

SECTION: PUPILS

TITLE: Harassment and Discrimination of
Students

ADOPTED: September 22, 2010

REVISED:

THE SCHOOL DISTRICT OF PHILADELPHIA

248. HARASSMENT AND DISCRIMINATION OF STUDENTS

Purpose

The School Reform Commission strives to provide a healthy safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain an educational environment in which harassment and sex discrimination (including sexual harassment, sexual assault and sexual violence) in any form is not tolerated. It shall also be the policy of the District that each staff member shall be responsible for maintaining an educational environment free from all forms of harassment and sex discrimination, and that each student shall be responsible to respect the rights of his/her fellow students and employees and to ensure an atmosphere free from all forms of harassment and sex discrimination

Authority

The SRC prohibits all forms of harassment and sex discrimination of students and third parties by all District students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The SRC encourages students and third parties or parents/guardians of students who believe that this Policy has been violated, to promptly report such incidents to the school principal or designee, or to any other member of the school staff, including teachers, guidance counselors, bilingual counseling assistants (BCAs), coaches and administrators.^{[1][2][3][4]} Any staff member who receives such a report shall immediately notify the principal or designee of same. If the behavior continues or if the school does not take action, students or parents/guardians should report the incident to the District's hotline at 215-400-4000.

This policy applies to students in connection with all the academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, in transit to and from school, at a class or training program sponsored by the school at another location or elsewhere. The policy also applies to any off-campus conduct that has a continuing effect on the campus.

The SRC directs that complaints of harassment or sex discrimination shall be investigated promptly, and corrective action taken when allegations are substantiated in accordance with the provision of any applicable state and federal laws. Confidentiality of all parties shall be

maintained, consistent with the District's legal and investigative obligations. Only those with a "need to know" will be apprised of the complaint, and staff participants in the complaint process shall be informed of their duty of confidentiality to the process as well.

The basic rights of all concerned shall be respected at all times. All parties will be treated with dignity and due process.

No reprisals nor retaliation shall occur as a result of good faith charges of violation of this Policy or participation in an investigation. Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.

Definitions

~~For purposes of this policy,~~

Harassment shall consist of verbal, nonverbal, written, graphic or physical conduct relating to an individual's sex, age, race, color, sexual orientation (known or perceived), gender identity expression (known or perceived), national origin/ethnicity, religion, disability, English language proficiency, socioeconomic status and/or political beliefs. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. A single incident of harassment may implicate more than one protected class. For example, a student may be targeted because of his/her race and sexual orientation.

Harassment can create a hostile environment when it:

1. Is severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.
2. Has the purpose or effect of substantially or unreasonably interfering with a student's education.
3. Otherwise adversely affects an individual's learning opportunities, safety or well-being.

Sexual discrimination - unequal treatment of any person on the basis of sex unless expressly authorized by statute or regulation. Sexual discrimination may include sexual harassment, sexual violence and sexual assault.

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, written, graphic or physical conduct of a sexual nature.

Examples of sexual harassment, as defined above, include but are not limited to, sexual propositions; touching of a sexual nature; graffiti of a sexual nature; displaying or distributing sexually explicit drawings, pictures or written material; sexual gestures or touching oneself sexually in front of others; telling sexual or dirty jokes; spreading

sexual rumors or rating other students as to sexual activity or performance; circulating or showing emails or websites of a sexual nature.

For purposes of this policy, the term sexual harassment includes sexual violence. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.[2][5]

Guidelines

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

This policy shall be accessible in every classroom, posted in a prominent location within each school building and posted on the district website. The policy shall be made available in English and all other languages necessary to facilitate understanding by district residents.

This policy shall be reviewed with every district student within ninety (90) days after the initial adoption or a revision by the SRC, and annually on the first day of school thereafter.

Mandated Regulatory Procedures:

Complaint/Grievance Procedure – Student/Third Party

Step 1 – Reporting Bullying, Harassment, or Discrimination

A student or third party who believes s/he has been subject to conduct by any student, employee or third party that constitutes a violation of the District's anti-harassment or nondiscrimination policy(s), or the parent/guardian of a student, is encouraged to immediately report the incident to the building principal or designee, or to any other member of the school staff, including teachers, guidance counselors, bilingual counseling assistants (BCAs), coaches and administrators.

A school employee who witnesses, suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal or designee.

The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable. The principal or designee shall complete the District's complaint form if the complainant chooses to make an oral or electronic report. In each building, to the extent practicable, compliant forms shall be readily available in any and all languages that are spoken by one or more students attending that school.

If the building principal is the subject of a complaint, the student, parent/guardian, third party or employee shall report the incident directly to the Title IX **Deputy** Coordinator for inquiries under this Policy:

Chief Student Support Services Officer/Title IX **Deputy** Coordinator
440 N. Broad Street
Philadelphia PA 19130
215-400-4000

antiharassment@philasd.org

Step 2 – Investigation

Upon receiving a complaint of harassment or sex discrimination, the building principal or designee shall take immediate and appropriate action to investigate or otherwise determine what occurred. At a minimum, the investigation shall consist of the following:

1. The investigation should consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.
2. The parties may present witnesses and other evidence as part of the investigation.
2. The investigator shall attempt to secure statements from all participants in, and witnesses to, the incident(s). The complainant shall not be required to meet face-to-face with the accused.
3. When a student with limited English proficiency is a party to a complaint, interpretation and/or translation services shall be provided. The limited English proficiency of a complainant, witness, or the accused is not an acceptable reason for failure to secure a statement from him or her.
4. The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.
5. The obligation to conduct this investigation shall not be negated by the fact that the complainant cannot identify the accused.

All complaints should be forwarded and/or uploaded to the Title IX **Deputy** Coordinator for the purpose of monitoring, evaluating and providing District level support to diminish harassment.

All investigations shall be completed by the assigned investigator within fourteen (14) days from the reporting of the complaint. Extenuating circumstances for not being able to comply with the deadline must be approved by the Title IX **Deputy** Coordinator. The extension must be a specified period of time not exceeding fourteen (14) days, and must be communicated to the complainant.

The District will follow the Complaint Procedures regardless of whether the alleged harassment also is being investigated by another agency, including law enforcement, unless particular procedural steps would directly impede a criminal investigation. The District will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the victim(s) and the school community and the avoidance of retaliation.

In the event that school-based staff fail to investigate a complaint of harassment or sex discrimination, fail to document the outcome of an investigation, or if violations continue after an investigation has concluded, individuals shall report the incident to the district's Title IX **Deputy** Coordinator at 215-400-4000 and/or submit a complaint to antiharassment@philasd.org.

Step 3 - Investigative Report

The building principal or designee shall prepare a written report which shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The findings of the investigation shall be provided to the complainant, and his or her parent, if s/he is under 18 years old, the accused, and the Title IX **Deputy** Coordinator.

Step 4 -District Action

If the investigation determines that the accused engaged in conduct that constitutes a violation of this policy, the District shall take prompt and effective steps reasonably calculated to end the harassment or sex discrimination, eliminate any hostile environment, remedy the discriminatory effect on the victim, and prevent the harassment or sex discrimination from recurring. When appropriate, students who have been found to violate this policy will receive instruction or training on why their actions were inappropriate and/or hurtful.

Complainants and the accused, and their parents, if they are under 18 years old, shall be notified of the final disposition/action taken by the District.

Appeal Procedure

1. If the complainant or accused is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Title IX **Deputy** Coordinator(s) within fifteen (15) days of her/his receipt of written notice of final disposition/action taken. The appeal will be conducted in an impartial manner by an impartial decision-maker.
2. The Title IX **Deputy** Coordinator(s) shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Title IX **Deputy** Coordinator(s) shall prepare a written response to the appeal within fifteen (15) days. This time period may be extended by the Title IX **Deputy** Coordinator(s) under circumstances where winter, spring or summer break coincides with the investigatory period or for other reasonable cause. Copies of the response shall be provided to the complainant, the accused and the building principal/immediate supervisor who conducted the initial investigation.

Disciplinary actions shall be consistent with the Code of Student Conduct, SRC policies and administrative procedures **outlined in this policy**, and state and federal laws. The corrective action may include, but is not limited to, appropriate supports and interventions for students who are either victims or perpetrators of improper conduct, in accordance with District services and programs, which may include Tier II and II or Response to Instruction and Intervention (RtII); Positive Behavior Interventions & Supports (PBIS); Student Assistance Program (SAP); counseling services; parent meetings; referrals to appropriate resources outside of the District; student discipline pursuant to the Code of Student Conduct which could include suspension or expulsion; employee discipline in accordance with any applicable collective bargaining agreement or contract, including but not limited to counseling, suspension, expulsion.

If it is concluded that a student has intentionally made a false report or complaint under this policy, such student may be subject to disciplinary action.

Expedited Resolution of Harassment Incidents

While the SRC cautions that all incidents of harassment are hurtful to students and negatively impact the school environment, there are some harassment incidents that District employees can effectively address and resolve immediately. The investigative procedures (Steps 1-4 above) shall not apply when a District employee witnesses or receives a report of harassment and the District employee, in his/her professional judgment determines:

1. The harassment was not severe, persistent, or pervasive, and
2. The District employee is able to fully and adequately address the harassment with the target(s) (if any) and the perpetrator(s), including:
 - a. Educating the perpetrator(s) on the wrongfulness of his/her actions, identifying the harassing language and behavior involved, and referring the student for counseling, community service or imposing discipline, if appropriate, and
 - b. Speaking with the target student(s) (if any) to ensure s/he has not been a repeated target of harassment, is satisfied with the employee's response, and is notified of his/her right to file a complaint with the principal.

Whenever the Expedited Resolution process is followed, the District employee shall file a written report on the incident in accordance with the administrative procedures **outlined in this policy**.

The following are examples of harassment prohibited by this policy:

Some students anonymously inserted offensive notes into African-American students' lockers and notebooks, used racial slurs, and threatened African-American students who tried to sit near them in the cafeteria.

*Students mockingly refer to Asian students as "Bruce Lee", "China boy", "f*ckm' Asian" and use racial slurs and create noises intended to reference made-up speech around Asian languages. Asian students are routinely targeted in unmonitored student-centric areas such as stairwells, hallways, bathrooms, and walking to and from school with students screaming at them with threats of harm and physical assault. One student threatens an Asian student by drawing a finger across the throat with the statement, "F*ck you China people."*

School employees at junior high school received reports of several incidents of anti-Semitic conduct at the school Anti-Semitic graffiti, including swastikas, was scrawled on the stalls of the school bathroom. At the same school, a teacher caught two ninth-graders trying to force two seventh-graders to give them money. The ninth-graders told the seventh-graders, "You Jews have all of the money, give us some. "At the same school, a group of eighth-grade students repeatedly called a Jewish student "Drew the dirty Jew."

Shortly after enrolling at a new high school, a female student had a brief romance with another student. After the couple broke up, other male and female students began routinely calling the new student sexually charged names, spreading rumors about her sexual behavior; and sending her threatening text messages and e-mails.

A gay high school student was called names (including anti-gay slurs and sexual comments) both to his face and on social networking sites, physically assaulted, threatened, and ridiculed because he did not conform to stereotypical notions of how teenage boys are expected to act and appear (e.g., effeminate mannerisms, nontraditional choice of extracurricular activities, apparel, and personal grooming choices).

Several classmates repeatedly called a student with a learning disability "stupid," "idiot," and "retard" while in school and on the school bus. On one occasion, these students tackled him, hit him with a school binder, and threw his personal items into the garbage.

Students yell "Speak English!" at immigrant youth at a school who speak their native language in school. In full view of other students, native born English speakers routinely mimic or otherwise make fun of immigrant students' accents and comment on how "weird" they sound.

Delegation of Responsibility

In order to maintain an educational environment that discourages and prohibits harassment and sex discrimination the SRC shall designate the Student Support Services Chief as the District's Title IX **Deputy** Coordinator to coordinate the District's efforts to comply with this policy and applicable laws and regulations.

The Title IX **Deputy** Coordinator shall:

1. Publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the name, position, office address, telephone number and email address of the Title IX **Deputy** Coordinator.
2. Receive and investigate reports or complaints from District employees, students, families, and third parties if the school principal is the subject of a report or complaint.
3. Track all complaints, investigation materials and resolutions from harassment complaints District-wide.
4. Make ad hoc reports (as necessary or appropriate) and annual reports to the School Reform Commission on harassment complaints and resolutions.

The District shall be responsible to provide training for students and employees regarding all aspects of harassment and sex discrimination. Student training shall include the definition of harassment and sex discrimination, examples of harassment and sex discrimination, the reporting process and consequences of participating in prohibited behavior. Staff training shall include how to appropriately identify, address, and report incidents of harassment and sex discrimination.

Each staff member shall be responsible to maintain an educational environment free from all forms of harassment and sex discrimination.

Each student shall be responsible to respect the rights of his/her fellow students and district employees and to ensure an atmosphere free from all forms of harassment and sex discrimination.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of harassment or sex discrimination in accordance with the procedures listed in this policy. At a minimum, the building principal or designee shall be responsible to complete the following duties when receiving an oral or written report or complaint:

1. Inform the student or third party of the right to file a complaint and the complaint procedure, including their right to English Language interpretation and translation during all steps of the complaint procedures. Even if the student does not explicitly request interpretation, employees are encouraged to use interpretation and translation if they feel it will improve the ability to communicate accurately with the student or third party.
2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Ensure that complainants are notified of available resources, such as counseling, health, and mental health services, and their right to file a complaint with local law enforcement.
4. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
5. Refer the complainant to the Title IX **Deputy** Coordinator if the building principal is the subject of the complaint.

6. In cases involving potential criminal conduct, determine whether appropriate law enforcement authorities should be notified.
7. Take interim action, as necessary, to address prohibited conduct prior to the completion of the investigation.

The SRC directs that District employees respond to all incidents of harassment and sex discrimination according to the procedures in this policy, regardless of whether they are alleged to have created a hostile environment.

Legal References:

1. 43 P.S. 951 et seq - 1955 Act 222 PENNSYLVANIA HUMAN RELATIONS ACT
2. 20 U.S.C. 1681 et seq - 20 U.S. Code Chapter 38 - DISCRIMINATION BASED ON SEX OR BLINDNESS
3. 29 CFR 1606.8 - 29 CFR 1606.8 - Harassment
4. 29 CFR 1604.11 - 29 CFR 1604.11 - Sexual harassment
5. Office for Civil Rights - Questions and Answers on Title IX and Sexual Violence

Related Information:

Office for Civil Rights – Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties

Philadelphia Commission on Human Relations Guidance

Pol. 103.1 - Nondiscrimination – Qualified Students With Disabilities/Protected Handicapped Students

Pol. 249 - Bullying/Cyberbullying

Pol. 806 - Child Abuse

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 300 Employees
TITLE: Harassment and
Discrimination of Employees
ADOPTED:
REVISED:

348. HARASSMENT AND DISCRIMINATION OF EMPLOYEES

Authority

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

The SRC prohibits all forms of harassment and sex discrimination (including sexual harassment, sexual assault and sexual violence) of employees and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The SRC encourages employees and third parties who have been harassed or discriminated against to promptly report such incidents to the designated administrators. [1][2][3][4][5][6]

While harassment and sex discrimination will not be tolerated by any employee, supervisors shall be held to the highest of conduct standards and shall be subject to a higher level of discipline when engaging in harassment or sex discrimination.

The SRC directs that complaints of harassment or sex discrimination shall be investigated promptly, and corrective action taken when allegations are substantiated, in accordance with the provisions of any applicable collective bargaining agreement and state and federal laws. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. Only those with a "need to know" will be apprised of the complaint, and staff participants in the complaint process shall be informed of their duty of confidentiality to the process as well.

The basic rights of all concerned shall be respected at all times. No reprisals nor retaliation shall occur as a result of good faith charges of violation of this policy or participation in an investigation.

Definitions

For purposes of this policy, harassment shall consist of verbal, nonverbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation, religion or gender information when such conduct: [4][5]

1. Is severe, persistent or pervasive enough that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment.

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

For the purposes of this policy, sexual discrimination is unequal treatment of any person on the basis of sex unless expressly authorized by statute or regulation. Sexual discrimination may include sexual harassment, sexual violence and sexual assault.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:[6]

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment.
2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.
3. Such conduct is severe, persistent or pervasive enough that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment, as defined above, include but are not limited to, sexual propositions; touching of a sexual nature; graffiti of a sexual nature; displaying or distributing sexually explicit drawings, pictures or written material; sexual gestures or touching oneself sexually in front of others; telling sexual or dirty jokes; spreading sexual rumors or rating others as to sexual activity or performance; circulating or showing emails or websites of a sexual nature.

For purposes of this policy, the term sexual harassment includes sexual assault and sexual violence. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.[2][7]

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits harassment and sex discrimination, the SRC designates the Chief Talent Officer as the district's Title IX Deputy Coordinator relating to employees and third parties.

The Title IX Deputy Coordinator(s) shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the name, position, office address, telephone number and email address of the Title IX Deputy Coordinator(s).

Chief Talent Officer/Title IX **Deputy** Coordinator

440 N. Broad Street

Philadelphia PA 19130

215-400-4600

employeeitleIXcomplaints@philasd.org

The administration shall be responsible to provide training for students and district employees regarding harassment and sex discrimination and the district's policy prohibiting harassment and sex discrimination, including procedures for the filing and investigation into complaints.

The Superintendent or designee shall develop Administrative Procedures/Complaint Procedures to implement this policy.

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

Any supervisor who receives a harassment or sex discrimination complaint or who has reason to believe such action is occurring shall refer to SRC policy and the procedures for processing harassment or sex discrimination complaints.

The building principal/immediate supervisor or designee shall be responsible to complete the following duties when receiving a complaint pursuant to this policy:

1. Inform the employee or third party of the right to file a complaint and the Complaint Procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
3. Refer the complainant to the Title IX Deputy Coordinator(s) if the building principal/immediate supervisor is the subject of the complaint.
4. Take interim action, as necessary, to address prohibited conduct prior to the completion of the investigation.

Legal References:

1. 43 P.S. 951 et seq
2. 20 U.S.C. 1681 et seq
3. 42 U.S.C. 2000e et seq
4. 42 U.S.C. 2000ff et seq
5. 29 CFR 1606.8
6. 29 CFR 1604.11
7. Office for Civil Right – Questions and Answers on Title IX Sexual Violence

Policy 348: Harassment and Discrimination of Employees
Administrative Procedures/Complaint Procedures

An employee or third party may utilize either the informal or formal complaint procedure.

Informal Complaint Procedure – Employee/Third Party

Where behaviors may be offensive and the offended party has a desire to stop the behavior(s) without resorting to the formal procedure, the employee or third party may notify the offending party directly, but is not required to do so. The employee or third party may also request a supervisor to intervene by notifying the alleged offender that the specific offensive behavior(s) will not be tolerated in the workplace. In such case, the supervisor must discuss the matter with the alleged offender, and, if warranted, require that s/he participate in non-disciplinary counseling. The supervisor shall document actions taken and inform the Chief Talent Officer in writing. Copies will also be forwarded to the Law Department of the School District of Philadelphia. The accused shall have the right of representation during his/her interview with the supervisor as required by the applicable collective bargaining agreement.

If the complainant is not satisfied with the result of the informal process, s/he may submit a formal complaint in accordance with this policy.

Formal Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes s/he has been subject to conduct by any employee or third party that constitutes a violation of Policy 348 is encouraged to immediately report the incident to the building principal/immediate supervisor.

If the building principal/immediate supervisor is the subject of a complaint, the employee or third party shall report the incident directly to the Title IX Deputy Coordinator. Additionally, if the building principal/immediate supervisor is unable to conduct the investigation, the employee or third party shall report the incident directly to the Title IX Deputy Coordinator.

The complainant is encouraged to use the report form available from the building principal/immediate supervisor.

Step 2 – Investigation

Upon receiving a written complaint of unlawful harassment or sex discrimination, the building principal/immediate supervisor shall immediately notify the Title IX Deputy Coordinator(s). The Title IX Deputy Coordinator(s) shall authorize the building principal/immediate supervisor to investigate the complaint, unless the building principal/immediate supervisor is the subject of the complaint or is unable to conduct the investigation.

The building principal or designee shall conduct an adequate, reliable and impartial investigation and shall provide the opportunity for each party to present witnesses and other evidence. Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.

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

The investigator shall attempt to secure statements from all participants in and witnesses to the complaint. The accused shall have the right of representation during his/her interview as required by the applicable collective bargaining agreement or district practice.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded, unless particular procedural steps would directly impede a criminal investigation. The investigator should coordinate with any other ongoing school or criminal investigations of the incident. The District will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the victim(s) and the school community and the avoidance of retaliation.

The failure of the accused to participate in the investigation into a written complaint shall be grounds for discipline, up to and including possible discharge for cause.

All investigations shall be completed by the assigned investigator within thirty(30) days from the filing date of the complaint. Extenuating circumstances for not being able to comply with the deadline must be approved by the Title IX Deputy Coordinator(s). The extension must be

a specified period of time not exceeding twenty-five (25) days, and must be communicated to the complainant.

Step 3 – Investigative Report

The building principal/immediate supervisor shall prepare and submit a written report to the Title IX Deputy Coordinator(s), which shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, the basis for the determination, and a recommended disposition of the complaint.

The complainant and the accused shall be provided written notice of the outcome of the investigation, including the recommended disposition of the complaint. The accused shall not be notified of the individual remedies offered or provided to the complainant.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases. The district shall take steps to prevent the recurrence of prohibited conduct and to remedy the discriminatory effect on the victim or complainant and others, if appropriate. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.

Disciplinary actions shall be consistent with SRC policies, administrative procedures, applicable collective bargaining agreements, and state and federal laws and may include counseling, suspension, reassignment or termination. The corrective action may include, but is not limited to, appropriate supports and interventions for students who are either victims or perpetrators or improper conduct, in accordance with District services and programs, which may include Tier II and II or Response to Instruction and Intervention (RtII); Positive Behavior Interventions & Supports (PBIS); Student Assistance Program (SAP); counseling services; parent meetings; referrals to appropriate resources outside of the District; student discipline pursuant to the Code of Student Conduct; employee discipline in accordance with any applicable collective bargaining agreement or contract, including but not limited to counseling, suspension, expulsion.

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action, up to and including possible discharge.[11]

Appeal Procedure

1. If the complainant or accused is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Title IX Deputy Coordinator(s) within fifteen (15) days of her/his receipt of written notice of final disposition/action taken. The appeal will be conducted in an impartial manner by an impartial decision-maker.
2. The Title IX Deputy Coordinator(s) shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Title IX Deputy Coordinator(s) shall prepare a written response to the appeal within fifteen (15) days. This time period may be extended by the Title IX Deputy Coordinator(s) under circumstances where winter, spring or summer break coincides with the investigatory period or for other reasonable cause. Copies of the response shall be provided to the complainant, the accused and the building principal/immediate supervisor who conducted the initial investigation.

The name and contact information for the District's Title IX Deputy Coordinator for inquiries related to Policy 348 is:

Chief Talent Officer
440 N. Broad Street
Philadelphia PA 19130
215-400-4600

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 406

SECTION: 400 Charter Schools

TITLE: Charter **Amendments**

ADOPTED: April 24, 2014

REVISED:

406. CHARTER AMENDMENTS

Authority

~~The Charter School Law (“CSL”) does not contain provisions related to the amendment of or modification to charters for brick and mortar charter schools. In August 2017, the Pennsylvania Supreme Court, in overturning the Commonwealth Court, held that the CSL does not set forth a procedure for amending the material terms of a charter nor the standard for evaluating an amendment request. Further, the Supreme Court held that the CSL does not provide for jurisdiction in the State Charter School Appeal Board (“CAB”) for appeals from a school district’s action or inaction on requested amendment. The Supreme Court recognized, however, that a charter could be amended by written agreement of the school district and the charter school.~~

The School Reform Commission (“SRC”) ¹ recognizes that opportunities for charter schools to evolve grow and improve may occur outside of the renewal process. **In the absence of charter amendment provisions in the Charter School Law, the SRC establishes this policy to govern the acceptance, processing and review of mid-term charter amendment requests. Pursuant to this policy, As a result, the SRC may accept applications for material amendments of the charter agreement during the charter term. This policy as revised will apply to all charter amendment requests for implementation in the 2018-2019 school year and beyond.**

Consistent with the **School District of Philadelphia’s (“School District”)** commitment to acting as a top-quality authorizer of high-performing charter schools, this policy **will define a process by which charter schools can seek charter amendments during the charter term. This policy is designed to ensure that the charter school amendment process and decisions will be transparent, merit-based, comprehensive, and equitable.**

Delegation of Responsibility

¹ Any reference herein to School Reform Commission (“SRC”) applies to any governing body or designated oversight entity for The School District of Philadelphia.

The SRC authorizes the Charter Schools Office (“CSO”) to support the charter authorizing activities of the School District. In this role, the CSO works to support all charter sector stakeholders while upholding the School District’s principles of accountability, autonomy and equity. The School District seeks to ensure that all charter school options in Philadelphia are high quality options for students and families.

Charters generally exist for a defined term of five years. During that charter term, changes in regulations, operation, ideology, or business need may cause a charter school to seek a formal amendment. The CSO will work with all charter schools expressing interest in a charter amendment, consistent with this policy, to meet the needs of the charter school and its students.

Material charter amendments submitted during the charter term require authorization by SRC resolution **and signed agreement. Such authorized or approved amendments become effective once a written amendment to the charter has been duly executed by the School District and the charter school. The CSO shall develop administrative procedures describing the application requirements and evaluation process to be followed in reviewing each type of Material charter amendment request consistent with this policy.**

Definitions

For the purposes of this policy, certain applicable terms shall be defined as follows:

Business need – Necessary for the continued, uninterrupted and/or legally compliant operation of the charter school.

Charter Management Organization (“CMO”) – Any organization providing or planning to provide substantially most or all of the charter school’s educational services. This includes educational management organizations (“EMOs”) and other management/shared services entities.

Educational plan – The section(s) of the charter that includes the educational philosophy, curriculum, and academic goals.

Emergency – Circumstances under which part or all of the current charter school facility is not fit for use or occupation as a result of a natural disaster, such as a fire or flood, or other major disruption which impacts the physical, health, and safety of students.

Material charter amendments – Changes to charter agreements that fundamentally affect a charter school’s mission, governance, organizational structure, **location or facility, educational plan ~~program~~ or the CSO’s ability to effectively monitor charter school operations and quality.**

Material charter amendments include:

1. Enrollment expansion of 10% or fewer of the current maximum authorized enrollment or 100 seats, whichever is less (only qualified applicants as defined by eligibility criteria of this policy may be considered for enrollment expansions under this policy);
2. Change to grade levels served;
3. Significant change to mission, ~~program~~ or fundamental change to educational plan;
4. Name change due to business-need or legal requirement;
5. Change in building location or addition of new facility due to business-need, unavailability of current facility and/or emergency; and
6. Change in CMO.

Mission - The explicit or implicit mission and/or vision of the charter school as reflected in the charter. The mission reflects the purpose of the charter school including what students will be served and with what methods, what the charter school will accomplish ~~and any unique programs that will be used~~. The vision reflects a longer-term realization of the mission and the highest priorities of the charter school.

Timeframes for Submission of Material Charter Amendment Requests

A charter school may submit one amendment request, per type of material charter amendment, during each charter term. Additionally, in the event of business need or unforeseen emergency, a charter school may submit one amendment request, per type, per school year during the charter term, to address the business need or an unforeseen emergency.

Requests must be submitted with required documents by January 15 of the school year prior to the proposed charter amendment effective date². In the event of an unforeseen emergency requiring an immediate change in a charter school facility or location, the charter school shall submit a charter amendment request within a reasonable period of time, and such amendment request may be approved by the SRC as a ratification of the change in facility or location.

Eligibility for Submission of Mid-Term Material Charter Amendment Requests

Material Amendment Type	Eligibility Requirements
<i>Enrollment expansion of 10% or fewer of the current maximum authorized</i>	Charter schools may submit one request for enrollment expansion of 10% or fewer of the current maximum authorized enrollment or 100 seats, whichever is less,

² For amendment requests that will be implemented during the 2018-19 school year, material amendment requests and all supporting documentation are to be submitted within 30 days of adoption of this policy.

<i>enrollment or 100 seats, whichever is less.</i>	<p>during the charter term.</p> <p>Charter schools seeking charter amendment requests for Enrollment Expansion must meet the following criteria to be eligible for submission:</p> <ol style="list-style-type: none"> 1. Academic proficiency at or above the School District average in English Language Arts (“ELA”) and Literature in the most recent school year; and 2. Academic proficiency at or above the School District average in math and Algebra I in the most recent school year; and 3. Academic growth for the lowest performing group of students as measured by AGI (currently Lowest 20%) at the evidence of growth level of AGI ≥ 0 or above for the most recent school year in ELA and Literature; and 4. Academic growth for the lowest performing group of students as measured by AGI (currently Lowest 20%) at the evidence of growth level of AGI ≥ 0 or above for the most recent school year in math and Algebra I; and 5. Attendance rate of students attending 95% or more days of school in the top quartile (75th percentile or above) for similar school types.
Change to grade levels served	Due to business-need or legal requirement caused by change in school feeder pattern.
Significant change to mission; program or fundamental change to educational plan	None.
Name change	Due to business-need or legal requirement.
Change in building location or addition of new facility due to business-need, unavailability of current facility and/or emergency	Due to business need and/or emergency. Material charter amendments during the charter term related only to a change in building location or an addition of a new facility may be submitted more than once during a charter term if there is a demonstrated business need or unforeseen emergency.
Change in CMO	Due to business-need.

Evaluation Criteria for Material Charter Amendment Requests

For material charter amendments, the evaluation criteria for all amendment types broadly includes: (i) the extent to which the initial request and subsequently submitted materials

respond to the information requested by the CSO; (ii) capabilities of the charter school to provide comprehensive learning experiences to all students; (iii) demonstrated, sustainable support for the charter school’s plans by parents, community members, and students; (iv) evidence of the charter school’s previous performance and demonstration of ability to sustain this performance to meet the standards of the charter school performance framework in the domains of academic success, organizational compliance and viability, and financial health and sustainability; and (v) demonstration of the charter school’s compliance with its charter.

In addition, the CSO will review and evaluate the following for each type of material charter amendment:

Material Amendment Type	Evaluation Criteria
<p>Enrollment expansion of 10% or fewer of the current maximum authorized enrollment or 100 seats, whichever is less</p> <p>OR</p> <p>Change to grade levels served</p>	<ol style="list-style-type: none"> 1. Strong-e Evidence of the charter school’s previous performance and demonstration of ability to sustain this performance to meet the best practice and equity expectations of the charter school performance framework in all domains; 2. Clear-research based rationale for change to grade levels served (if grade change requested) , clear research-based rationale for change to grade levels served; 3. Expected impacts on students, families, and staff resulting from proposed change; 4. Financial impact on the charter school, including evidence of appropriate and sufficient budgeted expenditures for year one of the proposed amendment through the year the charter school reaches full scale; 5. Demonstration of planned capacity increases at the charter school leadership or CMO level; evidence of responsive staffing plan; 6. Detailed description of impact of expansion on academic plan, including rationale for curriculum and plan for serving all learners, aligned with the school’s Charter and Applicable Laws; 7. Sustainable plan for student recruitment including any proposed lottery preferences; 8. Evidence of an enrollment plan that is consistent and sustainable with any variations by grade level clearly explained; 9. Evidence of sufficient facility space to accommodate new grades or students; 10. Strong-e Evidence of community engagement

	<p>regarding new grade levels and any enrollment expansions, including any formal surveys or evaluations and, for Renaissance Charter Schools, recommendations from the school advisory council (“SAC”);</p> <ol style="list-style-type: none"> 11. The CSO will review fiscal impact on the School District as a result of the requested charter amendment request; 12. The CSO will review enrollment impact on public schools as a result of the requested charter amendment request; and 13. The CSO will review consideration of applicable criteria as specified for new charter applications in the CSL.
<p>Significant change to mission, program or fundamental change to educational plan</p>	<ol style="list-style-type: none"> 1. Evidence of the charter school’s previous performance and demonstration of ability to sustain or improve performance consistent with the expectations of the charter school performance framework in all domains; 2. Clear rationale for change; 3. Expected impacts on students, families, and staff resulting from change; 4. Financial impact on charter school as a result of the change; 5. Strong-e Evidence of community engagement regarding change, including any formal surveys or evaluations and, for Renaissance Charter Schools, recommendations from the SAC; 6. Compliance of the proposed change with the school’s Charter agreement and all Applicable Laws; and 7. Evidence of research basis for the change.
<p>Name change</p>	<ol style="list-style-type: none"> 1. Clear rationale for name change; 2. Expected impacts on students, families, and staff resulting from name change (including uniforms); 3. Clear and actionable plans to change, remove, or cover evidence of the current charter school name in or on the charter school building; 4. Financial impact on the charter school to effectuate the name change; and 5. Strong-e Evidence of community engagement regarding new name, including any formal surveys.
<p>Change in building location or addition of new facility due to</p>	<ol style="list-style-type: none"> 1. Evidence of the charter school’s previous performance and demonstration of ability to sustain

<p>business-need, unavailability of current facility and/or emergency</p>	<p>or improve performance consistent with the expectations of the charter school performance framework in all domains;</p> <ol style="list-style-type: none"> 2. Clear rationale for change in facility or new facility; 3. Expected impacts on students, families, and staff resulting from facility change (including any transportation and accessibility impacts); 4. Financial impact on the charter school, including evidence of appropriate and sufficient budgeted expenditures for year one, and comparison to expenditures for current facility; 5. Clear and complete information regarding any required zoning approvals, permits or certifications for the proposed facility; 6. Estimated timeline for project completion and for move are consistent with academic calendar; evidence of a suitable alternative for construction or renovation delays; and 7. Strong-e Evidence of community engagement regarding new facility, including any formal surveys or evaluations and, for Renaissance Charter Schools, recommendations from the SAC.
<p>Change in Charter Management Organization (“CMO”)</p>	<ol style="list-style-type: none"> 1. Evidence of the charter school’s previous performance and demonstration of ability to sustain or improve performance consistent with the expectations of the charter school performance framework in all domains; 2. Clear rationale for change; 3. Expected impacts on students, families, and staff resulting from change (including uniforms, code of conduct, employee benefits, etc.); 4. Financial impact on the charter school as a result of the change; 5. Review of proposed CMO contract; 6. Strong-e Evidence of community engagement regarding new facility, if any, including any formal surveys or evaluations and, for Renaissance Charter Schools, recommendations from the SAC; and 7. Clear and detailed explanation of how change will allow charter school to meet the terms of its charter and Applicable Laws, while ensuring performance is consistent with the charter school’s goals and expectations of the charter performance framework.

Material Charter Amendment Request Process

The CSO shall review material charter amendment requests and consider all necessary and appropriate factors relevant to the evaluation of the proposed change, including the impact of the material charter amendment request on the charter school's ability to operate in an educationally and legally sound manner.

There are three identified phases of activity related to a material charter amendment request.

Phase 1 – Submission

The charter school develops its material charter amendment request and submits it along with the required documentation to the CSO for review in accordance with the submission guidelines in this policy.

Phase 2 – Processing

The CSO performs an initial review of the request to determine completeness, and the CSO may request clarifications from the charter school. The CSO will conduct this initial review within 30 calendar days after receiving a request. At this stage, the CSO will cease the evaluation process if they determine the material amendment request does not meet the eligibility for submission as defined by this policy.

Phase 3 – Review

The CSO identifies the submission of a request as complete and submitted in accordance with this policy, it will conduct an evaluation. The CSO notifies the SRC of the request at this stage. The CSO will complete the full evaluation and provide a recommendation in time for consideration by the governing body of the School District before the end of the school year that the request was submitted. The CSO will share its recommendation with the SRC, notify the charter school, and publicly post the recommendation report to the CSO website.

Phase 4 – Acceptance

The SRC, or governing body of the School District, will consider the material charter amendment request at a public meeting before the end of the school year that the request was submitted. Any decision by the SRC, or governing body of the School District, on an amendment request shall not be an adjudication and cannot be appealed to the State Charter School Appeal Board, any administrative agency or any court. Failure of the SRC, or other governing body of the School District, to act on a material charter amendment request shall not be a deemed grant of or a deemed denial of the material charter amendment request.

Legal References

1. 24 P.S. §§ 17-1701-A et seq.

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 900 Community

TITLE: Public Attendance At
School Events

ADOPTED: October 5, 2011

REVISED:

PUBLIC ATTENDANCE AT SCHOOL EVENTS

Purpose

The School Reform Commission welcomes the public at activities and events sponsored by the school district, but the School District also acknowledges its duty to maintain order and preserve school facilities during such events.

Authority

The SRC has the authority to remove any individual from a school event whose conduct constitutes a disruption as defined in this policy and prohibit that individual's attendance at future school events notwithstanding any legal protections to the contrary. ~~The SRC prohibits gambling and the possession and use of controlled substances and alcoholic beverages on school premises.~~ [1][2]

Definitions

Disruption - a disturbance or problem that interrupts a District or school-sponsored event, activity, or process.

Tobacco - a lighted or unlighted cigarette, cigar, pipe or other smoking product or material and smokeless tobacco in any form. [3]

Controlled substances - means a drug, substance, or immediate precursor included in schedules I through V of the Controlled Substance Act. [4]

Weapons - a thing designed or used for inflicting bodily harm or physical damage.

~~The SRC prohibits tobacco use by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.~~ [3][5]

Delegation of Responsibility

The Superintendent or designee may report incidents involving the disruption of public events ~~sale of tobacco to minors by any person~~ on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a

school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and SRC policies.[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of violence, possession of a weapon, and use or sale of a controlled substance or tobacco by any person on school property to the Office for Safe Schools on the required form.[\[7\]](#)[\[11\]](#)

The district shall annually notify staff, parents/guardians and members of the public about the district's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.[\[3\]](#)

Weapons

~~The SRC prohibits the possession of weapons in any school district buildings, on school property, at any school-sponsored activity, and on any district vehicle.~~

~~A schedule of fees for attendance at school events shall be prepared by the Superintendent or designee and adopted by the SRC.~~

Mandatory Regulatory Procedures Prohibited Activities and Items

Prohibited Gambling and Controlled Substances

The School District prohibits gambling and the possession and use of controlled substances and alcoholic beverages on school premises.[\[1\]](#)[\[2\]](#)

Weapons

The School District prohibits the possession of weapons in any school district buildings, on school property, at any school-sponsored activity, and on any district vehicle.

Tobacco

The School District prohibits tobacco use by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[\[3\]](#)[\[5\]](#)

Profanity

Players, participants, coaches, directors, advisors and spectators are expected to refrain from using foul, abusive and/or abusive language. Profanity of any type can be cause for immediate removal from school property.

Accommodations

A disabled parent/guardian or authorized visitor to a school event that requires a reasonable accommodation to assist in his/her attendance/participation in the event should contact the event administrative organizer at least three (3) business days in advance of the scheduled event or three (3) days following receipt of notice of the event, whichever accomplishes the earliest notice to the school district. Requests should be made as early as possible because some accommodations require additional time to prepare/arrange.

Service Animals

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with SRC policy and state and federal law and regulation.[\[12\]](#)[\[13\]](#)[\[14\]](#)

Legal References:

1. 24 P.S. 511
2. 24 P.S. 775
3. 35 P.S. 1223.5
4. Title 21 U.S.C.
5. 20 U.S.C. 7183
6. 24 P.S. 1302.1-A
7. 24 P.S. 1303-A
8. 22 PA Code 10.2
9. 22 PA Code 10.22
10. 18 Pa. C.S.A. 6305
11. Pol. 805.1
12. 43 P.S. 953
13. 28 CFR 35.136
14. Pol. 718

Related Information:

- 24 P.S. 696
- 22 PA Code 403.1
- 20 U.S.C. 7181 et seq
- 28 CFR Part 35
- Philadelphia Home Rule Charter - 12-300

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 900 Community

TITLE: School Visitors

ADOPTED: April 27, 1981

REVISED: July 14, 1984

907 SCHOOL VISITORS

Purpose

The **School Reform Commission** welcomes and encourages **interest in district** educational programs and other school-related activities, and recognizes that such interest may result in visits to school by parents/guardians, adult residents, educators and other officials. To ensure order in the schools and to protect students and employees, it is necessary to establish policy governing school visits.

Authority

The scope of authority of this policy and of school personnel who are responsible for enforcing it is limited to buildings and grounds under the jurisdiction or control of the school district.

The provisions of this policy shall apply to all programs and activities **including** off-site locations or evening schools.

Persons wishing to visit a school shall make arrangements in advance with the school office **in that building** by stating the reason, date, and time of the proposed visit. In all cases where permission is not obtained in advance it must be obtained promptly upon entering the school. **Failure to obtain consent within fifteen (15) minutes after entering district facilities shall be considered presumptive evidence of violation of SRC policy and City ordinance.**[\[1\]](#)

Upon arrival at the school, **visitors** must **register** at the office and present proper identification.

Mandatory Regulatory Procedures

Classroom Visitations

~~Parents/Guardians may request to visit their child's classroom, but the request must be made prior to the visit, in accordance with established administrative procedures.~~[\[2\]](#)

~~The building principal or program supervisor must grant prior approval for the visit, and shall notify the classroom teacher prior to the visit.~~

~~Parents/Guardians shall be limited to one (1) class period per month, per child in the school for classroom visitations, in order to minimize disruption of the classroom~~

~~schedule and the educational program. Parental participation in classroom activities or programs such as room parents, back-to-school events, and chaperones for field trips shall not constitute a classroom visit for purposes of this policy.~~

~~The building principal or program supervisor and classroom teacher have the authority to ask a visitor to leave if the visitor disrupts the classroom routine, educational program or daily schedule, or if a visitor violates SRC policy. Failure to leave when asked or repeated, documented disruptions may result in loss of classroom visitation privileges.~~

~~Under exceptional circumstances and upon request of the building principal, program supervisor, classroom teacher or parent/guardian, the Superintendent may authorize additional or longer classroom visits by a parent/guardian.~~

Delegation of Responsibility

The Superintendent or designee shall develop administrative procedures to implement this policy and control access to school buildings and school classrooms.

The building principal or designee has the authority to prohibit the entry of any individual to a district school who disregards SRC policy or administrative procedures.

All staff members shall be responsible for requiring a visitor demonstrate that s/he has registered at the school office and received authorization to be present for the purpose of conducting business. Staff members who observe visitors without proper identification shall report the information immediately to the school office.

Parents/Guardians may request to visit their child's classroom, but the request must be made prior to the visit, in accordance with established administrative procedures.[\[2\]](#)

Guidelines

~~In order to minimize interruption to the instructional program and to ensure safety, no visitor may confer with a teacher or student in school without the approval of the building principal or designee.~~

~~Should an emergency require that a student be called to the school office to meet a visitor, the building principal or designee shall be present during the meeting.~~

~~No visitor shall go directly to a classroom to deliver or pick-up students or speak to teachers unless such visits have been approved previously by the building principal or designee. Approval for taking a student from school shall be granted only to a parent/guardian having custody unless that parent/guardian gives explicit permission in writing to release the student to a designated family member or adult.~~

~~Failure to comply with this policy shall result in more limited access to the school as determined by the building principal, consistent with SRC policies, administrative procedures, district rules and federal and state law and regulations.~~

~~Building principals shall have the right to adapt or set aside established district rules or administrative procedures in the event of special activities such as assembly programs, athletic events, or musical performances.~~

~~Relevant provisions of this policy shall be disseminated in student/school handbooks, in the Code of Student Conduct, on the district's website and through other efficient methods.~~

~~Copies of the City of Philadelphia ordinance regarding unauthorized entry on school premises and the SRC policy on school visitors and administrative procedures shall also be posted at all entrances to schools and at other appropriate places.~~[\[1\]](#)

Military Personnel

~~Members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to:~~[\[3\]](#)[\[4\]](#)

- ~~1. Visit and meet with district employees and students when such visit is in compliance with SRC policy and district procedures.~~
- ~~2. Wear official military uniforms while on district property.~~

Legal References:

1. Philadelphia Code of Ordinances - Title 10, 10-824
2. 22 PA Code 14.108
3. 24 P.S. 2402 (Military Uniform)
4. Pol. 250 - Student Recruitment

Related Information:

- 24 P.S. 510
- 24 P.S. 696
- Philadelphia Home Rule Charter - 12-300

SCHOOL VISITORS ADMINISTRATIVE PROCEDURES
Attachment for Policy No. 907

The building principal or program supervisor must grant prior approval for the visit, and shall notify the classroom teacher prior to the visit.

Parents/Guardians shall be limited to one (1) class period per month, per child in the school for classroom visitations, in order to minimize disruption of the classroom schedule and the educational program. Parental participation in classroom activities or programs such as room parents, back-to-school events, and chaperones for field trips shall not constitute a classroom visit for purposes of this policy.

In order to minimize interruption to the instructional program and to ensure safety, no visitor may confer with a teacher or student **in school** without the approval of the **building principal or designee**.

The building principal or program supervisor and classroom teacher have the authority to ask a visitor to leave if the visitor disrupts the classroom routine, educational program or daily schedule, or if a visitor violates SRC policy. Failure to leave when asked or repeated, documented disruptions may result in loss of classroom visitation privileges.

Under exceptional circumstances and upon request of the building principal, program supervisor, classroom teacher or parent/guardian, the Superintendent may authorize additional or longer classroom visits by a parent/guardian.

Should an emergency require that a student be called to the school office to meet a visitor, the **building principal or designee** shall be present during the meeting.

No visitor shall go directly to a classroom to deliver or pick-up students or speak to teachers unless such visits have been approved previously by the **building principal or designee**. Approval for taking a student from school shall be granted only to a parent/guardian having custody unless that parent/guardian gives explicit permission in writing to release the student to a designated family member or adult.

Failure to comply with this policy shall result in more limited access to the school as determined by the building principal, consistent with SRC policies, administrative procedures, district rules and federal and state law and regulations.

Building principals shall have the right to adapt or set aside **established district rules or administrative** procedures in the event of special activities such as assembly programs, athletic events, or musical performances.

Relevant provisions of this policy shall be **disseminated** in student/school handbooks, in the Code of Student Conduct, on the district's website and through other efficient methods.

Copies of the City of Philadelphia ordinance **regarding** unauthorized entry on school premises and the **SRC** policy **on school visitors** and administrative procedures shall **also** be posted at all entrances to schools and at other appropriate places.[\[1\]](#)

SECTION: 900 Community

TITLE: Non School
Organizations/Groups/
Individuals

ADOPTED:

REVISED:

THE SCHOOL DISTRICT OF PHILADELPHIA

(NEW) NON SCHOOL ORGANIZATIONS/GROUPS/INDIVIDUALS

Purpose

Any requests from non school organizations, groups or individuals seeking to have students participate in or be informed of the opportunity to participate in non school-sponsored activities, awards or scholarships shall be governed by this policy and administrative procedures.

Definitions

Non school organizations, groups or individuals - partners as defined by organizations providing programs and services to schools at no cost to the schools or District and those entities that are not part of the school program, school-sponsored activities, or organized pursuant to the Pennsylvania School Code or School Reform Commission policy. When employees or Commissioners act on behalf of a non school organization or group, or on their own behalf, this policy applies to them. Students are governed by a separate and distinct policy regarding student expression and distribution and posting of materials.[1]

Non school materials - any printed or written materials prepared by non school organizations, groups or individuals for posting or general distribution which are not prepared as a part of the curricular or approved extracurricular programs of the district. This includes such things as fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, non school organization websites and the like.

Distribution - handing non school written materials to others on school property or during school-sponsored events; placing upon desks, tables, on or in lockers; or engaging in any other manner of delivery of non school written materials to others while on school property or during school functions. When e-mail, text messaging or other technological delivery is used as a means of distributing or accessing non school written materials via use of school equipment or while on school property or at school functions, it shall be governed by this policy.

Posting - publicly displaying non school written materials on school property or at school-sponsored events including, but not limited to, affixing such materials to walls,

doors, bulletin boards, easels, the outside of lockers, on district-sponsored websites, through other district-owned technology and the like.

Prohibited activities and materials - activities and materials which:

- 1. Are libelous, defamatory, obscene, lewd, vulgar, or profane.**
- 2. Violate federal, state or local laws.**
- 3. Violate SRC policy or administrative procedures.**
- 4. Advocate the use or advertise the availability of any substance or material that may reasonably be believed to constitute a direct and substantial danger to the health or welfare of students, such as tobacco, alcohol or illegal drugs.**
- 5. Incite violence.**
- 6. Advocate use of force or urge violation of federal, state or municipal law, SRC policy or administrative procedures.**
- 7. Interfere with or advocate interference with the rights of any individual or the orderly operation of the schools and their programs.**
- 8. Use racist, xenophobic, homophobic, misogynistic, or other derogatory or discriminatory language.**

Authority

It is the policy of the SRC that district facilities be used in accordance with the guidelines established in SRC policy.[4]

The SRC prohibits the use of students and staff members for advertising or promoting non school organizations, groups or individuals during instructional time or at school-sponsored locations or events not otherwise open to non school organizations, groups or individuals.

Mandatory Regulatory Procedures

Non school Activities/Materials

~~The SRC recognizes the social and educational values that may be derived from student participation in various activities sponsored by non school organizations, groups or individuals, but specifies that unreasonable demands on the time and energies of students and staff by such entities during school hours, or at school-sponsored activities be prevented.~~

~~Requests for student participation in non-school organizations, groups or individually sponsored activities must be made in writing to the Superintendent or designee in accordance with administrative procedures, written announcements and this policy.~~

~~Activities sponsored by non-school organizations, groups or individuals may not occur, and non-school written materials may not be used, during instructional time or school-sponsored activities unless they are of educational value to the school program, they benefit district students or the school community, and they are factually accurate. Prohibited activities or materials may never be used.~~

~~Where the non-school entity is a for-profit entity that will benefit commercially from an activity or distribution of its material during instructional time, other factors must outweigh the commercial benefit to the non-school entity; and the SRC must approve proposals that would commercially benefit a for-profit entity.~~

~~A review of any activities or non-school written materials under this policy shall not discriminate on the basis of content or viewpoint, except that prohibited activities or materials will be rejected, as will any activities or materials that do not comply with SRC policy, administrative procedures, or written announcements relating to the proposed non-school-sponsored activity or materials.~~

Fundraising

~~Fundraising by non-school organizations, groups or individuals is prohibited on school property or in the name of the school.~~[\[2\]](#)

~~Where activities or materials otherwise comply with this policy, administrative procedures and written announcements, fundraising activities may be announced.~~

~~Directory information regarding students or staff may only be released in accordance with law and SRC policy. Directory information for students or staff members will not be released to non-school organizations, groups or individuals that seek this information for the purpose of fundraising.~~

Charitable Campaigns

~~The SRC supports both the principle of voluntary charitable giving and the principle of fair and reasonable access of charitable organizations to district employees for the purpose of soliciting voluntary charitable contributions.~~

~~Charitable organizations seeking to solicit funds from students or staff throughout the district or in any of its regions shall submit a written request for approval to the Superintendent, who shall respond in writing. Requests for individual school solicitation shall be submitted in writing to the building principal who, after consultation with the Assistant Superintendent, shall respond in writing.~~

Scholarships/Awards

~~The SRC is appreciative of the generosity of organizations that offer scholarships or awards to deserving students; but, in accepting such offers, the SRC directs that established criteria be observed.~~

~~No information, either academic or personal, shall be released from a student's record for the purpose of selecting a scholarship or award winner without the permission of the student who is eighteen (18), or the parents/guardians of a student who is younger, in accordance with the SRC's policy on student records.[3]~~

~~The scholarship or award, and any pertinent restrictions, shall be approved by the SRC.~~

Travel Services/Foreign Trips

~~Solicitation and sale of travel services for foreign trips to students may be permitted with the approval of the SRC.~~

Delegation of Responsibility

The Superintendent or designee shall be responsible for carrying out the provisions of this policy, unless otherwise specifically noted in this policy, and develop administrative procedures to implement this policy.

Legal References:

1. Pol. 220 - Student Expression/Distribution and Posting of Materials
2. 24 P.S. 775
3. Pol. 216 - Student Records
4. Pol. 707 - Use of School Facilities

Related Information:

24 P.S. 510

24 P.S. 511

24 P.S. 696

24 P.S. 779

Philadelphia Home Rule Charter - 12-300

**ADMINISTRATIVE PROCEDURES FOR NON SCHOOL
ORGANIZATION/GROUPS/INDIVIDUALS
(Attachment for Policy No. 913)**

Non school Activities/Materials

The SRC recognizes the social and educational values that may be derived from student participation in various activities sponsored by non school organizations, groups or individuals, but specifies that unreasonable demands on the time and energies of students and staff by such entities during school hours, or at school-sponsored activities be prevented.

Requests for student participation in non school organizations, groups or individually sponsored activities must be made in writing to the Superintendent or designee in accordance with administrative procedures, written announcements and this policy.

Activities sponsored by non school organizations, groups or individuals may not occur, and non school written materials may not be used, during instructional time or school-sponsored activities unless they are of educational value to the school program, they benefit district students or the school community, and they are factually accurate. Prohibited activities or materials may never be used.

Where the non school entity is a for-profit entity that will benefit commercially from an activity or distribution of its material during instructional time, other factors must outweigh the commercial benefit to the non school entity; and the SRC must approve proposals that would commercially benefit a for-profit entity.

A review of any activities or non school written materials under this policy shall not discriminate on the basis of content or viewpoint. Prohibited activities or materials will be rejected, as will any activities or materials that do not comply with SRC policy, administrative procedures, or written announcements relating to the proposed non school-sponsored activity or materials.

Fundraising

Fundraising by non school organizations, groups or individuals is prohibited on school property or in the name of the school.[\[2\]](#)

Where activities or materials otherwise comply with this policy, administrative procedures and written announcements, fundraising activities may be announced.

Directory information regarding students or staff may only be released in accordance with law and SRC policy. Directory information for students or staff members will not be

released to non school organizations, groups or individuals that seek this information for the purpose of fundraising.

Charitable Campaigns

The SRC supports both the principle of voluntary charitable giving and the principle of fair and reasonable access of charitable organizations to district employees for the purpose of soliciting voluntary charitable contributions.

Charitable organizations seeking to solicit funds from students or staff throughout the district or in any of its regions shall submit a written request for approval to the Superintendent, who shall respond in writing. Requests for individual school solicitation shall be submitted in writing to the building principal who, after consultation with the Assistant Superintendent, shall respond in writing.

Scholarships/Awards

The SRC is appreciative of the generosity of organizations that offer scholarships or awards to deserving students; but, in accepting such offers, the SRC directs that established criteria be observed.

No information, either academic or personal, shall be released from a student's record for the purpose of selecting a scholarship or award winner without the permission of the student who is eighteen (18), or the parents/guardians of a student who is younger, in accordance with the SRC's policy on student records.[3]

The scholarship or award, and any pertinent restrictions, shall be approved by the SRC.

Travel Services/Foreign Trips

Solicitation and sale of travel services for foreign trips to students may be permitted with the approval of the SRC.