



AIU Employee Policies

For the 2016-2017 School Year

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: CONDUCT/DISCIPLINARY
PRACTICES

ADOPTED: APRIL 22, 2013

REVISED:

<p>I. Purpose</p> <p>2. Definitions 24 P.S. Sec. 1301-A, 1317.2</p> <p>3. Authority</p> <p>24 P.S. Sec. 914-A</p>	<p style="text-align: center;">317. CONDUCT/DISCIPLINARY PRACTICES</p> <p>The Board is committed to providing a safe, healthy environment for its students and employees. This policy shall apply to all administrative, professional and support staff in all programs and services conducted by the Intermediate Unit.</p> <p>Weapon - the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>The term does not include any device that is authorized by the Intermediate Unit for a legitimate educational or operational purpose and which is used in accordance with that educational purpose.</p> <p>Possessing - an employee is in possession of a weapon when the weapon is found on the person of the employee; in the employee's locker or storage space; in the employee's vehicle while parked on Intermediate Unit property; under the employee's control while on Intermediate Unit property, on property being used by the Intermediate Unit, at any Intermediate Unit function or activity, at any Intermediate Unit event held away from the Intermediate Unit, or while the employee is coming to or from the site of an Intermediate Unit program.</p> <p>All administrative, professional and support employees are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of Intermediate Unit programs and services requires the cooperation of all employees working together and complying with a system of Board policies, rules and procedures, applied fairly and consistently.</p> <p>The Board directs that all Intermediate Unit employees shall be informed of conduct that is required and is prohibited during work hours and the disciplinary actions that may be applied for violation of Board policies, rules and procedures.</p>
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317. CONDUCT/DISCIPLINARY PROCEDURES - Pg. 2

<p>24 P.S. Sec. 913-A, 1121, 1122, 1126, 1127, 1128, 1129, 1130 2 Pa. C.S.A. Sec. 551 et seq</p>	<p>When demotion or dismissal charges are filed against a certificated administrative or professional employee, a hearing shall be provided as required by applicable law and in accordance with an applicable collective bargaining agreement. Noncertificated administrative and support employees may be entitled to a Local Agency Law hearing, at the employee's request.</p> <p>All Intermediate Unit employees shall comply with Board policies, rules and procedures; attempt to maintain order; perform assigned job functions; and carry out directives issued by supervisors.</p> <p>When engaged in assigned duties, Intermediate Unit employees shall not participate in activities that include but are not limited to the following:</p>
<p>Pol. 351</p>	<ol style="list-style-type: none"> 1. Physical or verbal abuse or threat of harm to anyone. 2. Causing intentional damage to any Intermediate Unit property, or property being used by the Intermediate Unit, and/or any of the Allegheny County School Districts' property, facilities or equipment. 3. Forceful or unauthorized entry to or occupation of any Intermediate Unit, or property being used by the Intermediate Unit, and/or Allegheny County School Districts' facilities, buildings or grounds.
<p>24 P.S. Sec. 1122</p>	<ol style="list-style-type: none"> 4. Use, possession, distribution, or sale of alcohol, drugs or other illegal substances. 5. Use of profane or abusive language.
<p>Pol. 317.1</p>	<ol style="list-style-type: none"> 6. Failure to comply with directives of Intermediate Unit officials, security officers, or law enforcement officers. 7. Carrying onto or possessing a weapon on Intermediate Unit or school grounds without authorization from the appropriate administrator.
<p>24 P.S. Sec. 1122</p>	<ol style="list-style-type: none"> 8. Violation of Board policies, rules or procedures.
<p>24 P.S. Sec. 1122</p>	<ol style="list-style-type: none"> 9. Violation of federal, state, or applicable municipal laws or regulations.
	<ol style="list-style-type: none"> 10. Conduct that may obstruct, disrupt, or interfere with teaching, research, service, operations, administrative or disciplinary functions of the Intermediate Unit, or any activity sponsored or approved by the Board.

<p>Delegation of Responsibility 24 P.S. Sec. 1122, 1151</p>	<p>The Executive Director or designee shall develop and disseminate disciplinary rules for violations of Board policies.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 9-913-A, 9-914-A, 11-1121, 11-1122, 11-1126, 11-1127, 11-1128, 11-1129, 11-1130, 11-1151</p> <p>Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq.</p> <p>Board Policy – 000, 351</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOY EES
TITLE: WEAPONS IN THE
WORKPLAC E
ADOPTED: APRIL 22, 20 13
REVISED:

<p>I. Purpose</p> <p>2. Definitions 24 P.S. Sec. 1301-A, 1317.2</p> <p>3. Authority 24 P.S. Sec. 914-A</p>	<p style="text-align: center;">317.1. WEAPONS IN THE WORKPLACE</p> <p>The Board recognizes that the physical safety of students, employees, and program participants is essential for the safe operation of Intermediate Unit programs and for the establishment of a positive environment for learning. Possession of weapons in the school setting is a threat to the safety of students and staff.</p> <p>Weapon - the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>The term does not include any device that is authorized by the Intermediate Unit for a legitimate educational or operational purpose and which is used in accordance with that educational purpose.</p> <p>Possessing - an employee is in possession of a weapon when the weapon is found on the person of the employee; in the employee's locker or storage space; in the employee's vehicle while parked on Intermediate Unit property; under the employee's control while on Intermediate Unit property, on property being used by the Intermediate Unit, at any Intermediate Unit function or activity, at any Intermediate Unit event held away from the Intermediate Unit, or while the employee is coming to or from the site of an Intermediate Unit program.</p> <p>The Board prohibits employees from possessing and bringing weapons and replicas of weapons into any Intermediate Unit operated classroom or building; onto property owned, leased or occupied by the Intermediate Unit; to any Intermediate Unit-sponsored activity; onto any public vehicle providing transportation to or from an Intermediate Unit program or sponsored activity; or while the employee is coming to or from the site of an Intermediate Unit program.</p> <p>Employees whose jobs require the use of box cutters or other sharp instruments are required to use them only in their designated work area and stored appropriately when not in use. Items such as paring knives and other sharp cooking utensils must be kept in food preparation areas and kept out of reach of students at all times. When not in use, box cutters, knives and other sharp cooking utensils must be secured appropriately .</p>
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<p>4. Delegation of Responsibility 24 P.S. Sec. 1302.1-A Pol. 317, 805</p> <p>24 P.S. Sec. 1303-A</p> <p>24 P.S. Sec. 1303-A</p>	<p>The Executive Director, building administrator, program supervisor or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials. Disciplinary action shall be in accordance with Board policy.</p> <p>The Executive Director or designee shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials.</p> <p>The Executive Director shall annually, by July 31, report all incidents relating to acts of violence or possession of a weapon to the Office of Safe Schools on the required form, in accordance with state law and regulation.</p>
<p>5. Guidelines</p>	<p>Annual written notice of the Board policy prohibiting weapons shall be given to employees, students, program participants and parents/guardians; posted on the web site; and posted in every building owned, leased, or occupied by the Intermediate Unit.</p> <p>An exception to this policy may be made by the Executive Director, who shall prescribe special conditions or procedures to be followed.</p> <p>This policy does not limit the right of law enforcement officials and licensed and approved security personnel, in the performance of their duties, to carry authorized weapons on Intermediate Unit property or any property owned, leased, or occupied by the Intermediate Unit.</p> <p>Intermediate Unit employees shall report any knowledge regarding possession of weapons on Intermediate Unit property to the building administrator or program supervisor.</p> <p>References: Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1301-A, 13-1302.1-A, 13-1303-A, 13-1317.2</p> <p>State Department of Public Welfare Regulations - 55 PA Code Sec. 3270.79</p> <p>Possession of Weapon on School Property – 18 Pa. C.S.A. Sec. 912</p> <p>Gun Control Act – 18 U.S.C. Sec. 921, 922, 930</p> <p>Gun-Free Schools Act – 20 U.S.C. Sec. 7151</p> <p>Board Policy – 317, 805</p>

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: WEAPONS

ADOPTED: August 22, 2011

REVISED:

218.1 WEAPONS	
<p>1. Purpose</p>	<p>The Board recognizes that the physical safety of students, employees, and program participants is essential for the safe operation of Intermediate Unit programs and for the establishment of a positive environment for learning. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.</p>
<p>2. Definitions 24 P.S. Sec. 1301-A, 1317.2</p>	<p>Weapon - the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>The term does not include any device that is authorized by the Intermediate Unit for a legitimate educational purpose and which is used in accordance with that educational purpose.</p> <p>Possessing - a student is in possession of a weapon when the weapon is found on the person of the student, in the student's locker or storage space, under the student's control while on Intermediate Unit property, on property being used by the Intermediate Unit, at any Intermediate Unit function or activity, at any Intermediate Unit event held away from the Intermediate Unit, or while the student is coming to or from the site of an Intermediate Unit program.</p>
<p>3. Authority 24 P.S. Sec. 1317.2</p>	<p>The Board prohibits students from possessing and bringing weapons and replicas of weapons into any Intermediate Unit operated classroom or building; onto property owned, leased or occupied by the Intermediate Unit; to any Intermediate Unit sponsored activity, onto any public vehicle providing transportation to or from an Intermediate Unit program or sponsored activity; or while the student is coming to or from the site of an Intermediate Unit program.</p>

<p>24 P.S. Sec. 1317.2 Pol. 113.1, 233</p>	<p>The Board, in coordination with the school district of residence, shall expel from participation in Intermediate Unit programs, for a period of not less than one (1) year, any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Executive Director may recommend modifications of such expulsion requirement on a case-by-case basis, following federal and state laws and regulations.</p>
<p>24 P.S. Sec. 1317.2 18 U.S.C. Sec. 930 20 U.S.C. Sec. 1400 et seq Pol. 113.1</p>	<p>In the case of a student with disabilities, the Intermediate Unit shall take all necessary steps to comply with the Individuals with Disabilities Education Act and follow Board policy.</p>
<p>4. Delegation of Responsibility 24 P.S. Sec. 1302.1-A</p>	<p>The Executive Director, building administrator, program supervisor or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p>
<p>24 P.S. Sec. 1303-A, 1317.2</p>	<p>The Program Director or designee shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials, the Executive Director, and shall inform the student's parents/guardians.</p> <p>The Program Director or designee shall report any violation of this policy by a student to the Superintendent of the school district of residence.</p>
<p>24 P.S. Sec. 1303-A, 1317.2</p>	<p>The Executive Director shall annually, by July 31, report all incidents relating to acts of violence or possession of a weapon to the Office of Safe Schools on the required form, in accordance with state law and regulation.</p>
<p>5. Guidelines</p>	<p>Annual written notice of the Board policy prohibiting weapons shall be given to employees, students, program participants and parents/guardians; posted on the website; and posted in every building owned, leased, or occupied by the Intermediate Unit.</p>
<p>24 P.S. Sec. 1317.2</p>	<p>An exception to this policy may be made by the Executive Director, who shall prescribe special conditions or procedures to be followed.</p>

<p>24 P.S. Sec. 1317.2</p>	<p>This policy does not limit the right of law enforcement officials and licensed and approved security personnel, in the performance of their duties, to carry authorized weapons on Intermediate unit property or any property owned, leased, or occupied by the Intermediate Unit.</p> <p>Intermediate Unit employees, students, and program participants shall report any knowledge regarding possession of weapons on Intermediate Unit property to the building administrator and the program supervisor, who will in turn report it to the Executive Director.</p> <p><u>Transfer Students</u></p> <p>When the Intermediate Unit receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the Intermediate Unit, in coordination with the student's school district of residence, may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1301-A, 13-1302.1-A, 13-1303-A, 13-1317.2</p> <p>Possession of Weapon on School Property – 18 Pa. C.S.A. Sec. 912</p> <p>Gun Control Act – 18 U.S.C. Sec. 921, 922, 930</p> <p>Individuals With Disabilities Education Act - 20 U.S.C. Sec. 1400 et seq. Gun-Free Schools Act – 20 U.S.C. Sec. 7151</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 113.1, 218, 225, 233, 805</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: UNLAWFUL HARASSMENT

ADOPTED: August 22, 2011

REVISED:

248. UNLAWFUL HARASSMENT	
<p>1. Purpose</p>	<p>The Board strives to provide a safe, positive learning climate for students in Intermediate Unit programs. Therefore, it shall be the policy of the Intermediate Unit to maintain an educational environment in which harassment in any form is not tolerated.</p>
<p>2. Authority 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 CFR Sec. 1606.8(a)</p>	<p>The Board prohibits all forms of unlawful harassment of students and third parties by all Intermediate Unit students and staff members, contracted individuals, vendors, volunteers, and third parties in the programs. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.</p> <p>The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigative obligations.</p> <p>No reprisals or retaliation shall occur as a result of good faith charges of harassment.</p>
<p>3. Definitions 29 CFR Sec. 1606.8(a)</p>	<p>For purposes of this policy, harassment shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently 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 an individual's academic performance. 3. Otherwise adversely affects an individual's learning opportunities.

<p>29 CFR Sec. 1604.11(a)</p>	<p>For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> 1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status. 2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual. 3. Such conduct deprives a student of educational aid, benefits, services or treatment. 4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's academic performance or creating an intimidating, hostile or offensive educational environment.
<p>4. Delegation of Responsibility Pol. 103</p>	<p>In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Supervisor of Fiscal Services as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.</p> <p>The administration shall be responsible to provide training for Intermediate Unit students and employees regarding all aspects of unlawful harassment.</p> <p>Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.</p> <p>Each student shall be responsible to respect the rights of their fellow students and Intermediate Unit employees and to ensure an atmosphere free from all forms of unlawful harassment.</p> <p>The building administrator or program supervisor shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:</p> <ol style="list-style-type: none"> 1. Inform the student or third party of the right to file a complaint and the complaint procedure. 2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.

<p>5. Guidelines</p>	<p>3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</p> <p>4. Refer the complainant to the Compliance Officer if the building administrator or program supervisor is the subject of the complaint.</p> <p><u>Complaint Procedure - Student/Third Party</u></p> <p><u>Step 1 - Reporting</u></p> <p>A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building administrator, program supervisor or Intermediate Unit employee.</p> <p>An Intermediate Unit employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building administrator or program supervisor.</p> <p>If the building administrator or program supervisor is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the building administrator or program supervisor, but oral complaints shall be acceptable.</p> <p><u>Step 2 - Investigation</u></p> <p>Upon receiving a complaint of unlawful harassment, the building administrator or program supervisor shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building administrator or program supervisor to investigate the complaint, unless the building administrator or program supervisor is the subject of the complaint or is unable to conduct the investigation.</p> <p>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.</p> <p>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.</p>
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Step 3 -Investigati ve Report

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

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

Step 4 -Intermediate Unit Action

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

Disciplinary actions shall be consistent with the Code of Conduct, Board policies and program procedures, applicable collective bargaining agreements, and state and federal laws, and may include educational activities and/or counseling services.

If it is concluded that a student has knowingly made a false complaint under this policy, such student shall be subject to disciplinary action.

Appeal Procedure

1. If the complainant 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 Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building administrator or program supervisor who conducted the initial investigation.
4. The Compliance Officer may confirm, refuse or modify any finding or corrective action as part of the appeal procedure.

References:

Pennsylvania Human Relations Act -43 P.S. Sec. 951 et seq.

Federal Anti-Discrimination Law – 20 U.S.C. Sec. 1681 et seq. (Title IX)

Harassment Regulations and Guidelines

Code of Federal Regulations -29 CFR Sec. 1604.11(a), 1606.8(a)

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

Board Policy – 103,806

REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Complainant: _____
Home Address: _____
Home Phone: _____
School Building/Intermediate Unit Program: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: (circle those that apply)

- | | | |
|----------|--------------------|-----------------|
| Race | Color | National Origin |
| Sex | Age | Disability |
| Religion | Sexual Orientation | |

Name of person you believe violated the Intermediate Unit's unlawful harassment policy:

If the alleged harassment was directed against another person, identify the other person:

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements, i.e., threats, requests, demands, etc.; what, if any, physical contact was involved. Attach additional pages if necessary: _____

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has harassed me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: UNLAWFUL HARASSMENT

ADOPTED: APRIL 22, 2013

REVISED:

<p>I. Authority</p> <p>43 P.S. Sec. 951 et seq 20 U.S.C. Sec. 1681 et seq 42 U.S.C. Sec. 2000e et seq 42 U.S.C. Sec. 2000ff et seq 29 CFR Sec. 1606.8(a)</p> <p>2. Definitions 42 U.S.C. Sec. 2000ff et seq 29 CFR Sec. 1606.8(a)</p>	<p style="text-align: center;">348. UNLAWFUL HARASSMENT</p> <p>The Board strives to provide a safe, positive working climate for its administrative, professional and support employees. Therefore, it shall be the policy of the Intermediate Unit to maintain an employment environment in which harassment in any form is not tolerated.</p> <p>The Board prohibits all forms of unlawful harassment of employees and third parties by all Intermediate Unit students and staff members, contracted individuals, vendors, volunteers, and third parties in Intermediate Unit programs. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators.</p> <p>The Board directs that complaints of harassment shall be investigated promptly and corrective action taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigative obligations.</p> <p>No reprisals or retaliation shall occur as a result of good faith charges of harassment.</p> <p>For purposes of this policy, harassment shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation, religion or genetic information when such conduct:</p> <ol style="list-style-type: none"> 1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment. 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
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<p>29 CFR Sec. 1604.11(a)</p>	<p>3. Otherwise adversely affects an individual's employment opportunities.</p> <p>For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> 1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment. 2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual. 3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment. <p>Examples of sexual conduct may include, but are not limited to:</p> <ol style="list-style-type: none"> 1. Making sexual propositions or pressuring others for sexual favors. 2. Touching of a sexual nature. 3. Writing graffiti of a sexual nature. 4. Displaying or distributing sexually explicit drawings, pictures, or written materials. 5. Performing sexual gestures or touching oneself sexually in front of others. 6. Telling sexual or dirty jokes. 7. Spreading sexual rumors or rating others as to sexual activity or performance. 8. Circulating or showing e-mails or web sites of a sexual nature.
<p>3. Delegation of Responsibility Pol. 104</p>	<p>In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Supervisor of Fiscal Services and/or the Human Resources Director as the Intermediate Unit's Compliance Officer.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.</p>

<p>Pol 248</p> <p>4. Guidelines</p>	<p>The administration shall be responsible to provide training for Intermediate Unit employees regarding unlawful harassment.</p> <p>Administrators have the duty to report unlawful harassment immediately to the Compliance Officer. It is the administrator's duty to receive complaints from direct or indirect subordinates, intervene if s/he witnesses harassment, report possible harassment, and encourage employees and students to report harassment in accordance with Board policy.</p> <p>Each employee shall be responsible to maintain a working environment free from all forms of unlawful harassment.</p> <p>The Compliance Officer shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:</p> <ol style="list-style-type: none"> 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 Executive Director or designee if the Compliance Officer is the subject of the complaint. <p><u>Complaint Procedure - Employee/Third Party</u></p> <p>Step 1 - Reporting</p> <p>An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Compliance Officer.</p> <p>If the Compliance Officer is the subject of a complaint, the employee or third party shall report the incident directly to the Executive Director or designee.</p> <p>The complainant is encouraged to use the report form available from the Compliance Officer, but oral complaints shall be acceptable.</p>
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<p>Pol. 317</p>	<p>Step 2 - Investigation</p> <p>Upon receiving a complaint of unlawful harassment, the Compliance Officer shall immediately notify the Executive Director or designee. The Executive Director or designee shall authorize the Compliance Officer to investigate the complaint, unless the Compliance Officer is the subject of the complaint or is unable to conduct the investigation.</p> <p>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.</p> <p>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.</p> <p>Step 3 - Investigative Report</p> <p>The Compliance Officer shall prepare and submit a written report to the Executive Director or designee within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.</p> <p>The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.</p> <p>Step 4 - Intermediate Unit Action</p> <p>If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Intermediate Unit shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Intermediate Unit staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.</p> <p>Disciplinary actions shall be consistent with Board policies and procedures, applicable collective bargaining agreements, and state and federal laws.</p> <p>If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.</p>
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Appeal Procedure

1. If the complainant 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 Executive Director or designee within fifteen (15) days.
2. The Executive Director or designee shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Executive Director or designee within fifteen (15) days of an appeal shall inform the appellant of the outcome of any additional investigation performed, including the recommended disposition of the appeal. Copies of the response shall be provided to the complainant, the accused and the Compliance Officer.

References:

Pennsylvania Human Relations Act -43 P.S. Sec. 951 et seq.

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq. (Title IX)

42 U.S.C. Sec. 2000e et seq. (Title VII)

Genetic Information Nondiscrimination Act of 2008 -42 U.S.C.
Sec. 2000ff et seq.

Harassment Regulations and Guidelines

Code of Federal Regulations – 29 CFR Sec. 1604.11(a), 1606.8(a)

Federal Register – 66 Fed. Reg. 5512

Board Policy – 000, 104, 248, 317

REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Complainant: _____
Home Address: _____
Home Phone: _____
School Building/Intermediate Unit Program: _____
Date of Alleged Incident(s): _____

Alleged harassment was based on: _____

Name of person you believe violated the Intermediate Unit's unlawful harassment policy:

If the alleged harassment was directed against another person, identify the other person:

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements, i.e. threats, requests, demands, etc.; what, if any, physical contact was involved. Attach additional pages if necessary = _____

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has harassed me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's Signature

Date

Received By

Date

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: OPERATIONS

TITLE: RECORDS MANAGEMENT

ADOPTED: JUNE 24, 2013

REVISED:

<p>I. Purpose</p> <p>2. Authority 24 P.S. Sec. 518, 914-A</p> <p>65 P.S. Sec. 67.901 Pol. 828</p> <p>3. Definitions</p>	<p style="text-align: center;">800. RECORDS MANAGEMENT</p> <p>The Board recognizes the legitimate need for the collection and use of information in order to conduct business and fulfill contractual obligations, and the importance of establishing and maintaining a Records Management Plan that defines responsibilities of Intermediate Unit staff and complies with federal and state laws and regulations.</p> <p>The Board shall retain, as a permanent record of the Intermediate Unit, Board minutes, annual auditor's reports and annual financial reports. All other financial records, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders, shall be retained by the Intermediate Unit for a period of not less than six (6) years.</p> <p>All other Intermediate Unit records shall be retained in accordance with state and federal law and regulations and the Records Management Plan approved by the Board.</p> <p>The Intermediate Unit shall make a good faith effort to comply with all proper requests for record production. Selective destruction of records in anticipation of litigation is forbidden.</p> <p>Electronic Mail (Email) System - a system that enables users to compose, transmit, receive and manage text and/or graphic electronic messages and images across local area networks and through gateways connecting other networks. This information consists primarily of messages but may include attachments such as calendars, directories, distribution lists, word processing documents, spreadsheets, and other electronic documents.</p> <p>Litigation Hold - a communication ordering that all records and data relating to an issue being addressed by current or potential litigation or investigation be preserved for possible production during the litigation or investigation.</p>
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<p>65 P.S. Sec. 67.102</p> <p>4. Delegation of Responsibility</p>	<p>Records - information, regardless of physical form or characteristics, that documents a transaction or activity of the Intermediate Unit and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the Intermediate Unit. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document.</p> <p>Records Management Plan - the system implemented by the Intermediate Unit for the retention, retrieval, and disposition of all records generated by Intermediate Unit operations.</p> <p>Records Retention Schedule - a comprehensive listing stating retention periods and proper disposition of records.</p> <p><u>Records Coordinator</u></p> <p>In order to maintain a Records Management Plan that complies with federal and state laws and regulations and Board policy, the Board designates the Executive Director as the Intermediate Unit's Records Coordinator who shall serve as the chairperson of the Records Management Committee.</p> <p>The Records Coordinator shall be responsible to:</p> <ol style="list-style-type: none"> 1. Ensure that training appropriate to the user's position and level of responsibility is provided. Such training may include: <ol style="list-style-type: none"> a. Operation, care and handling of the equipment and software. b. Requirements of the Records Retention Schedule. c. Protocols for preserving and categorizing Intermediate Unit records. d. Procedures and responsibilities of Intermediate Unit staff in the event of a litigation hold. e. Identification of what is and what is not a record. f. Disposal of records. 2. Review the Records Management Plan periodically to ensure that record descriptions and retention periods are updated as necessary.
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<p>Pol. 801</p> <p>24 P.S. Sec. 433</p> <p>5. Guidelines</p> <p>65 P.S. Sec. 67.708 20 U.S.C. Sec. 1232g</p>	<p>3. Ensure that all identified records are properly disposed of annually when their retention period expires, in accordance with the Records Management Plan.</p> <p><u>Records Management Committee</u></p> <p>A committee responsible for the development and recommendation of the Intermediate Unit's Records Management Plan shall be established by the Board. The Records Management Committee shall give primary consideration to the most efficient and economical means of implementing the recommended Plan. Members of the Committee shall include the:</p> <ol style="list-style-type: none"> 1. Open Records Officer. 2. Executive Director. 3. Board Secretary. 4. Solicitor. 5. Chief Technology Officer. 6. Chief Financial Officer. <p>The Records Management Committee shall meet periodically to evaluate the effectiveness and implementation of the Records Management Plan and recommend changes as needed.</p> <p><u>Records Management Plan</u></p> <p>The Intermediate Unit's Records Management Plan shall be the principal means for the retention, retrieval, and disposition of manual and electronic records, including emails. The Plan shall not rely primarily on backup systems to manage the retention and disposition of records.</p> <p>The Records Management Plan shall include:</p> <ol style="list-style-type: none"> 1. Comprehensive listing of all program plans and processes which address records and data of the Intermediate Unit. 2. Criteria to distinguish records of the Intermediate Unit from the supplemental personal records of individual employees.
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3. System(s) of records storage and retrieval to be used, including in what form the records will be stored, maintained, reproduced, and disposed.
4. Preservation measures to protect the integrity of records and data.
5. Data maps or flow charts detailing the sources, routes, and destinations of electronic records.
6. Procedures and employees designated for determining whether an item is a record.
7. Procedures and plans for adding, revising or deleting records and data, and any other details necessary to implement the Records Management Plan.
8. Records Retention Schedule.
9. Provisions for the storage and retrieval of records in the event of an emergency or disaster.
10. Staff positions authorized to access Intermediate Unit records.
11. Procedures to be implemented in the event of litigation hold that immediately suspends disposition of all records relevant to the current or potential claim. Such procedures shall specify:
 - a. Who can initiate a litigation hold.
 - b. How and to whom a litigation hold is communicated.
 - c. Who will determine which records are subject to the litigation hold.
 - d. Who will be responsible for collecting and preserving such records and data.
 - e. Who will be responsible for monitoring and ensuring the Intermediate Unit's compliance with the litigation hold.
 - f. In what format the records will be collected.

When possible, records and data shall be stored in their original form, including metadata, such as creation date, author, type of file, etc.

For any record not covered by a plan or the Records Retention Schedule, the Records Management Committee shall determine how long the record shall be kept and recommend any necessary revisions to the retention schedule.

<p>Pol. 800.1</p>	<p>The Intermediate Unit shall maintain and dispose of records in a manner that protects any sensitive, proprietary or confidential information or individual privacy rights, and helps conserve natural resources.</p> <p><u>Manual Records</u></p> <p>Manual records, which include all records not stored electronically, shall be retained and disposed of in accordance with the Records Management Plan.</p> <p>Manual records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.</p> <p>The Intermediate Unit shall develop and maintain adequate and up-to-date documentation about each manual record system. Documentation may:</p> <ol style="list-style-type: none">1. List system title and responsible employee(s) or office.2. Identify vital records and information.3. Determine restrictions on access and use. <p><u>Electronic Records</u></p> <p>Electronic information shall be protected from loss so as not to interrupt the work processes of the organization. The Board directs that a system be put in place that creates backup copies of electronically stored information and allows for the retrieval of that information in the event that the original is damaged or deleted, either by natural or man made causes.</p> <p>Electronic records shall be retained and disposed of in accordance with the Records Management Plan.</p> <p>Electronic records shall be indexed in an organized and consistent manner, reflecting the way the records will be retained and referenced for later retrieval.</p> <p>The Intermediate Unit shall develop and maintain adequate and up-to-date documentation about each electronic record system. Documentation may:</p> <ol style="list-style-type: none">1. List system title and responsible employee(s) or office.2. Identify all defined inputs and outputs of the system.3. Identify vital records and information.
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<p>65 P.S. Sec. 67.506</p>	<p>4. Determine restrictions on access and use.</p> <p>5. Describe update cycles or conditions.</p> <p><u>Email Records</u></p> <p>The Intermediate Unit shall retain employee-generated electronic files and email messages for a length of time as per guidelines of the Records Management Committee, after which time there is no guarantee of their retrieval. Employees shall ensure that email messages and electronic files that meet the definition of records are stored appropriately.</p> <p>Contractors</p> <p>Records created or maintained by contractors employed by the Board shall be retained and disposed of in accordance with the Records Management Plan.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 4-433, 5-518, 9-914-A</p> <p>Right-to-Know Law – 65 P.S. Sec. 67.101 et seq.</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p> <p>Federal Rules of Civil Procedure – 16, 26, 34, 37, 45</p> <p>Board Policy – 004, 006, 105.2, 138, 203, 203.1, 209, 212, 216, 233, 314, 326, 334, 601, 609, 610, 618, 618.1, 619, 702, 706, 706.1, 716, 800.1, 801, 810, 810.1, 828, 830, 912</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: OPERATIONS

TITLE: DATA SAFEGUARDING

ADOPTED: JUNE 24, 2013

REVISED:

800.1. DATA SAFEGUARDING	
1. Purpose	The Board recognizes the legitimate need to collect and use confidential, personally-identifiable information in order to conduct business and to fulfill contractual obligations. While recognizing this need, it is also necessary to protect the rights to privacy and confidentiality of the individuals to which the information applies.
2. Authority	<p>The Board authorizes only the collection of data that is required in order to conduct business and fulfill contractual obligations. By collecting such sensitive, personally-identifiable information, the Intermediate Unit has a responsibility to secure the data collected and to safeguard the process by which data is handled.</p> <p>Intermediate Unit employees and those contracted by the Intermediate Unit shall adhere to strict procedural guidelines in the collection, maintenance, disclosure, use and destruction of confidential, personally-identifiable information and data. Established guidelines shall incorporate applicable federal and state law and regulations to secure the environment, whether electronic or physical.</p>
3. Delegation of Responsibility	<p>Each Intermediate Unit employee shall be responsible to safeguard the confidentiality of data.</p> <p>All Intermediate Unit programs shall develop their own data safeguarding plan/process.</p> <p>Only staff with a legitimate need shall be provided access to personally-identifiable information and limited to only that information necessary to fulfill business or contractual obligations.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24P.S. Sec. 9-914-A</p> <p>Board Policy – 113.4, 113.5, 216, 324, 800, 818, 830</p>

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: OPERATIONS

TITLE: ACCEPTABLE USE OF
INTERNET, COMPUTERS AND
NETWORK RESOURCES

ADOPTED: JUNE 25, 2012

REVISED:

<p>I. Purpose</p> <p>2. Definitions</p> <p>18 U.S.C. Sec. 2256</p>	<p style="text-align: center;">815. ACCEPTABLE USE OF INTERNET, COMPUTERS AND NETWORK RESOURCES</p> <p>The Board supports use of the computers, Internet and other network resources as a valuable resource in the Intermediate Unit's instructional and operational programs in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration.</p> <p>The Intermediate Unit provides students, staff and other authorized individuals with access to the Intermediate Unit's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.</p> <p>For instructional purposes, the use of computers, Internet and network resources shall be consistent with the curriculum adopted by the Intermediate Unit as well as the varied instructional needs, learning styles, abilities, and developmental levels of students.</p> <p>The term child pornography is defined under both federal and state law.</p> <p>Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:</p> <ol style="list-style-type: none"> 1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; 2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or 3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
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<p>18 Pa. C.S.A. Sec. 6312</p>	<p>Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.</p>
<p>20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254</p>	<p>The term harmful to minors is defined under both federal and state law.</p> <p>Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:</p> <ol style="list-style-type: none"> 1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion ; 2. Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors , an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and 3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.
<p>18 Pa. C.S.A. Sec. 5903</p>	<p>Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:</p> <ol style="list-style-type: none"> 1. Predominantly appeals to the prurient, shameful, or morbid interest of minors; 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and 3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.
<p>18 Pa. C.S.A. Sec. 5903</p>	<p>Obscene - any material or performance, if:</p> <ol style="list-style-type: none"> 1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest; 2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and 3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

<p>47 U.S.C. Sec. 254</p> <p>3. Authority</p> <p>Pol. 218, 233, 317</p> <p>47 U.S.C. Sec. 254</p>	<p>Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.</p> <p>The availability of access to electronic information does not imply endorsement by the Intermediate Unit of the content, nor does the Intermediate Unit guarantee the accuracy of information received. The Intermediate Unit shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.</p> <p>The Intermediate Unit shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources.</p> <p>The Intermediate Unit may terminate the availability of the Internet or network resources, at its sole discretion.</p> <p>The Board declares that computer and network use is a privilege, not a right. The Intermediate Unit's computer and network resources are the property of the Intermediate Unit. Users shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over Intermediate Unit-owned Internet, computers or network resources, including personal files or any use of the Intermediate Unit's Internet, computers or network resources. The Intermediate Unit reserves the right to monitor, track, and log network access and use; monitor filespace utilization by users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke use or access privileges and/or administer appropriate disciplinary action. The Intermediate Unit shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of Intermediate Unit-owned Internet, computers and network resources.</p> <p>The Board requires that all Intermediate Unit owned computers, Internet and network resources must be used appropriately by students and staff explicitly for educational or business purposes.</p> <p>The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the building administrator or program supervisor.</p> <p>The Board establishes the following materials, in addition to those stated in law and defined in this policy, that are inappropriate for access by users:</p> <p>I. Lewd, vulgar, or profane.</p>
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<p>Pol. 103, 103.1, 104, 248, 348</p>	<p>2. Threatening.</p> <p>3. Violent.</p> <p>4. Harassing or discriminatory.</p>
<p>Pol. 249</p>	<p>5. Bullying.</p>
<p>Pol. 218.2</p>	<p>6. Terroristic.</p> <p>7. Associated with the construction of explosive devices, firearms and/or weapons.</p>
<p>24 P.S. Sec.4604 20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254</p>	<p>The Intermediate Unit reserves the right to restrict access to any Internet sites or functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking. Specifically, the Intermediate Unit operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by users on its computers used and accessible to adults and students. The technology protection measure shall be enforced during use of computers with Internet access.</p>
<p>24 P.S. Sec.4604</p>	<p>Upon request by students or staff, the Executive Director or designee shall expedite a review and may authorize the disabling of Internet blocking/filtering software to enable access to material that is blocked through technology protection measures but is not prohibited by this policy.</p>
<p>24 P.S. Sec.4610 20 U.S.C. Sec. 6777</p>	<p>Upon request by staff, building administrators or program supervisors may authorize the temporary disabling of Internet blocking/filtering software to enable access for bona fide research or for other lawful purposes.</p>
<p>4. Delegation of Responsibility</p>	<p>The Intermediate Unit shall make every effort to ensure that this resource is used responsibly by students and staff.</p>
<p>24 P.S. Sec.4604</p>	<p>The Intermediate Unit shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the Intermediate Unit website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request.</p> <p>Users of Intermediate Unit networks or Intermediate Unit-owned equipment shall, prior to being given access or being issued equipment, sign user agreements acknowledging awareness of the provisions of this policy, and awareness that the Intermediate Unit uses monitoring systems to monitor and detect inappropriate use and may use tracking systems to track and recover lost or stolen equipment.</p>

<p>20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254 47 CFR Sec. 54.520</p> <p>47 U.S.C. Sec. 254</p> <p>24 P.S. Sec. 1303.1-A Pol. 249</p> <p>5. Guidelines</p>	<p>Student user agreements shall also be signed by a parent/guardian.</p> <p>Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.</p> <p>Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the Intermediate Unit and on the Internet.</p> <p>Building administrators and program supervisors shall make initial determinations of whether inappropriate use has occurred.</p> <p>The Program Director or designee shall be responsible for recommending technology and developing procedures used to determine whether the Intermediate Unit's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board. 2. Maintaining and securing a usage log. 3. Monitoring online activities of students. <p>The Program Director or designee shall develop and implement procedures that ensure students are educated on network etiquette and other appropriate online behavior, including:</p> <ol style="list-style-type: none"> 1. Interaction with other individuals on social networking websites and in chat rooms. 2. Cyberbullying awareness and response. <p>Network and computer accounts shall be used only by the authorized user of the account for its approved purpose. Network users shall respect the privacy of other users on the system.</p>
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<p>Pol. 248, 348</p> <p>47 U.S.C. Sec. 254</p> <p>47 CFR Sec. 54.520</p>	<p>Safety</p> <p>It is the Intermediate Unit's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher or administrator. Network users shall not reveal personal information to other users on the network, including chat rooms, email, social networking websites, etc.</p> <p>The Intermediate Unit has a compelling interest and duty to take reasonable steps to prevent the creation of a hostile environment and to prevent the sexual harassment of students, employees, and others.</p> <p>Internet safety measures shall effectively address the following:</p> <ol style="list-style-type: none"> 1. Control of access by students and minors to inappropriate matter on the Internet and World Wide Web. 2. Safety and security of students and minors when using electronic mail, chat rooms, and other forms of direct electronic communications. Students are prohibited from using these forms of electronic communication on Intermediate Unit-provided network resources unless determined as part of the curriculum or online instructional program. 3. Prevention of unauthorized online access by students and minors, including "hacking" and other unlawful activities. 4. Unauthorized disclosure, use, and dissemination of personal information regarding students and minors. 5. Restriction of students' and minors' access to materials harmful to them. <p>Prohibitions</p> <p>Users are expected to act in a responsible, ethical and legal manner in accordance with Board policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:</p> <ol style="list-style-type: none"> 1. Facilitating illegal activity. 2. Commercial or for-profit purposes.
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<p>24 P.S. Sec. 1303.1-A Pol. 249</p> <p>Pol. 237</p>	<p>3. Product advertisement or political lobbying.</p> <p>4. Bullying/Cyberbullying.</p> <p>5. Hate mail, discriminatory remarks, and offensive or inflammatory communication.</p> <p>6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.</p> <p>7. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.</p> <p>8. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy and that has been blocked by the Technology Protection Measure.</p> <p>9. Inappropriate language or profanity.</p> <p>10. Transmission of material likely to be offensive or objectionable to recipients.</p> <p>11. Intentional obtaining or modifying of files, passwords, and data belonging to other users.</p> <p>12. Impersonation of another user, anonymity, and pseudonyms.</p>
<p>Pol. 814</p>	<p>13. Fraudulent copying, communications, or modification of materials in violation of copyright laws.</p> <p>14. Loading or using unauthorized games, programs, files, or other electronic media.</p> <p>15. Disruption of the work of other users.</p> <p>16. Destruction, modification, abuse or unauthorized access to network hardware, software and files.</p> <p>17. Quoting personal communications in a public forum without the original author's prior consent.</p> <p>18. Accessing the Internet, Intermediate Unit computers or other network resources without authorization.</p>

<p>17 U.S.C. Sec. 101 et seq Pol. 814</p>	<p>19. Disabling or bypassing the Internet blocking/filtering software without authorization.</p> <p>20. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.</p> <p>Security</p> <p>System and computer security is protected through the use of passwords. Failure to adequately protect or update passwords could result in unauthorized access to personal or Intermediate Unit files. To protect the integrity of the system, these guidelines shall be followed:</p> <ol style="list-style-type: none">1. Employees and students shall not reveal their passwords to another individual.2. Users are not to use a computer that has been logged in under another student's or employee's name.3. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network. <p>Copyright</p> <p>The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network shall be subject to fair use guidelines and applicable laws and regulations.</p> <p><u>Intermediate Unit Website</u></p> <p>The Intermediate Unit shall establish and maintain a website and shall develop and modify its web pages to present information about the Intermediate Unit under the direction of the Executive Director or designee. All users publishing content on the Intermediate Unit website shall comply with this and other applicable Board policies.</p> <p>Users shall not copy or download information from the Intermediate Unit website and disseminate such information on unauthorized web pages without authorization from the building administrator or program supervisor.</p>
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<p>24 P.S. Sec. 4604</p>	<p><u>Consequences For Inappropriate Use</u></p> <p>The user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.</p> <p>Illegal use of the network; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.</p> <p>General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy.</p> <p>Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings. Vandalism is defined as any malicious attempt to harm or destroy data of another user, computers, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.</p>
<p>Pol. 218, 233, 317</p>	<p>Failure to comply with this policy or inappropriate use of the Internet, Intermediate Unit network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.</p> <p>References:</p> <p>Purdon's Statutes (School Code) - 24 P.S. Sec. 13-1303.1-A</p> <p>PA Crimes Code - 18 Pa. C.S.A. Sec. 5903, 6312</p> <p>Child Internet Protection Act - 24 P.S. Sec. 4601 et seq.</p> <p>U.S. Copyright Law - 17 U.S.C. Sec. 101 et seq.</p> <p>Sexual Exploitation and Other Abuse of Children - 18 U.S.C. Sec. 2256</p> <p>Enhancing Education Through Technology Act - 20 U.S.C. Sec. 6777</p> <p>Internet Safety, Children's Internet Protection Act - 47 U.S.C. Sec. 254</p> <p>Children's Internet Protection Act Certifications, Title 47, Code of Federal Regulations - 47 CFR Sec. 54.520</p> <p>Board Policy - 103, 103.1, 104, 218, 218.2, 220, 233, 237, 248, 249, 317, 348, 814</p>

ALLEGHENY INTERMEDIATE UNIT

ACCEPTABLE USE OF INTERNET, COMPUTERS AND NETWORK
RESOURCES AUTHORIZATION FORM

Agreement must be completed prior to receiving a Network/Internet account.

I have read, understand, and will abide by AIU Policy 815: Acceptable Use of Internet, Computers and Network Resources which governs my use of all of the computer technology in the Allegheny Intermediate Unit. I further understand that any violation of the regulations as stated in AIU Policy 815 is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, disciplinary action, and/or appropriate legal action may be taken.

UserName(Print) : _____

User Signature _____ Date: ____

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES
 TITLE: DRUG AND SUBSTANCE ABUSE
 ADOPTED: APRIL 22, 2013
 REVISED:

351. DRUG AND SUBSTANCE ABUSE	
<p>I. Purpose</p>	<p>The Intermediate Unit has a vital interest in maintaining a safe, healthy, and efficient working environment. Consequently, the Board is committed to providing and maintaining a drug-free working environment for its employees and consumers.</p> <p>The Board recognizes that the misuse of drugs and alcohol by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole community and is concerned about the problems that may be caused by drug or alcohol use by Intermediate Unit employees, especially as the use relates to an employee's safety, efficiency and productivity and its impact on students.</p> <p>The primary purpose and justification for any action by the Intermediate Unit will be for the protection of the health, safety and welfare of students, staff and school property.</p> <p>The maintenance of specified federal grants is dependent upon enforcement of this policy.</p>
<p>2. Definitions 35 P.S. Sec. 780-101 et seq 21 U.S.C. Sec. 812 41 U.S.C. Sec. 706 41 U.S.C. Sec. 706</p>	<p>Drugs or Controlled Substances - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act. The term does not include a valid prescription or other uses prescribed by law.</p> <p>Conviction - a finding of guilt, including a plea of nolo contendere, imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute.</p> <p>Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.</p>

<p>41 U.S.C. Sec. 706</p> <p>3. Authority</p> <p>41 U.S.C. Sec. 702</p> <p>24 P.S. Sec. 527</p> <p>4. Delegation of Responsibility 41 U.S.C. Sec. 702, 703</p> <p>41 U.S.C. Sec. 702</p> <p>41 U.S.C. Sec. 702, 703</p>	<p>Workplace - the site for the performance of work. This term includes off-school sites where a school activity is occurring, as well as a vehicle being used for school transportation and activities.</p> <p>Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.</p> <p>The Board declares that the unlawful manufacture, distribution, dispensation, possession, use, sale or purchase of a controlled substance or alcohol is prohibited in the workplace. The Intermediate Unit is committed to making a good faith effort to continue to maintain a drug-free workplace by the implementation of this policy.</p> <p>Illicit drug violations and alcohol use in the workplace are strictly prohibited. All employees of the Allegheny Intermediate Unit who are indicted of criminal drug violations at work or outside of work must notify their supervisor within five (5) days after such an indictment. Such employees shall be suspended from employment pending final disposition of criminal charges. If convicted, the employer must notify the applicable federal contracting agency within ten (LO) days. Employees shall be terminated if convicted of illicit drug violations.</p> <p>Any employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the Intermediate Unit. The Board shall enforce the termination within sixty (60) days of conviction.</p> <p>This policy and a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Executive Director or designee and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.</p> <p>Within ten (10) days after receiving notice of the conviction of an Intermediate Unit employee, the Intermediate Unit shall notify any federal agency or department that is the grantor of funds to the Intermediate Unit.</p> <p>The Intermediate Unit shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate</p>
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	<p>agency. Pending successful rehabilitation or treatment, employees may be reassigned. Failure to accept treatment or treatment recommendations shall result in termination. Furthermore, any employee who is not subject to mandatory termination may, as a condition precedent to returning to work, be required to certify that s/he has enrolled in and/or completed such drug or alcohol abuse assistance or rehabilitation program.</p>
<p>41 U.S.C. Sec. 702</p>	<p>In establishing a drug-free and alcohol-free awareness program, the Executive Director or designee shall inform employees about:</p> <ol style="list-style-type: none"> 1. Dangers of drug and alcohol abuse in the workplace. 2. Board's policy of maintaining a drug-free and alcohol-free workplace.
<p>Pol. 352</p>	<ol style="list-style-type: none"> 3. Availability of drug and alcohol counseling, drug rehabilitation, and employee assistance programs. 4. Penalties that may be imposed for drug or alcohol abuse violations occurring in the workplace.
	<p>Any Intermediate Unit employee with evidence of criminal drug-related activity by any employee should report this information to supervisors and/or local law enforcement agencies, and cooperate in any investigations.</p>
<p>41 U.S.C. Sec. 702</p>	<p>The Intermediate Unit shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 5-527</p> <p>PA Controlled Substance, Drug, Device and Cosmetic Act - 35 P.S. Sec. 780-101 et seq.</p> <p>Controlled Substances Act – 21 U.S.C. Sec. 801 et seq.</p> <p>Drug-Free Workplace Act – 41 U.S.C. Sec. 701 et seq.</p> <p>Board Policy – 317, 352</p>

ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: FAMILY AND MEDICAL
LEAVES

ADOPTED: APRIL 22, 2013

REVISED:

335. FAMILY AND MEDICAL LEAVES	
<p>1. Authority 29 U.S.C. Sec. 2601 et seq 29 CFR Part 825</p>	<p>The Board shall provide eligible administrative, professional and support employees with unpaid leaves of absence in accordance with the Family and Medical Leave Act, hereinafter referred to as FMLA .</p> <p>Employee requests for FMLA leave shall be processed in accordance with law, Board policy and procedures.</p>
<p>2. Delegation of Responsibility 29 U.S.C. Sec. 2619</p>	<p>The Intermediate Unit shall post, in conspicuous places in the Intermediate Unit customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.</p> <p>Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a designated form to the Department of Human Resources.</p>
<p>3. Guidelines 29 U.S.C. Sec. 2611, 2612</p>	<p>Employees' eligibility for FMLA leave shall be based on the criteria established by law.</p>
<p>29 U.S.C. Sec. 2612</p>	<p>Eligible employees shall be provided up to twelve (12) workweeks of unpaid leave in a twelve-month period for the employee's own serious health condition; for the birth, adoption, foster placement or first-year care of a child; to care for a seriously ill spouse, child or parent; or to address specific qualifying exigencies pertaining to a member of the Armed Forces alerted for foreign deployment or during foreign deployment.</p>
<p>29 U.S.C. Sec. 2612</p>	<p>Eligible employees shall be provided up to twenty-six (26) workweeks of unpaid leave in a single twelve-month period to care for an ill or injured covered service member.</p>
<p>29 CFR Sec. 825.200</p>	<p>The calculation of the leave year (twelve-month period) shall begin with the first day of FMLA leave used by the employee.</p>

<p>29 U.S.C. Sec. 2612</p>	<p>When an employee requests an FMLA leave and qualifies for and is entitled to any accrued paid sick (employee only), vacation, personal or family leave, the employee may utilize such paid leave during the FMLA leave, at the employee's request.</p> <p>References:</p> <p>Family And Medical Leave Act – 29 U.S.C. Sec. 2601 et seq.</p> <p>Family And Medical Leave, Title 29, Code of Federal Regulations – 29 CFR Part 825</p> <p>Board Policy – 000, 813</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: EMPLOYMENT OF
INTERMEDIATE UNIT STAFF

ADOPTED: APRIL 22, 2013

REVISED:

304. EMPLOYMENT OF INTERMEDIATE UNIT STAFF	
<p>I. Authority</p> <p>24 P.S. Sec. 508, 913-A, 914-A, 1089 Title 22 Sec. 4.4 Pol. 328</p> <p>29 U.S.C. Sec. 20 let seq Pol. 330</p> <p>24 P.S. Sec. 913-A, 914-A, 915-A</p> <p>24 P.S. Sec. 1111 Pol. 304.1</p>	<p>The Board places substantial responsibility for the effective management and operation of the Intermediate Unit and the quality of the Intermediate Unit's educational programs and support services with its administrative, professional and support employees.</p> <p>The Board shall, by a majority vote of all members, approve the employment; set the compensation; and establish the term of employment for each administrative, professional and support employee employed by the Intermediate Unit.</p> <p>Nonexempt personnel shall be employed and classified in accordance with applicable law and regulations. Nonexempt refers to an employee who is entitled to be paid overtime as defined by the Fair Labor Standards Act (FLSA). Nonexempt generally includes administrative and instructional support staff such as paraprofessionals, secretarial and clerical positions, maintenance and custodial positions, drivers, equipment service technicians and other support positions.</p> <p>Nonexempt staff will be eligible for overtime on hours worked in excess of 40 as per the Fair Labor Standards Act guidelines.</p> <p>Board approval of administrative, professional and support employees shall be given to the candidates for employment appointed or recommended by the Executive Director. Employment recommendations shall be based on the candidate's qualifications for the responsibilities and requirements of the position.</p> <p>When any recommended candidate has been rejected by the Board, the Executive Director shall make a substitute recommendation.</p> <p>No candidate shall be employed who is related to any member of the Board, as defined in law, unless such teacher receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant, who shall not vote.</p>

304. EMPLOYMENT OF INTERMEDIATE UNIT STAFF - Pg. 2

<p>24 P.S. Sec. 913-A, 1109, 1201 Title 22 Sec. 49.1et seq</p> <p>24 P.S. Sec. 111 Title 22 Sec. 8.1 et seq 23 Pa. C.S.A. Sec. 630let seq</p> <p>24 P.S. Sec. 1204.1</p> <p>2. Delegation of Responsibility Pol. 104</p> <p>42 U.S.C. Sec. 12112</p>	<p>The Board authorizes the use of administrative, professional and support employees prior to Board approval when necessary to maintain continuity of the educational program and support services in the Intermediate Unit. Retroactive approval shall be recommended to the Board at the next regular meeting. The individual shall be informed that the employment is contingent upon Board approval. In the event the Board does not approve the recommendation, the employee shall be paid at a per diem rate for the time worked.</p> <p>An employee's misstatement of fact material to qualifications for employment or determination of salary shall constitute grounds for dismissal by the Board.</p> <p>A candidate for employment in the Intermediate Unit shall not receive a recommendation for employment without evidence of his/her certification when such certification is required.</p> <p>A candidate shall not be employed until s/he has complied with the mandatory background check requirements for criminal history and child abuse and the Intermediate Unit has evaluated the results of that screening process.</p> <p>The Intermediate Unit shall use the Standard Application for teaching positions but may establish and implement additional application requirements for non-Pennsylvania Department of Education certified employees.</p> <p>Staff vacancies that represent opportunities for professional advancement or diversification shall be made known to Intermediate Unit personnel so they may apply for such positions.</p> <p>The Executive Director or designee may apply necessary screening procedures to determine a candidate's ability to perform the job functions of the position for which a candidate is being considered.</p> <p>The Executive Director or designee shall seek recommendations from former employers and others in assessing the candidate's qualifications. Recommendations and references shall be retained confidentially and for official use only.</p>
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<p>24 P.S. Sec. 913-A, 1109, 1201 Title 22 Sec. 49.1et seq</p>	<p>Each certificated administrative and professional employee employed by the Intermediate Unit shall be responsible for maintaining all valid certificates and/or licensing when such certificates and/or licensing are required by law.</p> <p>Title I Requirements</p>
<p>Title 22 Sec. 403.2, 403.4 20 U.S.C. Sec. 6319, 7801</p>	<p>All elementary, middle and secondary teachers employed by the Intermediate Unit who teach core academic subjects in Intermediate Unit programs or in member school districts shall be highly qualified, as defined by federal law and state regulations.</p>
<p>Title 22 Sec. 403.4, 403.5 20 U.S.C. Sec. 6319, 7801</p>	<p>The administrator of a school providing Title I programs to students shall annually attest that professional staff teaching in such programs are highly qualified and paraprofessionals providing instructional support in such programs meet required qualifications, in accordance with federal law and state regulations. The written certifications shall be maintained in the Intermediate Unit or school district office, and shall be available to the public, upon request.</p>
<p>Title 22 Sec. 403.2, 403.5 20 U.S.C. Sec. 6319</p>	<p>All paraprofessionals providing instructional support in an Intermediate Unit program or a program in member school districts supported by Title I funds shall have a secondary school diploma or a recognized equivalent and one (1) of the following:</p> <ol style="list-style-type: none"> 1. At least two (2) years of study at an institution of higher learning. 2. Associates or higher degree. 3. Evidence of meeting a rigorous standard of quality through a state or local assessment. <p>Title I paraprofessionals who solely coordinate parental involvement activities or act as translators are exempt from the above qualifications.</p>
<p>Title 22 Sec. 14.105 Pol. 113</p>	<p><u>Special Education Paraprofessionals</u></p> <p>All instructional paraprofessionals hired on or after July 1, 2010, who work under the direction of a certificated staff member to support and assist in providing instructional programs and services to students with disabilities or eligible students shall have a secondary school diploma and one (1) of the following:</p> <ol style="list-style-type: none"> 1. At least two (2) years of postsecondary study. 2. Associates or higher degree.

<p>Title 22 Sec. 14.105</p>	<p>3. Evidence of meeting a rigorous standard of quality through a state or local assessment.</p> <p>Instructional paraprofessionals shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year.</p> <p><u>Personal Care Assistants</u></p>
<p>Title 22 Sec. 14.105</p>	<p>A personal care assistant provides one-to-one support and assistance to a student, including support and assistance in the use of medical equipment.</p> <p>Personal care assistants shall provide evidence of twenty (20) hours of staff development activities related to their assignment each school year. The twenty (20) hours of training may include training required by the school-based access program.</p> <p><u>Educational Interpreters</u></p>
<p>Title 22 Sec. 14.105</p>	<p>An educational interpreter is an individual who provides students who are deaf or hard of hearing with interpreting or transliterating services in an educational setting. To serve as an educational interpreter, an individual shall meet the qualifications set forth in law and regulations.</p> <p><u>Early Childhood Education Staff</u></p>
<p>Title 55 Sec. 3270.31- 3270.37, 3270.231</p>	<p>Employees working in Intermediate Unit early childhood education programs operating in accordance with all program and funding regulation requirements shall meet the eligibility, certification and training requirements established in law and regulations.</p>

	<p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 1-108, 1-111, 5-508, 9-913-A, 9-914-A, 9-915-A, 10-1089, 11-1109, 11-1111, 11-1142-11-1152, 12-1201, 12-1204.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 8.1 et seq., 14.105, 49.1 et seq., 403.2, 403.4, 403.5</p> <p>State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.31-3270.37, 3270.231, 3270.241</p> <p>Criminal History Record Information Act – 18 Pa. C.S.A. Sec. 9125</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 6319, 7801</p> <p>Fair Labor Standards Act – 29 U.S.C. Sec. 201 et seq.</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Board Policy – 000, 104, 113, 304.1, 328, 330</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: NEPOTISM

ADOPTED: APRIL 22, 2013

REVISED:

<p>1. Purpose</p> <p>2. Definitions</p> <p>3. Guidelines</p> <p>24 P.S. Sec. 1111 Pol. 304</p>	<p style="text-align: center;">304.1 NEPOTISM</p> <p>It is the policy of the Board to prevent nepotism, in actuality or appearance, to the fullest extent possible under the law.</p> <p>Nepotism shall be considered the hiring of employees based upon or influenced by family relationships or living arrangements.</p> <p>Relative, for the purpose of this policy, is defined as a husband, wife, father, mother, brother, sister, son, daughter, aunt, uncle, cousin, niece, nephew, step-mother, step-father, step-son, step-daughter, step-sister, step-brother, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law or any other person with whom the applicant or employee has made his/her home.</p> <p>The relationship of the applicant for employment to a member of the Board or any other Intermediate Unit employee shall not be a basis for hiring, and neither factor into, nor have an influence upon hiring, assigning position, advancement, evaluations or other personnel actions.</p> <p>A disclosure statement shall be included with each employment application and during the interview process to document the names of relative(s) known by the applicant to be employed by the Intermediate Unit. Any misstatement of fact material to this disclosure may be grounds for dismissal by the Board.</p> <p>An applicant whose qualifications rank first for the position under consideration pursuant to the hiring process may be employed, either in a full-time or a part-time basis, providing no relative is immediately responsible for the recommendation to hire, to supervise, to direct, to evaluate, or to influence salary recommendations.</p> <p>No candidate shall be employed who is related to any member of the Board, as defined in law, unless such candidate receives the affirmative vote of a majority of all members of the Board other than the member related to the applicant, who shall not vote.</p>
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<p>4. Delegation of Responsibility</p>	<p>If an employee bids into a position that is under the supervision of a relative, through the provisions of a collective bargaining agreement, the relative in authority may be transferred to another position for which that person is qualified.</p> <p>If, during the course of employment with the Intermediate Unit, two (2) employees marry, enter into a cohabitating relationship, or become relatives as defined above, one (1) employee may not be permitted to supervise the other. In the event of a supervisor/employee relationship, in which the subordinate employee cannot be transferred to another department/program within the Intermediate Unit, the supervisor may be transferred to another position for which that person is qualified.</p> <p>If the Executive Director determines that such a reassignment is not feasible, the Executive Director or designee(s) shall endeavor to restructure or reassign responsibilities of supervisory functions and personnel actions regarding the related employee in a manner that is consistent with the goals of this policy.</p> <p>The Executive Director shall notify the Board members if any individual being recommended for employment is a relative of any Intermediate Unit Board member or Intermediate Unit employee.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 11-1111</p> <p>Board Policy - 304</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: EMPLOYEES

TITLE: EMPLOYEE ASSISTANCE PROGRAM

ADOPTED: APRIL 22, 2013

REVISED:

<p>1. Purpose</p> <p>2. Authority</p>	<p style="text-align: center;">352. EMPLOYEE ASSISTANCE PROGRAM</p> <p>The Board recognizes the need to provide confidential, professional counseling for staff members who have personal problems that may or could affect their job performance through a wide range of services including assessment, short-term counseling, referral, monitoring, and follow-up.</p> <p>The Board shall provide an Employee Assistance Program (EAP) to address the problem of dealing effectively with deteriorating employee performance. The EAP is intended to retain talent, increase effectiveness of employees and stabilize costs related to absenteeism and hospitalization.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A</p>
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ALLEGHENY INTERMEDIATE UNIT 3

SECTION: OPERATIONS

TITLE: CHILD/STUDENT ABUSE

ADOPTED: JUNE 24, 2013

REVISED:

<p>1. Authority SC 1205.6 18 Pa. C.S.A. Sec. 4304 23 Pa. C.S.A. Sec. 6301 et seq Pol. 333, 818</p> <p>2. Definitions 23 Pa. C.S.A. Sec. 6351, 6354</p> <p>23 Pa. C.S.A. Sec. 6354</p> <p>23 Pa. C.S.A. Sec. 6303</p>	<p style="text-align: center;">806. CHILD/STUDENT ABUSE</p> <p>The Board requires Intermediate Unit employees to comply with identification and reporting requirements for possible child abuse as well as victimization of students by other school employees. The Board directs the Intermediate Unit, and independent contractors of the Intermediate Unit, to provide their employees with training for recognition and reporting of child abuse as required by law.</p> <p>Administrator - the person responsible for the administration of the Intermediate Unit program. The term includes a person responsible for employment decisions in a school, Intermediate Unit program, and an independent contractor.</p> <p>Applicant - an individual who applies for a position as an Intermediate Unit employee. The term includes an individual who transfers from one position as an Intermediate Unit employee to another position as an Intermediate Unit employee.</p> <p>Child Abuse - means any of the following:</p> <ol style="list-style-type: none"> 1. Any recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under eighteen (18) years of age. 2. Any act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under eighteen (18) years of age. 3. Any recent act, failure to act, or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under eighteen (18) years of age. 4. Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.
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	<p>No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing, and medical care.</p>
<p>SC 1205.6</p>	<p>Direct Contact with Children - the possibility of care, supervision, guidance or control of children or routine interaction with children.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Perpetrator - a person who has committed child abuse and is a parent/guardian of a child, a person responsible for the welfare of a child, an individual residing in the same home as a child, or a paramour of a child's parent/guardian. The term does not include a person who is employed by or provides services or programs in school or for the Intermediate Unit.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>School Employee - an individual employed in a district school or Intermediate Unit. The term includes an independent contractor and employees. The term excludes an individual who has no direct contact with students.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Serious Bodily Injury - bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Serious Mental Injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:</p> <ol style="list-style-type: none"> 1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened. 2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Serious Physical Injury - an injury that causes a child severe pain, or significantly impairs a child's physical functioning, either temporarily or permanently.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Sexual Abuse or Exploitation - includes any of the following: the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in or assist another individual to engage in any sexually explicit conduct or simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting and filming of any sexually explicit conduct; or any of the following offenses committed against a child: rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, sexual abuse or sexual exploitation.</p>

<p>SC 1205.6</p>	<p>Sexual Misconduct - any act, including, but not limited to, any verbal, non verbal, written or electronic communication or physical activity, directed toward or with a child or student that is designed to establish a romantic or sexual relationship with the child or student, such acts include but are not limited to:</p> <ol style="list-style-type: none"> 1. Sexual or romantic invitation. 2. Dating or soliciting dates. 3. Engaging in sexualized or romantic dialog. 4. Making sexually suggestive comments. 5. Self-disclosure or physical disclosure of a sexual or erotic nature. 6. Any sexual, indecent, romantic or erotic contact with a child or student.
<p>23 Pa. C.S.A. Sec. 6303</p>	<p>Student - an individual enrolled in an Intermediate Unit program under eighteen (18) years of age.</p>
<p>3. Delegation of Responsibility</p>	<p>In accordance with Board policy, the Executive Director or designee shall:</p>
<p>Pol. 302, 304, 305</p>	<ol style="list-style-type: none"> 1. Require each applicant for employment to submit an official child abuse clearance statement issued within the preceding year, except for those exempted by law.
<p>Pol. 309</p>	<ol style="list-style-type: none"> 2. Require each applicant for transfer or reassignment to submit an official child abuse clearance statement unless the applicant is applying for a transfer from one position as an Intermediate Unit employee to another position as an Intermediate Unit employee and the applicant has already obtained an official child abuse clearance statement.
	<p>The Executive Director or designee shall annually inform students, parents/guardians and staff regarding the contents of this Board policy. Intermediate Unit staff shall annually receive notice of their responsibility for reporting child abuse and student abuse in accordance with Board policy and administrative regulations.</p>

<p>4. Guidelines</p> <p>SC 1205.6 Pol. 333, 818</p> <p>24 P.S. Sec. 2070.1 a et seq</p> <p>SC 1205.6</p> <p>23 Pa. C.S.A. Sec. 6311, 6313</p> <p>23 Pa. C.S.A. Sec. 6311 42 Pa. C.S.A. Sec. 5945</p> <p>23 Pa. C.S.A. Sec. 6311</p> <p>23 Pa. C.S.A. Sec. 6318</p>	<p>Training</p> <p>The Intermediate Unit, and independent contractors of the Intermediate Unit, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:</p> <ol style="list-style-type: none"> 1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct. 2. Provisions of the Professional Educator Discipline Act, including mandatory reporting requirements. 3. Board policy related to reporting of suspected abuse and sexual misconduct. 4. Maintenance of professional and appropriate relationships with students. <p>Employees are required to complete a minimum of three (3) hours of training every five (5) years.</p> <p style="text-align: center;">CHILD ABUSE BY PERPETRATOR</p> <p><u>Duty To Report</u></p> <p>Intermediate Unit employees who in the course of employment come into contact with children shall report or cause a report to be made when they have reasonable cause to suspect, on the basis of medical, professional, or other training and experience, that a child under the care, supervision, guidance or training of Intermediate Unit employees is a victim of child abuse, including child abuse by an individual who is not a perpetrator.</p> <p>Except as stated in law, privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report.</p> <p>Intermediate Unit employees required to report suspected child abuse shall include, but are not limited to, an administrator, teacher, nurse, school psychologist, and/or social worker.</p> <p>Any person required to report child abuse who, in good faith, reports or causes the report to be made shall have immunity from civil and criminal liability related to those actions.</p>
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<p>18 Pa. C.S.A. Sec. 4304</p>	<p>An Intermediate Unit employee required to report suspected child abuse who, acting in an official capacity, prevents or interferes with the making of a report of suspected child abuse commits a misdemeanor of the first degree.</p>
<p>23 Pa. C.S.A. Sec. 6319</p>	<p>An Intermediate Unit employee or administrator required to report suspected child abuse or make a referral to the appropriate authorities who willfully fails to do so commits a misdemeanor of the third degree for the first violation and a misdemeanor of the second degree for a second or subsequent violation.</p>
	<p><u>Reporting Procedures</u></p>
	<p>Intermediate Unit employees who suspect child abuse shall immediately notify the Executive Director. Upon notification, the Executive Director shall report the suspected child abuse.</p>
<p>23 Pa. C.S.A. Sec. 6313</p>	<p>Reports of child abuse shall immediately be made by telephone to the Childline Abuse Registry at 1-800-932-0313 and in writing on the CY-47 form to the county Children and Youth Agency within forty-eight (48) hours after the oral report.</p>
	<p>Investigation</p>
<p>23 Pa. C.S.A. Sec. 6346</p>	<p>Intermediate Unit administrators shall cooperate with the Department of Public Welfare or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at Intermediate Unit programs.</p>
<p>23 Pa. C.S.A. Sec. 6314</p>	<p>The Intermediate Unit administrator required to report cases of suspected child abuse may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child.</p>
	<p>STUDENT ABUSE BY SCHOOL EMPLOYEE</p>
	<p><u>Duty To Report</u></p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>An Intermediate Unit employee shall immediately contact the Executive Director when the Intermediate Unit employee has reasonable cause to suspect, on the basis of his/her professional or other training and experience, that a student coming before the Intermediate Unit employee in the employee's professional or official capacity is a victim of serious bodily injury or sexual abuse or sexual exploitation by a school or Intermediate Unit employee.</p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>If the accused employee is the Executive Director, the Intermediate Unit employee shall immediately report to law enforcement officials and the district attorney.</p>

<p>23 Pa. C.S.A. Sec. 6353</p>	<p>The Intermediate Unit administrator who receives a report from an Intermediate Unit employee or who has independent cause to suspect injury or abuse shall immediately report to law enforcement officials and the appropriate district attorney. The administrator shall exercise no discretion but has an absolute duty to report when receiving notice from an Intermediate Unit employee.</p>
<p>23 Pa. C.S.A. Sec. 6352, 6353</p>	<p>An Intermediate Unit employee or administrator who refers a student abuse report shall be immune from civil and criminal liability arising out of the report.</p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>An Intermediate Unit employee who willfully fails to report suspected student abuse or who willfully violates the confidentiality of such a report commits a summary offense.</p>
<p>23 Pa. C.S.A. Sec. 6353</p>	<p>An Intermediate Unit administrator who willfully fails to report immediately to law enforcement officials and the appropriate district attorney any report of serious bodily injury or sexual abuse or sexual exploitation alleged to have been committed by a school or Intermediate Unit employee against a student commits a misdemeanor of the third degree.</p>
<p><u>Reporting Procedures</u></p>	
<p>23 Pa. C.S.A. Sec. 6353</p>	<p>The administrator's report to law enforcement officials and the district attorney shall include: name, age, address, and school of the student; name and address of the student's parent/guardian; name and address of the administrator; name, work and home address of the school or Intermediate Unit employee; nature of the alleged offense; any specific comments or observations directly related to the alleged incident; and the individuals involved.</p>
<p>23 Pa. C.S.A. Sec. 6352</p>	<p>The Intermediate Unit employee making a report of student abuse or injury by another employee shall not reveal the existence or content of the report to any person other than those to whom reporting is required under this policy.</p>
<p>Investigation</p>	
<p>23 Pa. C.S.A. Sec. 6353.1</p>	<p>Upon receipt of a report of suspected student abuse, an investigation shall be conducted by law enforcement officials, in cooperation with the district attorney.</p>
<p>23 Pa. C.S.A. Sec. 6353.1</p>	<p>If law enforcement officials have reasonable cause to suspect, on the basis of initial review, that there is evidence of serious bodily injury, sexual abuse or sexual exploitation committed by a school or Intermediate Unit employee against a student, the officials shall notify the county agency in the county where the alleged abuse or injury occurred for the purpose of the agency conducting an investigation.</p>



475 East Waterfront Drive
Homestead, PA 15120
(412) 394-5700
www.aiu3.net

Allegheny Intermediate Unit

Educational Opportunities • Innovative Solutions • Leadership Excellence

Policy Consent/Release Form

I have read the Allegheny Intermediate Unit's following Policies and Procedures and agree to abide by the policies that are listed below:

- Weapons in the School/Workplace (Policy Numbers 317.1 and 218.1)
- Human Relations (Policy Numbers 248 and 348)
- Data Safeguarding (Policy Numbers 800 and 800.1)
- Nondiscrimination in Employment and Contract Practices (Policy Number 104)
- Working Conditions (Policy Number 348)
- Unlawful Harassment (Policy Number 248)
- Acceptable Use of Internet, Computers, and Network Resources (Policy Number 815)
- Drug-Free Work Place (Policy Number 351)
- Family and Medical Leave Act (Policy Number 335)
- Nepotism Policy (Policy Numbers 304 and 304.1)
- Employee Assistance Program Policy (Policy Number 352)
- Child/Student Abuse (Policy Number 806)

I understand that compliance with these policies is a condition of employment, and that failure to comply with any part of these policies and procedures can result in termination of my employment.

Print Name

Signature

Date

<p>23 Pa. C.S.A. Sec. 6346</p>	<p>Intermediate Unit administrators shall cooperate with the Department of Public Welfare or the county agency investigating a report of suspected student abuse, including permitting authorized personnel to interview a student while in attendance at Intermediate Unit programs.</p>
<p>23 Pa. C.S.A. Sec. 6353.1</p>	<p>Law enforcement officials and the county agency shall coordinate their respective investigations. They shall conduct joint interviews with students, but law enforcement officials shall interview school or Intermediate Unit employees prior to the county agency.</p>
<p>Pol. 317</p>	<p>The administrator has an independent duty to report to the Executive Director or designee that an employee has allegedly abused or otherwise victimized a student. The requirement not to divulge the existence of the report or its content shall not limit the administrator's responsibility to use the information received to initiate and conduct an independent school investigation into the allegations. The independent school investigation shall be conducted in cooperation with the county agency and law enforcement officials, and shall be for the purpose of ascertaining appropriate employee discipline and taking action necessary to curtail wrongdoing.</p>
	<p>References:</p> <p>Child Abuse Recognition and Reporting Training – 24 P.S. Sec. 1205.6</p> <p>Professional Educator Discipline Act -24 P.S. Sec. 2070.1a et seq.</p> <p>State Department of Public Welfare Regulations – 55 PA Code Sec. 3490.1 et seq.</p> <p>Endangering Welfare of Children – 18 Pa. C.S.A. Sec. 4304</p> <p>Child Protective Services Law -23 Pa. C.S.A. Sec. 6301 et seq.</p> <p>Confidential Communications to School Personnel – 42 Pa. C.S.A. Sec. 5945</p> <p>Registration of Sex Offenders -42 Pa. C.S.A. Sec. 9795.1, 9795.4, 9798.1</p> <p>Board Policy – 302, 304, 305, 309, 317, 333, 818</p>