantries;
4. Mediate enrollment disputes in accordance with the Enrollment Dispute section and ensure immediate enrollment pending resolution of disputes;
5. Inform the parent/guardian of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;
6. Assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records;
7. Understand the Pennsylvania Department of Education guidance issued for the education of homeless students in order to distribute information on the subject as well as to present workshops for school personnel, including office staff;

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.

BEST INTEREST DETERMINATION

The ESSA now requires that a school selected based on a homeless child's or youth's "best interest" must immediately enroll such child or youth even if he or she has missed application or enrollment deadlines during any period of homelessness. (Section 722(g)(3)(C)(i)(II)).

The statute has modified the requirements governing "best interest" determinations to include the following:

(a) The Charter School must presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(i)).

(b) The Charter School must consider student-centered factors related to a child's or youth's best interest, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(ii)).

(c) If the Charter School determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable. (Section 722(g)(3)(B)(iii)).

To the extent feasible, and in accordance with the student's best interest and parent/guardian's wishes, a homeless student shall continue to be enrolled in his/her school of origin while he/she remains homeless, or until the end of the academic year in which he/she obtains permanent housing.

Parents/guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the Charter School liaison will consider the views of the student in determining where he/she will be enrolled.

The Charter School shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment, which include, but are not limited to school records, immunizations, other health records and proofs of residency or guardianship. However, the Charter School may require a parent/guardian to submit contact information which includes identification of the school district of origin. Once enrolled, the Homeless Liaison will ask homeless families

to complete a transitional housing form to determine the precipitating event(s) leading to homelessness, the specific date that homelessness last occurred, and details of current temporary living arrangements.

The Charter School SAP Supervisor/Homeless Liaison reviews each transitional housing form to confirm homelessness and ensure the Charter School is addressing not only the family's education, but their living circumstances appropriately. The Charter School maintains regular contact with homeless families to review any changes in living arrangements in order to determine whether homelessness continues to occur or a permanent residency has been established at which time they are removed from homeless status. The Charter School's SAP Supervisor/Homeless Liaison coordinates with multiple parties to ensure interventions, counseling, and accommodations are readily available to ensure the education of homeless students is not impeded by these outside circumstances.

HEALTH RECORDS/IMMUNIZATIONS

The Charter School liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed. The law specifies that information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information. (Section 722 (g)(3)(G)).

According to federal law, "(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D)" 42 U.S.C. §11432(g)(c)(iii).

SCHOOL PLACEMENT

If the Charter School is unable to determine the student's grade level due to missing or incomplete records, the Charter School shall administer tests or utilize appropriate means to determine the student's placement.

If a dispute arises over the school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the Charter School's decision, their right to appeal, and the procedures to use for the appeal.

Appropriate school placement arrangements, based on the child's best interest, should be implemented through cooperative efforts of the respective chief school administrators of the Charter School, the chartering district, and any prior district of residence. Each case presents a unique set of circumstances and, therefore, requires an individualized response. In all cases, the Charter School shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection, shall attempt to minimize disruptions, and shall maintain the highest possible degree of continuity in programs for all homeless students. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

Homeless students shall be provided services comparable to those offered to other Charter School students including, but not limited to, transportation services, school nutrition programs, vocational programs and technical education, preschool programs, programs for students with limited English proficiency, and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students. The CEO or his/her designee must collaborate with the Charter School's special education program to ensure that homeless children who are in need of special education and related services are located, identified and evaluated.

Homeless Students Residing in Shelters, Facilities or Institutions Section

The Board shall admit to the Charter School, upon application, those school age children who are living at or assigned to a facility or institution, and who are residents of the district or another district of this Commonwealth. These facilities or institutions are defined by the Public School Code and include: an agency, supervised or licensed shelter, group home, maternity home, residence, facility, orphanage, or other institution for care or training of children or adolescents.

Homeless Students Not Residing in a Shelter, Facility or Institution

Homeless students may reside in hotels, motels, cars, tents, or temporarily doubled-up with a resident family because of lack of housing. In determining residence and, in the case of homeless children, equating "residence" and "domicile" (home) does not apply. They are presently unable to establish "homes" on a permanent basis. **Homeless families are not required to prove residency regarding school enrollment.**

These children should not be forced to change school districts every time their overnight accommodations change. Rather, these children are entitled to attend school in any school district where a parent, guardian, an adult caring for them or where an unaccompanied child:

- Spends the greatest percentage of his or her time; or
- Has a substantial connection such as where he or she is
 - regularly receiving day shelter or other services involving any of the 16 McKinney-Vento Activities (42 U.S.C. 11433(d)) for individuals who are homeless;
 - conducting daily living activities; or
 - staying overnight on a recurring basis.

TRANSPORTATION

The Charter School shall coordinate transportation for homeless students with the chartering school district of residence or any previous district of residence. The district of origin, the Charter School, and the chartering school district shall agree upon a method to apportion the responsibility and costs of the transportation.

ELIGIBILITY UNDER THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS

Homeless, runaway or migratory children are automatically certified as eligible for free meal benefits and can begin receiving free meal benefits upon proper documentation for meals. Migrant Education or Homeless staff are responsible for providing proper documentation of a child's status to the Food Service Directors in each school district.

TITLE I

Title I of the ESSA mandates that funds be reserved to serve homeless children. Section 1113(C)(3) of the Title I statute states, "A local educational agency shall reserve such funds as are necessary...to provide services comparable to those provided to children in schools funded under this part to serve--"(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live..." A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve-- "(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live; "(ii) children in local institutions for neglected children; and "(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

FISCAL RESPONSIBILITIES

When a homeless child enrolls in the Charter School, the Charter School shall send an invoice under Section 1725-A of the Charter School Law to the school district with financial responsibility for the homeless child under the Pennsylvania Department of Education's Basic Education Circular on Education for Homeless Youth (located at <https://www.education.pa.gov/Documents/Codes%20and%20Regulations/Basic%20Education%20Circulars/US%20Code/Education%20for%20Homeless%20Youth.pdf> at the time of the adoption of this Policy).

If the school district disclaims financial responsibility for the child or if the Charter School cannot determine which school district has financial responsibility for the homeless child, then the Charter School shall contact the Pennsylvania Department of Education and legal counsel to decide how to proceed.

DISPUTE PROCEDURES

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S.C §11432(g)(1)(C). The state must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S.C §11432(g)(2)(A).

PDE has developed procedures to govern the resolution of disputes regarding enrollment, school selection, homeless status and complaints of non-compliance with legal requirements pertaining to the education for homeless children and youths:

Level 1 - A dispute may be raised with the Charter School, as a LEA. If a dispute arises over school selection or enrollment, the child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute 42 U.S.C. §11432(g)(3)(E)(i). The LEA liaison shall then explain the dispute resolution process to families and help a family or student to use it 42 U.S.C. §11432(g)(3)(E)(iii). The LEA shall issue a written disposition of the dispute within 20 business days after the LEA liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. 42 U.S.C. §11432(g)(3)(E)(i). PDE provides a "Notice of Procedural Safeguards" form to provide to families/students for purposes of explaining their rights of appeal.

Level 2 - A complaint may be filed with a McKinney-Vento coordinator. If the parent, guardian or unaccompanied youth is dissatisfied with the LEA's disposition of a dispute or would like to raise any issue of McKinney-Vento Act noncompliance, they may file a complaint or appeal with a McKinney-Vento site or regional coordinator or with the state coordinator or directly to a court of competent jurisdiction.

In the case of an unaccompanied youth, the Charter School will ensure that the Charter School liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

CRISPUS ATTUCKS CHARTER SCHOOL

SECTION: PUPILS

TITLE: HOMELESS STUDENTS

ADOPTED: February 24, 2014

REVISED: January 23, 2017

251. HOMELESS STUDENTS	
<p>1. Authority 42 U.S.C. Sec. 11431 et seq SC 1306 Title 22 Sec. 11.18</p>	<p>The Board recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other district students. The Board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations.</p> <p>The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation and success in school of homeless students, based on the recommendation of the Superintendent.</p>
<p>2. Definitions 42 U.S.C. Sec. 11434a</p>	<p>Homeless students are defined as individuals lacking a fixed, regular and nighttime residence, which include the following conditions:</p> <ol style="list-style-type: none"> 1. Sharing the housing of other persons due to loss of housing or economic hardship. 2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations. 3. Living in emergency, transitional or domestic violence shelters. 4. Abandoned in hospitals. 5. Awaiting foster care placement. 6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings. 7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings. 8. Living as migratory children in conditions described in previous examples.

<p>3. Delegation of Responsibility</p> <p>42 U.S.C. Sec. 11432</p>	<p>9. Living as run-away children.</p> <p>10. Abandoned or forced out of homes by parents/guardians or caretakers.</p> <p>11. Living as school age unwed mothers in houses for unwed mothers if they have no other living accommodations.</p> <p>School of origin is defined as the school the student attended when permanently housed or the school in which the student was last enrolled.</p> <p>The Board designates the Superintendent to serve as the district's liaison for homeless students and families.</p> <p>The district's liaison shall coordinate with:</p> <ol style="list-style-type: none"> 1. Local service agencies that provide services to homeless children and youth and families. 2. Other school districts on issues of records transfer and transportation. 3. State and local housing agencies responsible for comprehensive housing affordability strategies. <p>The district's liaison shall provide public notice of the educational rights of homeless students in schools, family shelters, and soup kitchens.</p>
<p>4. Guidelines</p> <p>42 U.S.C. Sec. 11431</p> <p>42 U.S.C. Sec. 11432</p> <p>Pol. 201, 203, 204, 209, 216</p>	<p>Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.</p> <p><u>Enrollment/Placement</u></p> <p>To the extent feasible, and in accordance with the student's best interest, a homeless student shall continue to be enrolled in his/her school of origin while s/he remains homeless or until the end of the academic year in which s/he obtains permanent housing. Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the district liaison will consider the views of the student in determining where s/he will be enrolled.</p> <p>The selected school shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to district policies. However, the district may require a parent/guardian to submit</p>

	<p>contact information. The district liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy.</p> <p>If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's placement.</p> <p>If a dispute arises over school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the district's decision, their right to appeal and the procedures to use for the appeal.</p>
<p>42 U.S.C. Sec. 11432 SC 1306</p>	<p><u>Services</u></p> <p>Homeless students shall be provided services comparable to those offered to other district students including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.</p>
<p>42 U.S.C. Sec. 11432 SC 1306</p>	<p><u>Transportation</u></p> <p>The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.</p> <p>If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.</p>
<p>School Code 1306</p> <p>PA Code Title 22 Sec. 11.18, Sec. 403.1</p>	<p>Fiscal Responsibilities</p> <p>The following guidelines will be followed in cases when the education of the student is provided by the district where the homeless student is temporarily living. The guidelines shall also apply in cases when the district of prior attendance, where that is not the district the student attended when permanently housed, will educate the student:</p>
<p>20 U.S.C. SEC. 6301</p>	<ol style="list-style-type: none"> 1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, doubled-up with a resident family, shall be reported and reimbursed as resident students. 2. For homeless individuals in temporary shelters, the educating school district will

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<p>42 U.S.C. Sec. 11432 et seq</p> <p>34 CFR Part 99</p> <p>67 Fed. Reg. 10698</p> <p>PA Education for Homeless Children and Youth State Plan</p> <p>Board Policy 201, 203, 204, 209, 216, 810</p>	<p>send a form for the determination of district residence for students in facilities or institutions to the presumed district of residence.</p> <p>3. If the form is acknowledged by the resident district, the educating district will enter the student on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition and will report membership data according to state child accounting procedures.</p> <p>4. If the form is disclaimed and a district of residence cannot be determined, the student will be considered a ward of the state. The educating district will enter the student on its rolls as a nonresident ward of the state and will report membership according to state child accounting procedures. The Department of Education will pay tuition to the educating district based on membership reported to child accounting.</p> <p>In cases when the education of the student is provided by the district of origin, where that is the district the student attended when permanently housed, the district will continue to educate a homeless student for the period of temporary displacement and should maintain the student on its roll as a resident student.</p> <p>In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not the district of new residence, the educating district will continue to educate the formerly homeless student on its roll as a nonresident student.</p>
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CRISPUS ATTUCKS CHARTER SCHOOL

SECTION: PUPILS

TITLE: HOMELESS STUDENTS

ADOPTED: February 24, 2014

REVISED:

251. HOMELESS STUDENTS	
<p>1. Authority 42 U.S.C. Sec. 11431 et seq SC 1306 Title 22 Sec. 11.18</p>	<p>The Board recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other district students. The Board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations.</p> <p>The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation and success in school of homeless students, based on the recommendation of the Superintendent.</p>
<p>2. Definitions 42 U.S.C. Sec. 11434a</p>	<p>Homeless students are defined as individuals lacking a fixed, regular and nighttime residence, which include the following conditions:</p> <ol style="list-style-type: none"> 1. Sharing the housing of other persons due to loss of housing or economic hardship. 2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations. 3. Living in emergency, transitional or domestic violence shelters. 4. Abandoned in hospitals. 5. Awaiting foster care placement. 6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings. 7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings. 8. Living as migratory children in conditions described in previous examples.

9. Living as run-away children.
10. Abandoned or forced out of homes by parents/guardians or caretakers.
11. Living as school age unwed mothers in houses for unwed mothers if they have no other living accommodations.

School of origin is defined as the school the student attended when permanently housed or the school in which the student was last enrolled.

3. Delegation of Responsibility

42 U.S.C.
Sec. 11432

The Board designates the Superintendent to serve as the district's liaison for homeless students and families.

The district's liaison shall coordinate with:

1. Local service agencies that provide services to homeless children and youth and families.
2. Other school districts on issues of records transfer and transportation.
3. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's liaison shall provide public notice of the educational rights of homeless students in schools, family shelters, and soup kitchens.

4. Guidelines
42 U.S.C.
Sec. 11431

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.

Enrollment/Placement

42 U.S.C.
Sec. 11432

To the extent feasible, and in accordance with the student's best interest, a homeless student shall continue to be enrolled in his/her school of origin while s/he remains homeless or until the end of the academic year in which s/he obtains permanent housing. Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the district liaison will consider the views of the student in determining where s/he will be enrolled.

Pol. 201, 203,
204, 209, 216

The selected school shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to district policies. However, the district may require a parent/guardian to submit

contact information. The district liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy.

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's placement.

If a dispute arises over school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the district's decision, their right to appeal and the procedures to use for the appeal.

Services

42 U.S.C.
Sec. 11432
SC 1306

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.

Transportation

42 U.S.C.
Sec. 11432
SC 1306

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.

School Code
1306

PA Code
Title 22
Sec. 11.18,
Sec. 403.1

20 U.S.C.
Sec. 6301

42 U.S.C.
Sec. 11432 et seq

34 CFR
Part 99

67 Fed. Reg.
10698

PA Education for
Homeless Children
and Youth State Plan

Board Policy
201, 203, 204,
209, 216, 810

**Crispus Attucks Charter School
ADMISSIONS POLICY NO. 261**

Adopted: June 5, 2017, effective July 1, 2017

Revised:

In accordance with its charter effective July 1, 2017 and its mission, Crispus Attucks Charter School will only enroll students who are ages 17-21, who are categorized as 12th graders, and who agree to complete the trimester program offered by the school in order to obtain a diploma. In addition, Crispus Attucks Charter School requires students to successfully complete the Mental Toughness Program as a condition for enrollment in the school.

Crispus Attucks Charter School shall not exclude students based on race, color, familial status, religious creed, ancestry, sex, national origin, handicap or disability.

Crispus Attucks Charter School's application for enrollment shall only request the following information: student's name, date of birth, grade level, parent/guardian information, residence and former school information. The application for Crispus Attucks Charter School shall be offered in both English and Spanish. The English and Spanish versions of the application shall be made available on the school's website, for in-person pick-up at the school, and by fax or email upon request.

Crispus Attucks Charter School shall not seek report cards or other academic, intellectual, disciplinary, special education and/or English Language Learner status or demographic information or data from any student, parent, guardian or other source prior to accepting any student into the Mental Toughness Program. Crispus Attucks Charter School shall not conduct academic placement testing for any student until after the student and the student's parents or guardians have been informed of the student's enrollment in the school following completion of the Mental Toughness Program.

After a student has completed the Mental Toughness Program and has been enrolled in the Crispus Attucks Charter School, the school may seek additional information regarding the student and the student's academic performance.

If more students apply to Crispus Attucks Charter School than there are attendance slots available, students will be selected on a random basis from a pool of qualified applicants meeting the criteria set forth in this policy. As required by the Charter School Law, applicants who reside within the School District of the City of York will be given first preference in admissions. The admissions lottery will be held at a public board meeting. Any applicants who are not selected through the admission lottery will be placed on a wait list in the order that they are drawn.