CUMBERLAND VALLEY SCHOOL DISTRICT

BOOSTER ORGANIZATION HANDBOOK

2018-2019

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Athletic Mission Statement

The Athletic Department of the Cumberland Valley School District makes available to students a wide variety of opportunities to develop athletic skills and to become involved as members of interscholastic athletic teams. Cumberland Valley High School is a member in good standing of the PIAA and is a proud member of the PIAA District 3 and the Mid Penn Conference.

There is a rich athletic tradition at Cumberland Valley High School. Interscholastic athletics are viewed as a unifying force within the school community, affecting not only those who take an active part on teams but the entire student body. All students are invited to take part in as many athletic programs as possible. Participation in Cumberland Valley High School Athletics, however, is a privilege and not a right; and that privilege is earned by each participant through his or her adherence to the rules and policies set forth by the Cumberland Valley School District and the PIAA.

The athletic program is an extension of the academic program, and all athletes are urged to strive for excellence in both the classroom and on the athletic field. Good Sportsmanship, commitment to team, and the development of skills and strategies necessary for interscholastic competition are essential to a successful athletic program.

The central goal of this athletic program is to foster certain characteristics and qualities. These include respect for self and others, honesty, integrity, commitment, reliability, common sense and perseverance. The values learned through the athletic experience will help individuals become more productive members of the community.

Purpose

The Cumberland Valley School District Board of School Directors accepts the concept of cooperation, encouragement and support given by approved Booster Organizations to the school district's various PIAA-affiliated interscholastic athletic programs.

Authority

The board further recognizes and declares that the role of an approved Booster Group is to assist and support but not direct, interfere with, nor supplant the staff, existing facilities or athletics program of the school district. It must be clearly understood by all booster club members that all school district sponsored activities are under the control, direction, and supervision of the Board of Directors through its building principals and their designee, the Director of Athletics. The Director of Athletics will serve as the immediate liaison to the Booster Organizations.

Booster Organization activities may strive to achieve the following objectives:

1. To promote fan support, spirit, and sportsmanship.
2. To assist the District by providing supplemental benefits and services to student-athletes.
3. To increase the opportunity for communication between parents/guardians and coaches in areas of common interest.

Guidelines for Sponsoring Banquets

It is recommended that all banquet activities be scheduled following the completion of the season's schedule. The dates of state championship events are available in the Athletics Office. Care must be taken by Booster Clubs not to provide athletes with gifts or awards that may be in violation of the rules and regulations of the Pennsylvania Interscholastic Athletic Association. When planning and carrying out banquets, Booster Clubs should be sensitive to the following issues:

1. The expense that will be incurred by those wishing to attend; picnics and potluck dinners held in the school cafeterias or public park facilities are inexpensive options that can provide a pleasant atmosphere for honoring athletes and their families.

2. The implications the various activities planned for banquets may have on the diverse ethnic and religious cultures that may be represented in the team membership.

3. The length of the banquet. Repetition of activities, remarks and recognitions of individuals or groups may lead to restlessness among some attendees and create distraction from the positive nature of the occasion. Organizers should be mindful of the occasion. Organizers should be mindful of reasonable expectations for length being approximately two hours.

4. The results of opening up certain parts of the agenda to student-athlete driven activities. Typically, these include: Senior farewell speeches, gag gifts to teammates and slide/video presentations. Communication between the banquet planners and the athletes is necessary before the banquet to reinforce standards of appropriateness for such activities in order to prevent embarrassment or other negative effects to either the presenters or the audience.

5. Alcoholic beverages **are not** to be made available to **any attendees** of a CVHS interscholastic sports banquet.

Guidelines for Spectator Conduct at Interscholastic Athletic Events

Interscholastic athletic events are among the most popularly attended school-sponsored activities. Spectators at an athletic contest, take on the important role of representatives of our school district. Actions are seen and comments are heard by family and friends, opposing fans, local community residents, the media, coaches and athletes. Our school district expects that all spectators will conduct themselves in a way consistent with our theme of respecting the rights, person and property of others.

Guidelines:

1. Learn the rules of the sport so that you can understand and appreciate the action that takes place.

2. Treat visiting players, coaches, cheerleaders and fans with courtesy as you would a guest in your own home.

3. Accept that athletics are a learning experience for the participants and value the athletes' efforts.

4. Respect the integrity and judgment of officials.

5. Cheer for your team, not against your opponent.

6. Show concern for an injured player, regardless of the team.

7. Follow the facility rules set by the game-site management/administration.

8. Do not attend events under the influence of any controlled substances (alcohol, drugs, tobacco, etc.) that will alter your thoughts and reactions to the situations of the contest.

We invite you to support our athletic teams with "CV Pride" throughout the school year.

Pepsi Agreement

Background:
The Cumberland Valley School District maintains an agreement with The Pepsi Bottling Group, "Pepsi" that grants "Pepsi" the right to be the exclusive supplier of beverage products to the District. The Food Service Department is excluded from the agreement. The agreement began on July 1, 20014 and expires on June 30, 2019.

Contract Highlights
The District has granted Pepsi the exclusive right to make the beverage products available for sale and distribution at the "Facilities", including the right to provide all beverages sold at "Special Events". The District agrees the "Pepsi" beverage products shall be the exclusive beverages sold, dispensed, served or available at the "Facilities"
The District shall purchase, and shall require that all concessionaires, PTOs, and booster clubs selling beverages at the "Facilities" purchase all Products, cups, lids and carbon dioxide directly from "Pepsi"

During the entire Term of the Agreement
No competitive products shall be sampled, sold, served or dispensed anywhere at the "Facilities", excluding Food Service.
No permanent or temporary advertising, signage or trademark visibility for competitive products shall be displayed anywhere at the "Facilities", excluding Food Service.
No agreement will be entered into or maintained by the Customer pursuant to which competitive products will be associated with the District or the "Facilities" in any advertising or promotional activity that creates a relationship or connection between the competitive products and the Customer or the "Facilities", excluding Food Service.

Key Terms
Facilities- means the entire premises of every school and facility owned or operated by the Customer, now or in the future, including all elementary, middle, high and alternative schools, athletic facilities, convenience stores, book stores, student operated stores, teachers' lounges and concessions stands, parking lots and vending areas excluding those operated by Food Service.
Special Events- means any athletic contest, booster club activities, and all other special events conducted at the "Facilities".
Competitive Products – means any and all beverage products that are not manufactured, sold or distributed by "Pepsi", excluding hot coffee, hot tea and non shelf-stable, non flavored fluid milk as currently defined by the USDA.

Beverages and Supplies
If you are interested in obtaining the beverages and supplies please contact Annmarie Potteiger in the District Office at 506-3313. She will be able to provide you the most up to date "Pepsi" contact information.

Concession Stands Guidelines

For everyone's health and safety, please follow these guidelines:

- Encourage frequent hand washing with soap and water for those persons assigned to work in the Concession Stand. (i.e. wash hands after visiting rest room, sneezing, blowing nose or etc..)

- If Concession stand workers choose to wear food-service or medical gloves while performing their duties, ensure that the gloves are latex-free, disposable and are changed frequently throughout the day/evening.

- Discourage concession stand workers from handling both food and money; work assignments should be delegated to ensure that one person handles money and others handle the preparation and distribution of food and beverages.

- Food items may not be stored in the concession stand unless they are appropriately contained, labeled with the Booster Club's name, and stored in refrigerators. Please take all other food items with you at the end of each game/use.

- Thoroughly clean all appliances, counters and sinks after each use.

- Place all waste in the appropriate garbage or recycling receptacles. DO NOT place ANY food items in the sink drain.

- Please report the damage or malfunction of any Concession Stand equipment to the Athletics Department.

- Remove all locks from drawers at the end of each season and empty their contents. Thoroughly clean the drawers.

- Keep small children away from the hot dog rollers to prevent an accident from occurring.

- During the Winter Sports season each team will be permitted ONLY one shelf in the refrigerator. An additional shelf should remain clear for game-day use only.

- Make sure all your supplies are placed in your designated areas. Any excess supplies must be removed and brought back. This is to ensure other groups are not using other supplies.
- At the end of the night, do not let standing water in sinks, tubs, or buckets.

Definitions and Understandings

The Cumberland Valley School District is committed to working with school-related organizations and groups that provide positive support to the students, academic, athletic, and co/extra-curricular programs, and personnel who run those programs, as well as provide opportunities for students to apply knowledge and skills, develop leadership capacity, organizational and time management skills, accountability, and the like.

School-Related Organizations or Groups

- Share the interests and concerns of the school district. (i.e. PTOs, booster organizations, and Eagle Foundation.)
- Are annually approved by the Board of School Directors as a school-related organization or group.
- Follow guidelines and procedures established by the Superintendent or his/her designee required to maintain their designation as "school-related."
- Maintain bank accounts separate from the district and are strongly encouraged to seek a 501(c)(3) charitable organization designation.
- Are managed and operated by individuals that are not employed by the Cumberland Valley School District

Requirements for Recognition

In order for an organization or group to be recognized by the Board of School Directors as school- related the executive board or governing body of the organization shall submit the items listed below to the Superintendent and Board Secretary in January of each year and at a subsequent meeting of the Board of School Directors receive a majority vote recognizing the organization or group as school related.

- A current constitution and bylaws for the organization and, if applicable, a copy of current 501(c)(3) charitable organization designation.
- A listing of officers as well as updates after any organizational meeting in which they change.
- A current Annual Disclosure Agreement signed by each officer. The purpose of the Annual Disclosure Agreement is for the officers of the organization to affirm that they have read and understand the Best Practices for operating a School-related organization within the Cumberland Valley School District.
- The name of the president or his/her representative willing to serve on a committee chaired by the Superintendent or designee for the purpose of communicating organization/group activities and receiving information from the administration to ensure an effective communication network between school organizations and groups and the school administration.

Use of Facilities by School-Related Organizations and Groups

School-Related Organizations and Groups:

- may be granted the use of Cumberland Valley School District facilities at reduced fees and may be given a scheduling preference before external groups. The administration has the authority to approve the use of school facilities for these groups. (Policy 707-Use of School Facilities).
- may not schedule the use of school facilities for external or outside organizations.
- may not, without prior written approval, charge admission fees or collect donations while using school facilities unless all of the monies collected go directly to the group or organization's own benefit.
- may show non-monetary support for school sponsored, other school-related and external organizations. (i.e. create a special section for midget football players and cheerleaders at an event, recognize the contributions of a member of the community, etc.).

Fundraising by School-Related Organizations and Groups

School-related organizations and groups wishing to conduct fundraising activities that involve students must:

- be planned and carried out so as to safeguard the health, safety and general well-being of students and adhere to Policy 229- Student Fundraising.
- must attest that the organization's fundraising activities are educationally based, strive to follow best accounting practices as set forth in this policy and district guidelines, and have required clearances for adults working with children.
- demonstrate that a clear need to fundraise exists, establish a clear timeline, and a show the benefit that students derive from involvement.
- provide parents the opportunity to make a contribution in their child's name rather than participate in the fundraising collection.
- **not** directly or indirectly evoke punitive measures against parents and/or students who wish to opt out of participating in fund raising activities.

Further, school-related organizations and groups wishing to conduct fundraising activities are:

- strongly encouraged to limit fundraising activities to only what is needed to support students in a calendar year or as part of a well-defined, multi-year effort.
- strongly encouraged to expend all monies on the needs of students within the time frame students typically are associated with the organization. (i.e. JV/Varsity Booster-4 Years, Elementary PT0-6 Years)
- expected to work with the school administration to assure that all monies provided to student groups are Title IX compliant and consistent with the expectations of the PIAA and NCAA.
- expected to work with school administration to help assure that donations made by school-related organizations do not create educational inequities across the district.

- provide opportunities for students of families experiencing financial hardship to participate in the activities the organization supports.
- prohibited from utilizing students during instructional time for fundraising activities without prior approval of the building principal.
- avoid contests and promotions with fundraising that make students feel obligated to participate and/or fearful of being identified as being low-income if they do not.
- limit fund raising for external organizations on campus and refrain from engaging in fundraising for the benefit of third-party charities in the community.

School-related organizations and groups involved in concessions at school events shall follow district guidelines. In this regard, with input, the Superintendent or designee shall annually publish and distribute a Concessionaire's Manual.

External organizations/groups that receive funds through the efforts of Cumberland Valley School District students, faculty, staff, and community are expected to follow accounting practices required of their 501(c)(3) designation. School-related groups who are fundraising for a 501(c)(3) are encouraged to solicit donations in a manner that allow funds to go from the donor directly to the non-profit organization.

Outside groups and individuals that do not have a 501(c)(3) designation are prohibited from receiving funds from school-sponsored organizations or groups, through student trusts, or by direct solicitation on school district property.

Clearances for Adults in Proximity of Students

School-related groups and any of the volunteers they utilize as part of their organization/group, organizations/groups that support the organization, and any outside vendors or contractors they may contract with shall maintain all of the clearances required by the Commonwealth of Pennsylvania and do so in a manner consistent with Cumberland Valley School District policy and guidelines.

Best Practices- Administrative

Your organization must obtain an employer identification number (EIN) through the IRS. Use of the District employer identification number or sales tax exempt number is not permitted.

1. The District strongly recommends that your organization become recognized by the Internal Revenue Service (IRS) as a section 501 (c)(3) organization since you will be receiving donations. In future years the District may require the organization to provide proof of the 501 (c)(3) designation.

2. Monies raised through your organization should be used for the general benefit of the group as a whole. Efforts to segregate or silo monies for individual students should not occur and may jeopardize the group's 501 (c)(3) (tax exempt) status with the IRS. All entities must be aware that "siloing" is prohibited under the Internal Revenue Code. *Capital Gymnastics Booster Club, Inc. v Commissioner,* T.C. Memo 2013-193, for information on this prohibition and recent enforcement.

3. The organization should consider proper bonding insurance in an appropriate amount with a surety approved by the organizing board to protect the organization.

4. Consider implementing term limits for officers.

5. Keep contemporaneous minutes of meetings held or written actions undertaken during the year by the governing body and each committee authorized to act on behalf of the governing body.
6. Adopt IRS recommended policies:
    A. Whistleblower Policy- Charitable organizations are strongly encouraged to implement procedures that provide club/organization members the ability to inquire about or resolve ethical issues or questions.
    B. Conflict of Interest Policy- Updated Annually
    C. Document Destruction Policy

7. The governing body should review all Federal tax filings (990, 990-EZ) if applicable before filing with IRS.

8. Comply with the IRS requirements for substantiation and disclosure regarding charitable contributions and fundraising. (See IRS Publication 1771)
9. Efforts to raise money for other external organizations should be minimized and, to the extent they are conducted, the funds raised shall not be comingled with regular operating funds.

10. Any time small groups of chance (raffles, bingos) are conducted, a Small Games of Chance license is required to be procured from the Cumberland County Treasurer's office.

Best Practices- Financial Records

1. The organization's financial records should be maintained and reconciled on adequate computer software (ex: Peachtree, QuickBooks) to provide financial transparency for the organization.

2. An annual budget should be completed by the organization to measure organizational expectations. (Consider a two year budget approach.)

3. Carryover balances for the organization should be no greater than 30% of the next year's budget.

4. Develop a records retention policy and determine where the important records will be maintained.

Best Practices- Cash Receipts

1. A tracking system must be established for all receipts. This will simplify year end reporting. (Use of QuickBooks is highly recommended as a tracking system.)

2. If an event requires tickets for admission purposes, pre-numbered tickets should be required.

   A. Beginning and ending tickets should be reconciled to receipts per event.
   B. Tickets should be distributed in sequence; irregularities relating to the sequencing should be investigated immediately.

3. All checks should be restrictively endorsed "For deposit only" immediately upon receipt.

4. Maintain log of cash and checks received, including copies of checks. This log should be signed by persons collecting the funds for accountability. This tool will aid to simplify monthly and annual reporting requirements. (Scanned copies are acceptable; not required to maintain in hard copy form.)

5. Two individuals should be present when receiving and counting cash/check receipts.

   A. Each person should count the funds individually to ensure accuracy. The counts should be logged on one report.

   B. Report should be signed by both individuals involved in the counting process.

   C. The count sheet report should be forwarded to the person responsible for reconciling the bank statement.

   D. Bank statements must be reconciled within 5 days of receipt from a person who is independent of the initial count and deposit process.

   E. On-line banking allows more timely reconciliations and the identification of questionable transactions occurring throughout the month.

6. Establish which members of the entity will have the ability to make deposits. Deposits should be made frequently (e.g. no less than weekly)
7. If cash and checks are not being deposited on the day of the event, after two people independently count and sign off, the cash and checks must be locked in a secure area until deposited.
    A. The person who has access to the secured cash should not be the same person who counted the cash and checks, and attested to the count. This may be the same person who will create the deposit slip.

    B. The person preparing the deposit slip should not be involved in the initial count of the funds.
8. The deposit receipt from the bank should be given to the original reconciler, who then compares the deposit to the initial reconciliation. Any discrepancies should be investigated in accordance with entity procedures.

Best Practices- Cash Disbursements

1. A tracking system must be established for all disbursements
    A. This will simplify year end reporting.
    B. Use of QuickBooks is highly recommended as a tracking system.
2. Disbursements must be issued using pre-numbered checks.
    A. Any missing checks should be investigated immediately.
    B. The financial institution should be notified immediately to cancel/void missing checks
3. Blank checks should be restricted/secured in a locked location by someone who is not an authorized signatory.
4. Checks written to "Cash" are prohibited.
5. Disbursements must require approved invoice or receipt prior to being prepared for review and signatures.
    A. Paid invoices should be marked as "paid" to eliminate any potential for duplicate payments.
6. Require all checks to have <u>two</u> Club or Organization Officers' review and signature
    A. Rubber signature stamps should NEVER be allowed. All signatures must be live.
    B. Blank checks should NEVER be signed in advance and kept for "emergency" purchases.
7. Checks can only be signed by those listed as "authorized signatories." Signatory cards must be updated with the bank when officer positions are changed.

8. The organization is required to issue IRS Form 1099 to each person to whom the entity has paid at least $600 in rents, services (including parts and materials), prizes and awards, or other income payments.

    A. The entity is required to issue a 1099 to any individual, partnership, limited liability company, limited partnership or estate.

9. If the entity issues a considerable number of checks, consider implementing Payee Positive Pay. Your financial institution can help you with this process.

Requirements

1. CVSD Employees should not be officers of school related organizations and clubs.

2. CVSD Employees shall not collect, receive, count, or maintain receipts for the organization. CVSD employees shall not disburse funds for the organization.

3. Background checks should be completed for all volunteers and club members who will be operating, promoting or engaging in activity on CVSD property.

4. The newly amended Child Protective Services Law (CPSL) significantly affects volunteers involved with Cumberland Valley School District students and in the District's facilities.

5. Approved Volunteers (e.g. those who have successfully completed background checks) must update their activity with the CVSD Approved Advisor listing each school year.

6. Volunteers must review and attest to the volunteer policy on an annual basis.

7. Monthly statements of account balance must be filed for all accounts no later than 30 days after the month ends.

8. Any fundraising activities must be documented on the School-Related Group Fundraising Request Form and approved by the Building Administrator prior to conducting the activity.

9. The name of the president or his/her representative willing to serve on a committee chaired by the Superintendent or designee for the purpose of communicating organization/group activities and receiving information from the administration to ensure an effective communication network between school organizations and groups, and the school administration must be submitted to the Business Office.

CUMBERLAND VALLEY
SCHOOL DISTRICT

Acknowledgments

We have read and understand each of the **Best Practices** acknowledge it is our responsibility to implement as many of the Best Practices as possible in order to protect the organization and the public monies entrusted to us.

President Name	President Signature	Date
Vice-President Name	Vice-President Signature	Date
Secretary Name	Secretary Signature	Date
Treasurer Name	Treasurer Signature	Date

We have read and understand each of the list of **Requirements** and acknowledge that it is our responsibility to make sure each of the District requirements listed are complied with.

President Name	President Signature	Date
Vice-President Name	Vice-President Signature	Date
Secretary Name	Secretary Signature	Date
Treasurer Name	Treasurer Signature	Date

Any changes to this list will be communicated directly to the Business Office and Building Principal within 7 business days.

CUMBERLAND VALLEY
SCHOOL DISTRICT

School-Related Organization Officer Terms and Financial Questionnaire

ORGANIZATION NAME: _____

PRIMARY CONTACT INDIVIDUAL

_____ _____
NAME TITLE

_____ _____
PHONE NUMBER E-MAIL

OFFICERS:

_____ President	_____ Term End Date	_____ Phone	_____ E-mail
_____ Vice-President	_____ Term End Date	_____ Phone	_____ E-mail
_____ Secretary	_____ Term End Date	_____ Phone	_____ E-mail
_____ Treasurer	_____ Term End Date	_____ Phone	_____ E-mail

FINANCIAL ACKNOWLEDGMENTS:

Name of Accounting Software_____

When does the Organization finalize the annual budget? _____

How many disbursements does the Organization make annually? _____

Date the Organization's bylaws were last updated_____

Has the Organization registered as a 501(c)(3)? ☐ Yes ☐ No

Does the Organization compensate any individuals? ☐ Yes ☐ No

When does your Organization conduct meetings?_____

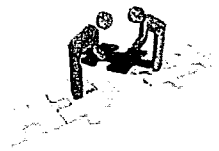
_____ _____ _____
Printed Name Signature Date

This form is to be returned to Sharon Miller at the District Office or sent via e-mail to semiller@cvschools.org

(EXHIBIT A)

CUMBERLAND VALLEY
SCHOOL DISTRICT

School-Related Group Application for School-Related Status



NAME OF ORGANIZATION:_____

PURPOSE/MISSION OF ORGANIZATION: _____

HOW DOES THE ORGANIZATION BENEFIT CV STUDENTS/FAMILIES/ COMMUNITY? _____

(Attach Additional Pages if Necessary)

Does the Organization have 501(c)3 Status? **YES** **NO**

Please attach the following:

- ☐ Copy of By-Laws
- ☐ Names and Contacts of Officers
- ☐ Signed Acknowledgement Form- Pg15 of this Publication
- ☐ Certificate of Insurance for Rentals
- ☐ Anticipated Budget
- ☐ Clearances of Officers
- ☐ Other Information the Organization Wishes to Share

_____ _____

Signature President/Chief Executive Officer Signature *Date*

*Print Name:*_____

(EXHIBIT B)

CUMBERLAND VALLEY
SCHOOL DISTRICT

School-Related Group Fundraising Request Form



ORGANIZATION NAME _____

DESCRIPTION OF FUNDRAISER _____

DATES OF FUNDRAISER _____

SPECIFIC PURPOSE OF FUNDRAISER _____

WILL ALL PROCEEDS GO TO THE SCHOOL RELATED ORGANIZATION: YES NO

(If "NO" complete 3rd Party Fund Raising Form)

EXPECTED REVENUE FROM THE FUNDRAISER $

ORGANIZATION CASH BALANCE AT TIME OF REQUEST $

_____ _____

Officer Name *Date*

_____ _____

Officer Signature *Date*

☐ **FUNDRAISER APPROVED** ☐ **FUNDRAISER NOT APPROVED**

_____ _____

Administrator/Principal Signature *Date*

09/2017

(EXHIBIT C)

CUMBERLAND VALLEY
SCHOOL DISTRICT

School-Related Group Third-Party Fundraising Request Form



SCHOOL RELATED ORGANIZATION NAME _____

DATE OF FUNDRAISER: _____

THIRD-PARTY ORGANIZATION: _____

DOES THE THIRD-PARTY ORGANIZATION HAVE 501(c) 3 STATUS OR TRUST: **YES** **NO**

HAS THE THIRD-PARTY ORGANIZATION DONE OTHER FUNDRAISERS THIS YEAR WITH THIS OR OTHER SCHOOL RELATED OR SCHOOL SPONSORED GROUPS? **YES** **NO**
(IF "NO" PLEASE ATTACH ALL PREVIOUS REQUEST FORMS)

WHAT IS THE EDUCATIONAL VALUE OF THIS FUNDRAISER FOR CV STUDENTS? _____

_____

_____

_____

_____

_____

WHAT % OF THE PROCEEDS BENEFIT CV STUDENTS/FAMILIES/COMMUNITY: _____

EXPECTED REVENUE FROM THE FUNDRAISER $ _____

_____ _____
Officer Name *Date*

_____ _____
Officer Signature *Date*

☐ **FUNDRAISER APPROVED** ☐ **FUNDRAISER NOT APPROVED**

_____ _____
Administrator/Principal Signature *Date*

(EXHIBIT F)

CUMBERLAND VALLEY
SCHOOL DISTRICT

District Recommended List of Acceptable
Annual Expenditures for Booster Groups



FOR SPORTS BOOSTER GROUPS

CATEGORY		MAXIMUM COST	
Jackets			
Team Bags			
Team Dinners			
Championship Rings			
T-Shirts			
Sweatshirts			
Meals for Away Games			
Coach Requests for Non-Budgeted Equipment (reviewed by AD), etc.			

CUMBERLAND VALLEY
SCHOOL DISTRICT
Soaring to Greatness, Committed to Excellence

Book	Policy Manual
Section	900 Community
Title	School-Related Organizations and Groups
Number	915.2
Status	Active
Legal	1. Pol. 229 2. 24 P.S. 511 3. Pol. 707 4. 23 Pa. C.S.A. 6344.2 10 P.S. 162.1 et seq
Adopted	June 19, 2017

Purpose

The Cumberland Valley School District is committed to working with school-related organizations and groups that provide positive support to the students, academic, athletic, and co/extra-curricular programs, and personnel who run those programs, as well as provide opportunities for students to apply knowledge and skills, develop leadership capacity, organizational and time management skills, accountability, and the like.

Definitions

School-Related Organizations or Groups -

- Share the interests and concerns of the school district. (i.e. PTO's, booster organizations, and Eagle Foundation.)
- Are annually approved by the Board of School Directors as a school-related organization or group.
- Follow guidelines and procedures established by the Superintendent or his/her designee required to maintain their designation as "school-related."
- Maintain bank accounts separate from the district and are strongly encouraged to seek a 501(c)(3) charitable organization designation.
- Are managed and operated by individuals that are not employed by the Cumberland Valley School District

Guidelines

Requirements for Recognition:

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- A listing of officers as well as updates after any organizational meeting in which they change.
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- The name of the president or his/her representative willing to serve on a committee chaired by the Superintendent or designee for the purpose of communicating organization/group activities and receiving information from the administration to ensure an effective communication network between school organizations and groups and the school administration.

Use of Facilities by School-Related Organizations and Groups

School-Related Organizations and Groups -

- May be granted the use of Cumberland Valley School District facilities at reduced fees and may be given a scheduling preference before external groups. The administration has the authority to approve the use of school facilities for these groups. (Policy 707-Use of School Facilities).[3]
- May not schedule the use of school facilities for external or outside organizations.
- May not, without prior written approval, charge admission fees or collect donations while using school facilities unless all of the monies collected go directly to the group or organization's own benefit.
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Fundraising by School-Related Organizations and Groups

School-related organizations and groups wishing to conduct fundraising activities that involve students must:

- Be planned and carried out so as to safeguard the health, safety and general well-being of students and adhere to Policy 229 – Student Fundraising.[1]
- Attest that the organization's fundraising activities are educationally based, strive to follow best accounting practices as set forth in this policy and district guidelines, and have required clearances for adults working with children.
- Demonstrate that a clear need to fundraise exists, establish a clear timeline, and a show the benefit that students derive from involvement.
- Provide parents the opportunity to make a contribution in their child's name during rather than participate in the fundraising activity.
- **Not** directly or indirectly evoke punitive measures against parents and/or students who wish to opt out of participating in fundraising activities.

Further, school-related organizations and groups wishing to conduct fundraising activities are:

- Strongly encouraged to limit fundraising activities to only what is needed to support students in a calendar year or as part of a well-defined, multi-year effort.
- Strongly encouraged to expend all monies on the needs of students within the time frame students typically are associated with the organization. (i.e. JV/Varsity Booster-4 Years, Elementary PTO-6 Years)
- Expected to work with the school administration to assure that all monies provided to student groups are Title IX compliant and consistent with the expectations of the PIAA and NCAA.
- Expected to work with school administration to help assure that donations made by school-related organizations do not create educational inequities across the district.
- Provide opportunities for students of families experiencing financial hardship to participate in the activities the organization supports.
- Prohibited from utilizing students during instructional time for fundraising activities without prior approval of the building principal.
- Avoid contests and promotions with fundraising that make students feel obligated to participate and/or fearful of being identified as being low-income if they do not.
- Limit fundraising for external organizations on campus and refrain from engaging in fundraising for the benefit of third-party charities in the community.

School-related organizations and groups involved in concessions at school events shall follow district guidelines. In this regard, with input, the Superintendent or designee shall annually publish and distribute a Concessionaire's Manual.

External organizations/groups that receive funds through the efforts of Cumberland Valley School District students, faculty, staff, and community are expected to follow accounting practices required of their 501(c)(3) designation. School-related groups who are fundraising for a 501(c)(3) are encouraged to solicit donations in a manner that allow funds to go from the donor directly to the non-profit organization.

Outside groups and individuals that do not have a 501(c)(3) designation are prohibited from receiving funds from school-sponsored organizations or groups, through student trusts, or by direct solicitation on school district property.

Clearances for Adults in Proximity of Students

All adult individuals having direct contact with, or supervisory control over, Cumberland Valley students through school-related organizations or group activities shall maintain all of the criminal history background reports and child abuse clearances required by the Commonwealth of Pennsylvania and do so in a manner consistent with Cumberland Valley School District policy and guidelines.[4]

Insurance

Cumberland Valley School District provides insurance for each group.

Financial Recordkeeping And Reporting

Section 511 of the Public School Code provides and, among other things, sets forth requirements with respect to managing the finances and accounts of school organizations and groups (school-related and school-sponsored) and applies to the parent/teacher organizations of all of the schools of the Cumberland Valley School District, as well as all other school district organizations, clubs, societies, and groups (i.e. Boosters), which raise, expend, and hold funds in its own name and under its own management. The Financial Recordkeeping and Reporting Best Practices will be included in the Annual

Disclosure Agreement provided by the School District. The District will require the following to be recognized:[4]

1. Completion of the Best Practices Acknowledgement form that documents the officer's responsibility to implement as many of the Best Practices described in the Annual Disclosure Agreement.[2]
2. Completion of the District Requirements Acknowledgement form that documents the officer's understanding of the requirements school district will expect the organization to follow.
3. The Treasurer shall be required to maintain a current and adequate accounting system that is transparent to the public at large.
4. The Treasurer shall submit a monthly Statement of Account Balance to the Business Office no later than thirty-one (31) days after the month ends.

Recognition Functions

A school organization or group may sponsor athletic banquets to which athletes may be invited, without charging admission to such athletes (P.I.A.A. Manual, Article Section 4). The district prohibits purchasing and/or serving of any alcoholic beverages at such events.

A school organization or group planning a recognition event shall request permission of the building principal to conduct such event and shall clear the date for the event with the principal.

Instructional Staff

Any compensation paid to individuals or contractors maintaining the support of staff of an instructional program or any program, including athletic or music programs, is subject to the IRS reporting responsibilities for the organization. Proper tax reporting of compensation to individuals or contractors is the sole responsibility of the organization and said compensation shall not be directed through the Cumberland Valley School District. School-related organizations and groups are discouraged from paying individuals to work with students.

Camps, Tournaments, Etc.

For eligibility purposes, no direct payments outside P.I.A.A. guidelines (P.I.A.A. Manual, Article II, and Section 2) may be made to student athletes for attendance at tournaments, camps, or the like. Such attendance fees may be supplanted by the school organization or group based upon the student's participation in a club activity(ies).

Sponsored camps, clinics, etc., must be offered under the umbrella of the Cumberland Valley School District in the form of open gyms. The Summer Programs, under the collective bargaining agreement, are separate entities.

Expenditures For Equipment, Supplies, Etc.

The district shall purchase all game uniforms. The game uniform shall include any clothing or headgear, that: (a) display the school colors or logo (except shoes), (b) are purchased by the district, (c) are worn in warm-up for a contest, during the contest, or immediately subsequent to the contest, and (d) are intended to be collected by the school at the conclusion of the season. Ancillary gear and apparel such as coaching aid equipment items, shoes, bags (totes), etc., may, however, be purchased and/or donated by booster groups, corporate sponsors, or other non-school sanctioned entities. The district retains the right to prohibit the donation of any money, gear, equipment, clothing, or facilities in order to ensure Title IX compliance. Items purchased or donated other than by the district must meet criteria as defined below:

1. The donation/purchase of goods shall meet all policies and procedures of the district.
2. The donation/purchase of goods shall adhere to all P.I.A.A. policies and guidelines.

3. The donation/purchase of goods shall have the written approval of the Superintendent or designee prior to any deliberations commencing with a potential provider.

4. Any donation of goods may not be in conflict with any district-level sponsorships that may be in effect.

5. The Cumberland Valley School District solicitor and Superintendent or designee, shall review any agreement or contract proposed.

Compliance

Should any situation emerge between a school-related organization or group and the administration regarding the management of any school-related activity, the Superintendent or designee shall resolve the issue within these established guidelines or Board policy. No school-related organization or group shall engage in any activity outside these guidelines.

Further, in conducting its activities, school-related organizations and groups shall comply with the Solicitation of Funds for Charitable Purposes Act, as amended, and other state and federal rules, as applicable, to include certificate for small games of chance.

The Board of School Directors maintains the right to revoke the recognition of a school-related organization or group without notice and prohibit the use of school district resources to external organizations or outside groups who engage in any activity outside these guidelines.

Policy 915.2 Attachment Requirements, Guidelines, Form, and Annual Disclosure Agreement (Final) for PTO's, Boosters, And Other School Related Organizations.pdf (987 KB)

CUMBERLAND VALLEY
SCHOOL DISTRICT
Soaring to Greatness, Committed to Excellence

Book	Policy Manual
Section	700 Property
Title	Gifts and Donations
Number	702
Status	Active
Legal	1. 24 P.S. 216
Adopted	June 19, 1997
Last Revised	August 15, 2005

Purpose

While it is not the intent of the Board to discourage either individual or organizational interest in the school, it is felt that clearly defined Board policy regarding such contributions may prevent misunderstandings. The Board recognizes that individuals and organizations in the community may wish to contribute additional funds, supplies or equipment to enhance or extend the instructional, athletic and extra-curricular programs. In general, it might be hoped that individual or organizational contributions might be designated to causes or to purposes for which public funds may not be available. It is with these basic assumptions in mind that the following policy regarding individual and organizational contributions to the school has been adopted.

Authority

The Board, or its designee, has the authority to accept such gifts and donations as may be made to the district or to any school in the district. The Board, or its designee, reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of this district or the ownership of which would adversely affect the district. It shall be the policy of the Board to exercise appropriate control in respect to the receiving of unsolicited contributions to schools within the system.[1]

A list of supplies and equipment contributed primarily for school use shall be reported to the Board by the Superintendent, at least annually.[1]

Any gift accepted by the Board or its designee shall become the property of the district, may not be returned without approval of the Board, and is subject to the same controls and regulations as are other properties of the district.

It is expected that individuals or organizations desiring to contribute supplies or equipment will counsel with the Superintendent, or designee, regarding the acceptableness of such contributions in advance of the solicitation of funds or the making of budgetary appropriations. The Board in advance of solicitation of funds must approve any promises or contracts associated with the donation or gift.

Contributions of equipment or services that may involve installation or major costs for maintenance or initial or continuing financial commitments from school funds shall be presented to the Superintendent's

office for Board consideration and approval.

Because of differences in economic resources available to the various schools and for other reasons, the purchase of equipment on a matching fund basis (part of cost provided by an individual or organization and part by the Board from public funds) may be approved by the Superintendent or designee, on a limited basis.

The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

The Board will make every effort to honor the intent of the donor in its use of the gift but reserves the right to utilize any gift it accepts in the best interest of the educational program of the district.[1]

CUMBERLAND VALLEY
SCHOOL DISTRICT
Soaring to Greatness, Committed to Excellence

Book	Policy Manual
Section	800 Operations
Title	Maintaining Professional Adult/Student Boundaries
Number	824
Status	Active
Legal	1. 24 P.S. 510 2. Pol. 818 3. Pol. 103 4. Pol. 103.1 5. Pol. 248 6. Pol. 815 7. 23 Pa. C.S.A. 6311 8. Pol. 806 9. 24 P.S. 2070.9a 10. 24 P.S. 1302.1-A 11. 24 P.S. 1303-A 12. 22 PA Code 10.2 13. 22 PA Code 10.21 14. 22 PA Code 10.22 15. Pol. 317 16. 18 Pa. C.S.A. 3124.2 17. 24 P.S. 2070.9f 18. Pol. 417 19. Pol. 517 24 P.S. 2070.1a et seq 22 PA Code 235.1 et seq 23 Pa. C.S.A. 6301 et seq Pol. 104
Adopted	August 20, 2018

Purpose

Cumberland Valley School District strives to maintain a safe, positive learning environment for all students that is free from discrimination, harassment, and behaviors inappropriate for the classroom. The district prohibits discrimination and harassment of students, employees and others in the school environment, and will respond to any behaviors inappropriate for our classrooms and the work place. The district will not tolerate retaliation for reporting discrimination, harassment, and inappropriate behavior, and will take steps to protect those who wish to report anonymously or confidentially.

The Board is committed to provide a respectful and professional learning environment that encourages mutual respect, collaborative relationships and is free from negative, aggressive, and inappropriate behaviors.

A respectful learning environment is free from unlawful discrimination, harassment, inappropriate and/or unprofessional behaviors. The district promotes teamwork and a spirit of cooperation and collaboration regardless of differences and disagreements on personal, social or other issues.

Authority

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

The Board directs that all adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[1]

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

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

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint, and the investigation shall be handled in accordance with this policy and the district's legal and investigative obligations.

Retaliation

The Board prohibits retaliation against any person for making a report of discrimination or participating in a related investigation or hearing, or opposing practices the person reasonably believes to be discriminatory. A complaint of retaliation shall be handled in the same manner as

a complaint of discrimination.

False Accusations

The district also recognizes that knowingly-made false accusations of unlawful discrimination can have serious effects on innocent persons. Therefore, such false accusations will result in the appropriate disciplinary action provided in the Pennsylvania School Code and/or Cumberland Valley School District Policy.

Definition

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

Delegation of Responsibility

The Director of Human Resources, who also serves as the district's Compliance Officer, shall annually inform students, parents/guardians, and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website, and by other appropriate methods.

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

Independent contractors doing business with the district shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.[2]

Guidelines

Inappropriate, disrespectful, and unprofessional behaviors can be disruptive to a student's ability to learn. It shall be considered a violation of this policy if an employee's conduct, regardless if it is unlawful, is sufficiently severe, persistent or pervasive to the extent that a reasonable person would find that it unreasonably interferes with a student's ability to learn or otherwise creates an intimidating, hostile, or offensive environment such that it impacts a student's ability to participate in educational opportunities provided by the district.

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

This policy is directed at actions/behaviors that may give the appearance or indicate an adult is deliberately testing the child's boundaries by using his/her familiarity with the child, social status, or power to take advantage of the student. This process, sometimes referred to as 'grooming,' often happens by building trust of the child and adults responsible for the child's welfare, giving gifts or favors, separating the child from others, creating a norm of secrecy for other activities and violating boundaries.

This policy is not directed toward legitimate actions/behaviors that are recognized by the school district, the administration, and standards of the community to assure all students feel safe, welcome, and an important member of the learning environment. Educators, parents/guardians,

and students encourage professional student-teacher interaction that promotes cooperation, learning, and mutual respect. Examples of such actions/behaviors may include, but not be limited to, a teacher giving each student in their class a birthday card on their birthday, providing a treat or reward to the entire classroom, publicly recognizing outstanding academic, artistic, or athletic accomplishments, providing appropriate and professional messages of support for a student during difficult times, and professional, age-appropriate physical contact when welcoming or comforting students.

Adults should communicate with students through school email, apps, or social media platforms approved by the building principal or Athletic Director, and, only when absolutely necessary for school related business/emergencies, use a personal device.

When using a personal device to communicate, adults should block their personal information and/or correspond with groups that include a co-advisor, another coach, Athletic Director, or principal.

Prohibited Conduct

Romantic or Sexual Relationships - Adults shall be prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[16][17]

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

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

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

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

1. Disclosing highly personal, sexual, or employment concerns or other private matters to one or more students.

2. Exchanging notes, emails, text messages, or other communications of a personal nature with an individual student.
3. Giving personal gifts, cards, or letters to an individual student without the knowledge of the building principal.
4. Giving personal gifts, cards, or letters to small or select group of students without the knowledge of the building principal.
5. Inappropriate physical contact with students without a legitimate educational reason. (Legitimate educational reasons could include, but not be limited to, the need for assistance when injured, contact necessary to secure the immediate safety of a student, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction, or appropriate music instruction).
6. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult/student relationship.
7. Taking a student out of class without a legitimate educational reason.
8. Being alone with a student behind closed doors without a legitimate educational reason.
9. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
10. Sending or accompanying a student on personal errands.
11. Inviting a student to the adult's home.
12. Going to a student's home without a legitimate educational reason.
13. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
14. Giving a student a ride alone in a vehicle in a non-emergency situation without prior notification to and approval from both the parent/guardian and the building principal.
15. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
16. Telling a student personal secrets or sharing personal secrets with a student.
17. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
18. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.
19. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.[3][4][5]

Singling Students Out for Gender or Ethnic Cultural Differences

Adults are encouraged to understand gender and ethnic cultural differences of their students and shall be prohibited from interfering with a student's access to educational programs and

opportunities or academic success based on gender and ethnic cultural differences. Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Comments, statements, or actions based on stereotyping;
2. Penalizing students academically, athletically, or within extra-curricular activities due to religious beliefs, celebrations of religious holidays, ethnic cultural traditions and dress, or the like;
3. Assigning disagreeable or unsafe duties; or not making comparable assignments that would tend to disadvantage a student's development;
4. Withholding information, materials, equipment or supplies which are necessary for the efficient performance of an assignment;
5. Interfering with a student's efforts to satisfactorily complete an assignment;
6. Unreasonably failing to cooperate or assist students with school-related matters;
7. Maintaining unequal standards of performance;
8. Ostracizing students, or otherwise making it known to students that they are not welcome because of their gender;
9. Referring to students by sexually denigrating or insulting names because of their gender; or
10. Engaging in harassing or discriminatory conduct based on gender or ethnic cultural differences prohibited by other district policies or by state or federal law and regulations. [3][4][5]

Electronic Communications

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

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

Electronic communication with students shall be for legitimate educational reasons only.

When available, district-provided email or other district-provided communication devices, the learning management system, and/or other approved media platforms shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices shall be in accordance with district policies and procedures.[6]

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

direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

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

Exceptions

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

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

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

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

Reporting Guidelines

Each staff member shall be responsible to assist in maintaining a school environment that is free from discrimination, harassment, or unprofessional behavior. Students have the right to learn in an environment which fosters dignity and respect.

All district employees, independent contractors, and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[7][8]

An employee who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall immediately report such misconduct to the Superintendent and his/her immediate supervisor upon discovery of such misconduct.[9]

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[7][8][9][10][11][12][13][14]

Employees shall report any violations of this policy to his/her immediate supervisor. Students shall report any violation of this policy to his/her building principal.

Any employee who receives complaints from another employee or student regarding a violation of this policy shall report such to his/her immediate supervisor. If the complainant is from a student, the employee shall report such to the building principal.

If the immediate supervisor or building principal is the alleged perpetrator of the discrimination, then the employee/student shall report the incident directly to the Director of Human Resources who serves as the Compliance Officer.

Complaint Procedure – Student/Third Party

Step 1 – Reporting

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

Upon receiving the report, the immediate supervisor or building principal shall inform the Director of Human Resources who serves as the district's Compliance Officer to determine if the incident is unlawful.

If the incident is determined to potentially be unlawful it shall be investigated as such following applicable law, regulations, and Board policy.[7][8]

If the building principal or immediate supervisor is the subject of a complaint, the student, third party or employee shall report the incident directly to the Director of Human Resources.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.[8]

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

Step 2 – Investigation

If the incident is not being considered as unlawful, the investigator shall conduct an adequate, reliable, and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include

inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigator may work with the Human Resources Office to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Director of Human Resources within twenty (20) days of the initial report of the alleged violation of policy, unless the nature of the allegations, anticipated extent of the investigation and the availability of witnesses requires the investigator and the Compliance Officer to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

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

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.

Step 4 – District Action

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

If an investigation results in a finding that a different policy was violated separately from or in

addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, and applicable collective bargaining agreements.

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures.[15][18][19]

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