

SOUTHERN LEHIGH SCHOOL DISTRICT
5775 Main Street
Center Valley, PA 18034

TO: Southern Lehigh School Board
FROM: Board Policy Committee
SUBJECT: First Reading of Revised Policies
DATE: September 26, 2016

The following revised policies are being sent to the Board for a first reading:

<u><i>Policy No.</i></u>	<u><i>Title</i></u>
Policy 101	Programs: Philosophy of Education
Policy 103	Programs: Nondiscrimination in School and Classroom Practices
Policy 104	Programs: Nondiscrimination in Employment and Contract Practices
Policy 118	Programs: Independent Study
Policy 609	Finances: Investment of District Funds
Policy 707	Property: Use of School Facilities

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: PHILOSOPHY OF EDUCATION

ADOPTED: November 11, 2002

REVISED:

Replaces former policy 5130	101. PHILOSOPHY OF EDUCATION
1. Authority Title 22 Sec. 4.1	A democratic society is founded on the worth of each individual and the value of his/her unique contribution to that society. The Board is committed to providing a system of education that will offer equal educational opportunities in accordance with a student's interests, abilities and needs, consistent with available resources.
Title 22 Sec. 4.11	The Board recognizes its responsibility to provide a broad educational program consistent with the mental and physical potential of every child in our school community.
Title 22 Sec. 4.11	The purpose of education in the schools of this district is to facilitate the development of the potential of each student to the fullest. Education is the guidance of the student through the learning processes to the end that s/he becomes personally effective in a dynamic society.
Title 22 Sec. 4.13	<u>The District's Mission Statement, Vision, Goals, and Shared Values are outlined in the most current version of the Strategic Comprehensive Plan.</u> <u>District Mission Statement</u> The mission of the Southern Lehigh School District, in collaboration with the home and community, is to educate all students to their full capabilities so that they may become self-directed learners and responsible citizens in our rapidly changing world by recognizing their individual differences and addressing them through a combination of challenging curriculum and effective teaching and assessment. <u>District Strategies</u> Create a LEARNING ENVIRONMENT that enhances the appreciation of diversity and deals effectively with changing social conditions to produce responsible citizens. Build meaningful, action-oriented PARTNERSHIPS among school, families, businesses, and community to make our mission and beliefs a reality.

~~Improve our internal and external **COMMUNICATIONS**.~~

~~Differentiate our **INSTRUCTION** and utilize appropriate **ASSESSMENT** tools to enable all students to reach their full capabilities.~~

~~Establish a curriculum based on rigorous **STANDARDS** and provide opportunities, structures and activities that **SUPPORT** all students in attaining and exceeding them.~~

~~Review our use of **TIME** as a resource to accomplish our mission.~~

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN
SCHOOL AND CLASSROOM
PRACTICES

ADOPTED:

REVISED:

	103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES
1. Authority SC 1310, 1601-C et seq Title 22 Sec. 4.4, 12.1, 12.4, 15.1 et seq 24 P.S. Sec. 5004 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 20 U.S.C. Sec. 6321 29 U.S.C. Sec. 794 Title VI 42 U.S.C. Sec. 2000d et seq 42 U.S.C. Sec. 12101 et seq Pol. 103.1	The Board declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability. The district shall provide to all students, without discrimination, course offerings, counseling, assistance, employment, athletics and extracurricular activities. The equitable distribution of district resources is one means the district shall use to ensure all students receive a quality education. The district shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations. The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees. The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.
2. Delegation of Responsibility	In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent as the district's Compliance Officer. The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

103. NONDISCRIMINATION IN SCHOOL AND
CLASSROOM PRACTICES - Pg. 2

3. Guidelines	The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas: 1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias. 2. Training - Provision of training for students and staff to identify and alleviate problems of discrimination. 3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation. 4. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas. 5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination. The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination: 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. 3. Notify the complainant and the accused of the progress at appropriate stages of the procedure. 4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint. <u>Complaint Procedure – Student/Third Party</u> Step 1 – Reporting 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 principal. A school employee who suspects or is notified that a student has been subject to
----------------------	---

103. NONDISCRIMINATION IN SCHOOL AND
CLASSROOM PRACTICES - Pg. 3

conduct that constitutes a violation of this policy shall immediately report the incident to the building principal.

If the building principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.

Step 2 – Investigation

Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

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

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building principal shall inform law enforcement authorities about the incident.

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.

Step 3 – Investigative Report

The building principal 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.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District 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 Student Conduct, Board

103. NONDISCRIMINATION IN SCHOOL AND CLASSROOM PRACTICES - Pg. 4

	policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws. <u>Appeal Procedure</u> 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 principal who conducted the initial investigation. <u>Equivalence Between Schools</u> The Board directs that services in Title I schools and programs, when taken as a whole, shall be substantially comparable to services in schools and programs that do not receive Title I funds. Curriculum materials, instructional supplies and percentages of highly qualified personnel shall be equivalent between all district schools when compared on a grade-span by grade-span basis or a school-by-school basis. Records documenting such compliance shall be updated biannually. The Board understands that equivalence between programs and schools shall not be measured by: 1. Changes in enrollment after the start of the school year. 2. Varying costs associated with providing services to students with disabilities. 3. Unexpected changes in personnel assignments occurring after the beginning of the school year. 4. Expenditures on language instruction education programs. 5. Other expenditures from supplemental state or local funds consistent with the intent of Title I.
20 U.S.C. Sec. 6321	
Pol. 906	Complaints by individuals and organizations regarding implementation of equivalence between schools shall be processed in accordance with Board policy.

103. NONDISCRIMINATION IN SCHOOL AND
CLASSROOM PRACTICES - Pg. 5

References:

School Code – 24 P.S. Sec. 1310, 1601-C et seq.

State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4,
15.1 et seq.

Unfair Educational Practices – 24 P.S. Sec. 5004

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

No Child Left Behind Act – 20 U.S.C. Sec. 6321

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Federal Anti-Discrimination and Civil Rights Laws –

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

42 U.S.C. Sec. 2000d et seq. (Title VI)

Federal Anti-Discrimination and Civil Rights Regulations –

28 CFR Part 35, Part 41

34 CFR Part 100, Part 104, Part 106, Part 110

Board Policy – 000, 122, 123, 906

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____

Home Address: _____

Home Phone: _____

School Building: _____

Date of Alleged Incident(s): _____

Alleged discrimination was based on: _____

Name of person you believe violated the district's nondiscrimination policy:
_____If the alleged discrimination was directed against another person, identify the other person:
_____Describe the incident as clearly as possible, including any verbal statements (i.e. threats, derogatory remarks, demands, etc.) and any actions or activities. 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 discriminated against 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

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN
EMPLOYMENT AND CONTRACT
PRACTICES

ADOPTED:

REVISED:

	104. NONDISCRIMINATION IN EMPLOYMENT AND CONTRACT PRACTICES
1. Authority 43 P.S. Sec. 336.3 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 206 29 U.S.C. Sec. 621 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 1981 et seq Title VII 42 U.S.C. Sec. 2000e et seq 42 U.S.C. Sec. 2000ff et seq 42 U.S.C. Sec. 12101 et seq	The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, handicap/disability, or genetic information. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations. The Board encourages employees and third parties who have been subject to discrimination to promptly report such incidents to designated employees. The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.
2. Delegation of Responsibility	In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the board designates the Superintendent as the district's Compliance Officer. The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

3. Guidelines	The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas: 1. Development of position qualifications, job descriptions and essential job functions. 2. Recruitment materials and practices. 3. Procedures for screening, interviewing and hiring. 4. Promotions. 5. Disciplinary actions, up to and including terminations. The building principal or designee shall be responsible to complete the following duties when receiving a complaint of discrimination: 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 Compliance Officer if the building principal is the subject of the complaint. <u>Complaint Procedure – Employee/Third Party</u> Step 1 – Reporting 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 building principal. If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Officer. The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable. Step 2 – Investigation Upon receiving a complaint of discrimination, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize
----------------------	--

the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

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

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building principal shall inform law enforcement authorities about the incident.

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.

Step 3 – Investigative Report

The building principal 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.

Step 4 – District Action

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

Disciplinary actions shall be consistent with Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.

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 principal who conducted the initial investigation.

References:

Human Relations Commission Regulations – 16 PA Code Sec. 44.1 et seq.

Pennsylvania Equal Pay Law – 43 P.S. Sec. 336.3

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

Equal Pay Act – 29 U.S.C. Sec. 206

Age Discrimination In Employment Act – 29 U.S.C. Sec. 621 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

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

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Federal Anti-Discrimination and Civil Rights Laws –

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

42 U.S.C. Sec. 1981 et seq.

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

Federal Anti-Discrimination Regulations, Title 28, Code of Federal Regulations –
28 CFR Sec. 35.140, Part 41

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of
Federal Regulations – 29 CFR Parts 1600-1691

RECRUITING PROCESS SHEET**POSITION:** _____

- **The position is approved by the Superintendent.**

- VALID Job Description for POSITION dated- _____
- Superintendent's ok to fill _____
- DATE position must be filled _____

- **The position is advertised:**

- WHERE to place:
- TalentED _____ REAP _____
- Advertise: M. Call _____ Pocono Rec. _____ Easton Exp. _____
Other _____
- Email to employees (contracted & admin. positions MUST be posted)

- **Candidates are screened:**

- Screening Matrix – who prepares (group)

- Screening Date and participants _____
- Number of candidates for first round interview _____

- **Interviews- First Round**

- How many first round interviews, length, location _____
- First Round Interviewers _____
(note: contracted positions must have one of the above as a first round interviewer: Director of Secondary Ed., Director of Elementary Ed., Director of Special Ed.)
- Questions for interviews coordinated by _____
- Matrix/Rubric for Interviews compiled by _____
- Interview Dates , times _____
- Who arranges and schedules _____
- Number of successful candidates for 2nd interview _____
- Decision to proceed, stop or reopen _____

- **Reference Checks**

- Made by _____
- Number _____
- Documented _____

- **Interviews- Second Round**

- Number to be scheduled, length, location _____
- Second Round Interviewers _____
- Questions coordinated by _____
- Interview matrix/rubric (if required) compiled by _____
- Who arranges/schedules _____
- Interview Dates, times _____
- Notification of 1st level unsuccessful candidates- by whom _____
- Number of successful candidates for final interview _____
- Decision to proceed, stop or reopen _____

- **Final Interview**

(Superintendent shall have the option with all teaching, admin, coordinator positions)

- Interview with Superintendent date _____
- Decision to hire, stop, reopen _____

- **Offer Activity**

- Preparation of offer work-up _____
- Check for upcoming time off _____
- Offer made and witnessed by _____
- Rec Form done by _____
- Inclusion on agenda by _____

REPORT FORM FOR COMPLAINTS OF DISCRIMINATION

Complainant: _____

Home Address: _____

Home Phone: _____

School Building: _____

Date of Alleged Incident(s): _____

Alleged discrimination was based on: _____

Name of person you believe violated the district's nondiscrimination policy:
_____If the alleged discrimination was directed against another person, identify the other person:
_____Describe the incident as clearly as possible, including any verbal statements (i.e. threats, derogatory remarks, demands, etc.) and any actions or activities. 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 discriminated against 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

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: INDEPENDENT STUDY

ADOPTED: November 11, 2002

REVISED:

REVIEWED: January 11, 2016

	118. INDEPENDENT STUDY <u>Circumstances sometimes dictate the need to offer planned courses of study on an independent basis. The Superintendent shall delegate such decisions to the building level administration. In the event that a request is made for an independent study experience for subject matter content for which the school does not already have a planned course of study, the request shall be forwarded to the Board.</u> The Board shall consider the approval of a course of independent study for a properly qualified student, as recommended by the Superintendent, on the condition that such students will demonstrate achievement of established academic standards as a result of participation in the independent study. The purposes of independent study shall be to: 1. Extend the learning experience begun in the classroom. 2. Develop student's judgment and self-reliance in the conduct of his/her learning experience. 3. Relate the school world to the world of work and learning beyond the school. 4. Draw upon community resources as well as school resources for a student's educational programs. 5. Include a greater variety of learning experiences within the educational program. 6. Identify and explore an area of particular interest. <u>7. Set personal learning goals and work toward achieving them, with appropriate staff guidance.</u> <u>7.8. Provide the option for students to pursue unique opportunities outside of the district.</u> 2. Authority <u>The Board shall approve new planned courses of study and may designate the</u>
--	--

PA Code Title 22 Sec. 4.4	<u>number of credits toward graduation to be awarded upon successful completion of each course, except that the Board reserves the right to assign no credit for such an approved course.</u> <u>In cases where the independent study is not a new course of study, approval may be given by the Superintendent or his/her designee.</u> The Board shall approve, in advance, each course of independent study and may designate the number of credits toward graduation to be awarded upon successful completion of each course, except that the Superintendent reserves the right to assign no credit for an approved course. <u>When an Independent Study offered by the district, the district cyber option or other source incurs a cost, those costs are the responsibility of the student.</u> Each course of independent study must meet the requirements of applicable laws and regulations.
3. Delegation of Responsibility PA Code Title 22 Sec. 4.4	The Superintendent or designee shall develop procedures for the implementation of independent study.

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: FINANCES

TITLE: INVESTMENT OF DISTRICT
FUNDS

ADOPTED: August 12, 2002

REVISED: March 10, 2004; June 9, 2015

	609. INVESTMENT OF DISTRICT FUNDS
1. Purpose	It shall be the policy of the Board to optimize its return through investment of cash balances in such a way as to minimize non-invested balances and to maximize return on investments. The primary objectives of investment activities, in priority order, shall be: Legality - All investments shall be made in accordance with applicable laws of Pennsylvania. Safety - Safety of principal shall be of highest priority. Preservation of capital in the portfolio of investments shall be ensured through the mitigation of credit risk and interest rate risk. Liquidity - Investments shall remain sufficiently liquid to meet all operating requirements that are reasonably anticipated. A fiscal year operations anticipated cash flow shall be developed so that investments can be made as early as possible, with maturities concurrent with anticipated cash demands. Yield - Investments shall be made with the objective of attaining a market-average rate of return throughout the budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs.
2. Authority SC 440.1, 621, 622, 623	All investments of the school district made by an officer and/or employee of the district shall be made in accordance with this policy and a Board approved investment program.
3. Definitions <u>SC 440.1</u> <u>53 P.S.</u> <u>Sec. 5406, 5410.1</u>	<u>Act 10 Permissible Investments</u> – Any type of investment permitted under Act 10 of March 25, 2016, (53 P.S. Sec. 5406, 5410.1) that is not among the types of investments permitted under Section 440.1 of the Public School Code of 1949, Act of March 10, 1949, (P.L. 30, No. 14) as last amended by the Act of June 30, 1995, (P.L. 220, No. 26).
<u>SC 440.1</u>	<u>School Code Permissible Investments</u> – Any investment permitted under Section 440.1 of the Public School Code of 1949, Act of March 10, 1949, (P.L. 30, No. 14)

as last amended by the Act of June 30, 1995, (P.L. 220, No. 26).

Short-term - any period twelve (12) months or less.

Long-term - any period exceeding forty-eight (48) months' duration.

Mid-range - any period between short-term and long-term.

Bankers' acceptances – Bankers' acceptances generally are created based on a letter of credit issued in a foreign trade transaction. Bankers' acceptances are short-term, non-interest-bearing notes sold at a discount and redeemed by the accepting banks at maturity for face value.

Collateral – Security pledged by a financial institution to a governmental entity for its deposit.

Commercial paper – An unsecured promissory note issued primarily by corporations for a specific amount and maturing on a specific day. The maximum maturity for commercial paper is 270 days, but most is sold with maturities of up to thirty (30) days. Almost all commercial paper is rated as to credit risk by rating services.

Concentration of credit risk – The risk of loss attributed to the magnitude of a government's investment in a single issuer, pool institution, or instrument.

Counterparty – Another party to a transaction. In the case of deposits and investments made by governmental entities, a counterparty could be the issuer of a security, a financial institution holding a deposit, a broker-dealer selling securities, or a third party holding securities or collateral.

Credit risk - the risk of loss of principal due to the failure of the security issue or backer of the issue.

Custodial credit risk – The custodial credit risk for *deposits* is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for *investments* is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of investment or collateral securities that are in the possession of an outside party.

Foreign currency risk – The risk that changes in exchange rates will adversely affect the fair value of an investment or a deposit. Investments depending on substantial overseas activities or markets may present related foreign currency risk.

SC 521 53 Pa. C.S.A. Sec. 2301 et seq	Interest rate risk - the risk that the market value of securities will fall due to changes in general interest rates. Issuer – The entity that has the authority to distribute a security or other investment. A bond issuer is the entity that is legally obligated to make principal and interest payments to bond holders. In the case of mutual funds, external investment pools, and other pooled investments, issuer refers to the entity invested in, not the investment company-manager or pool sponsor. Investment program - the specifically enumerated and Board-approved investment strategy. Local Government Investment Pool (LGIP) – An investment trust or pool organized by groups of political subdivisions or municipal authorities pursuant to Section 521 of the Public School Code of 1949, or pursuant to the Intergovernmental Cooperation Law, 53 Pa. C.S.A. Sec. 2301 et seq., for the purpose of investing funds of such political subdivisions or municipal authorities for their exclusive benefit and in accordance with the laws governing their permissible investments. LGIPs include, but are not limited to, the Pennsylvania School District Liquid Asset Fund (PSDLAF), the Pennsylvania Local Government Investment Trust (PLGIT), and for purposes of this policy, the PA INVEST program operated by the Pennsylvania Treasury Department. Market risk – The risk that the market value of an investment, collateral protecting a deposit, or securities underlying a repurchase agreement will decline. Market risk is affected by the length to maturity of a security, the need to liquidate a security before maturity, the extent that collateral exceeds the amount invested, and the frequency at which the amount of collateral is adjusted for changing market values. Repurchase agreement – a. An agreement in which a governmental entity (buyer-lender) transfers cash to a broker-dealer or financial institution (seller-borrower); the broker-dealer or financial institution transfers securities to the entity and promises to repay the cash plus interest in exchange for the same securities. b. A generic term for an agreement in which a governmental entity (buyer-lender) transfers cash to a broker-dealer or financial institution (seller-borrower); the broker-dealer or financial institution transfers securities to the entity and promises to repay the cash plus interest in exchange for the same securities (as in definition (a) above) or for different securities. Shares of an investment company – For purposes of School Code Permissible Investments, shares of an investment company registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. Sec. 80a-1 et seq.), and whose shares
SC 440.1 15 U.S.C. Sec. 77a et seq. 80a-1 et seq	

4. Delegation of Responsibility SC 440.1 SC 440.1	<u>are registered under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C. Sec. 77a et seq.) and which satisfies the further conditions set forth in Section 440.1 of the School Code, subsection (b), clause (v).</u> <u>Weighted average maturity – A weighted average maturity measure expresses investment time horizons – the time when investments become due and payable – in years or months, weighted to reflect the dollar size of individual investments within an investment type.</u> The Board shall delegate to a designated individual the responsibility to manage the district's investment program, in accordance with written, Board-approved procedures for operation of the investment program. An annual review of the investment program shall be prepared by the designated individual, based upon the anticipated cash flow of all district funds, i.e. general, capital reserve, bond, etc. The designated individual responsible for investments shall report monthly to the Board the following: 1. Amount of funds invested. 2. Interest earned and received to date. 3. Types and amounts of each investment and the interest rate on each. 4. Names of the institutions where investments are placed. 5. Current market value of the funds invested. 6. Other information required by the Board. The Board directs the Superintendent to have developed written procedures that will ensure compliance with this policy. Such procedures shall include a disclosure form for designated individuals involved in the investment process and/or required written statements for advisors and bidders.
5. Guidelines SC 440.1	The following are permitted investments in accordance with this policy. Investments must be collateralized in accordance with applicable laws. A. Pennsylvania School Code §440.1 1. U.S. Treasury Bills 2. Short-Term Obligations of the U.S. Government, its agencies or instrumentalities 3. Deposits in savings accounts or time deposits or shared accounts of

institutions insured by the Federal Deposit Insurance Corporation. With respect to deposit accounts that are collateralized on a pooled basis, such investments must comply with the minimum criteria set forth in the guidelines

4. Obligations of the United States of America or any of its agencies or instrumentalities backed by the full faith and credit of the U.S. Government, the Commonwealth of Pennsylvania or any of its agencies or instrumentalities or any political subdivision of the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the political subdivision
 5. Money Market Mutual Funds, rated in the highest category (currently "AAA") by a nationally recognized rating agency, that invest exclusively in the securities listed above. Such mutual funds must be registered under the Investment Company Act of 1940 and the shares of the fund must be registered under the Securities Act of 1933.
 6. Any other investments specifically permitted as per an amendment to School Code Section 440.1.
- B. Repurchase agreements fully collateralized by any of the investments listed above.
- C. Investment pools that have been organized in accordance with the provisions of Section 3 of the Pennsylvania Intergovernmental Cooperation Act No. 180 of the 1972 General Assembly and Section 521 of Article V of the Act No. 14 of the 1949 Session of the General Assembly of the Commonwealth of Pennsylvania, as amended (the "School Code").

Act 10 Permissible Investments

1. Obligations, participations or other instruments of any federal agency, instrumentality or U.S. government-sponsored enterprise if the debt obligations are rated at least "A" or its equivalent by at least two (2) nationally recognized statistical ratings organizations.
2. Commercial paper issued by corporations or other business entities organized in accordance with federal or state law, with a maturity not to exceed 270 days, if the issuing corporation or business entity is rated in the top short-term category by at least two (2) nationally recognized statistical ratings organizations.
3. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers' acceptances, if the bankers' acceptances do not exceed 180 days maturity and the accepting bank is rated in the top short-term category by at least two (2) nationally recognized statistical ratings organizations.

	<u>4. Shares of an investment company registered under the Investment Company Act of 1940 (54 Stat. 789, 15 U.S.C. Sec. 80a-1 et seq.) whose shares are registered under the Securities Act of 1933 (48 Stat. 74, 15 U.S.C. Sec. 77a et seq.), if all of the following conditions are met:</u> <u>a. The investments of the company are the authorized investments under 53 P.S. §5410.1, subsection (a) (Act 10, Section 1.1(a)).</u> <u>b. The investment company is managed in accordance with 17 CFR Sec. 270.2a- 7 (relating to money market funds).</u> <u>c. The investment company is rated in the highest category by a nationally recognized rating agency.</u>
SC 440.1	All securities shall be purchased in the name of the school district, and custody of the securities shall be specified within the district's investment program. All investment advisors or bidders shall verify in writing that they have received a copy of this policy. Such written statement shall indicate that they have read and understand this policy and all applicable statutes related to school district investments, along with their intent to comply fully with these requirements.
65 P.S. 401 et al	<u>Disclosure</u> Designated officers and employees involved in the district's investment process shall disclose any personal business activity that could conflict with the proper execution and management of the investment program or could impair their ability to make impartial decisions. <u>Audit</u> The Board directs that all investment records be subject to annual audit by the district's independent auditors. The audit shall include but not be limited to independent verification of amounts and records of all transactions, as deemed necessary by the independent auditors. It shall be the responsibility of the investment advisor and/or bidder to maintain necessary documents to permit independent audit of the district's investments. <u>Bond Proceeds</u>
53 Pa CSA	Bond proceeds shall be invested in accordance with the Local Government Unit

Sec. 8001 et seq Sec. 8224	Debt Act and applicable federal and State laws, subject to approval by the solicitor and/or bond counsel and the School Board.
<u>SC 440.1</u> <u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>Protection of Savings Accounts, Time Deposits, Share Accounts or Other Depository Balances in Excess of FDIC Insurance Limits</u>
<u>SC 440.1</u> <u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>When district cash is deposited in any savings account, time deposit, share account or other authorized depository account other than a Local Government investment Pool (LGIP), if the cash balance exceeds FDIC insurance limits, district funds shall be collateralized in one or more of the following ways:</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>1. An Irrevocable Letter of Credit (LOC) issued by a Federal Home Loan Bank (FHLB).</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>2. Tri-Party Collateral in the name of the school district consisting of the following underlying securities only:</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>a. U.S. Treasury Securities.</u> <u>b. Obligations, participations or other instruments of any federal agency, instrumentality of U.S. government-sponsored enterprise if the debt obligations are rated at least "A" or its equivalent by at least two (2) nationally recognized statistical ratings organizations.</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>3. Assets pledged as collateral in accordance with the act of August 6, 1971, (P.L. 281, No. 72), 72 P.S. Sec. 3836-1 et seq. (relating to pledges of assets to secure deposits of public funds, whether or not pooled).</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>It shall be the responsibility of the Investment Officer to verify with the depository the value of the collateral instrument(s) based on the instrument being "marked to market." This valuation shall occur at least monthly.</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>Following a review of valuation, the Investment Officer may request an additional review by the district's investment advisors or financial consultant, and shall require additional collateral if the existing collateral has declined in value and exposes the district to potential loss of principal. The status of the evaluation review and any additional collateral shall be included in the periodic reports to the Board regarding the investment program.</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>Further Risk Mitigation for Act 10 Permissible Investments</u>
<u>72 P.S.</u> <u>Sec. 3836-1 et seq</u>	<u>Recognizing that Act 10 of 2016 expanded the range of permissible investments to include investments with the potential to expose the school district to elevated levels of credit risk and other investment risks, the Board directs that any investment plan or investment recommendations proposed by the Investment officer take into account, implement and highlight the following factors and precautions with respect</u>

to Act 10 Permissible Investments:

1. It cannot be assumed that negotiable certificates of deposit are collateralized.
2. A significantly more thorough level of due diligence is required.
3. In addition to verification of rating by a nationally recognized statistical rating organization and other due diligence requirements, the investigation of act 0 Permissible Investments shall include ensuring that there is an independent credit review (a qualified financial services organization with an active and recognized credit analysis team is also monitoring the issuer, in addition to the nationally recognized statistical rating organizations(s)).
4. Act 10 Permissible Investments shall be limited to no more than ten percent (10%) of district funds available for investment, excluding bond proceeds and refunding escrow balances.

References:

School Code – 24 P.S. Sec. 440.1, 521, 621, 622, 623

Intergovernmental Cooperation Law – 53 Pa. C.S.A. Sec. 2301 et seq

Local Government Unit Debt Act – 53 Pa. C.S.A. Sec. 8001 et seq, 8224, 2301 et seq

Security of Public Deposits – 72 P.S. Sec. 3836-1 et seq (Act 72 of 1971)

Act 10 of 2016 – Investment of Public Corporation or Authority Funds – Act of Mar. 25, 2016, 53 P.S. Sec. 5406, 5410.1

Securities and Trust Indentures – 15 U.S.C. Sec. 77a et seq

Investment Companies – 15 U.S.C. Sec. 80a-1 et seq

Investment Companies, Title 17, Code of Federal Regulations – 17 CFR Sec. 270.2a-7

SOUTHERN LEHIGH SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: December 6, 2004

 REVISED: January 12, 2009;
 November 10, 2014;
 April 13, 2015

<i>Replaces former policies 1330, 1331, 1332, 1333, 1334, 1334.1, 1334.2, 1334.3, 1334.4, 1336, 1337, 1338</i>	707. USE OF SCHOOL FACILITIES
1. Purpose	The Board recognizes that, although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy. Individuals and groups are permitted to use school facilities when such use conforms to this policy and applicable regulations and does not interfere with school programs or school maintenance. It is the intention of the Board of School Directors that school facilities will be available primarily for after-school use by individuals and organized community groups residing within the boundaries of the Southern Lehigh School District.
2. Authority	School facilities may not be used for any political activity and/or event forbidden by law or policy.
SC 511	The Board may prohibit the use of school facilities by individuals and groups other than school organizations while school is in session. The use of school facilities shall not interfere or conflict with school programs either during the school day, evenings, or weekends. In addition, maintenance/cleaning has priority over public use of the school facilities during June, July, and August, because it is during this period that the schools are readied for the coming school year. The Board shall provide for the use of school facilities when permission has been requested in writing and has been approved by the Superintendent or designee.

SC 775 3. Definitions	The use of school facilities shall not be granted if requested use does not comply with the intended use of the space, or creates a potential safety, maintenance, or structural concern or for purposes which in any way conflict with the aims and objectives of the Southern Lehigh School District. Decisions to grant outside/field usage will be contingent upon weather conditions, potential overuse of fields, or closure of fields for reasons of safety, maintenance, or need. The Board shall be held harmless and indemnified by the user for any property damage and for any personal injury and/or death that arises from use of school facilities by any organization, individual or activity. The Board shall establish a schedule of fees for the use of school facilities by approved groups to cover operation and maintenance costs, including personnel and facilities fees. These fees shall be reviewed periodically by the Board, outlined in AR #707, and will be made available in advance of facility use. School Sponsored Organizations District –approved organizations, supervised by School District personnel, whose purpose and function is to provide educational and/or extracurricular programs of the District. School Support Organizations – organizations whose primary purpose and function is support of educational and/or extracurricular activities of the Southern Lehigh School District. This includes student organizations, PTA/PTO, and other parent or citizen advisory groups approved by the Board. Booster Clubs – organizations that promote, assist or augment the Southern Lehigh School District or its recognized activities. The district's policy, "Booster Organizations," provides specific direction for a booster club's role and conduct. An organization may be approved by the Board only after it complies with the requirements of the District's Policy concerning Booster Organizations. Community, Civic, Service, or Athletic Organizations – nonprofit organizations whose primary purpose is the betterment of the community and the provision of service to the residents. Community – the geographical area encompassed by the boundaries of the Southern Lehigh School District. Personnel Fees – fees charged to building users for personnel costs incurred as a result of a given activity. These include, but are not limited to, a site manager, custodians, food service personnel, technology staff, stage manager or technicians, maintenance staff and security.
-------------------------------------	--

4. Delegation of Responsibility 5. Guidelines SC 511	Facilities Fees – fees charged to facility users to cover maintenance and energy costs for specific portions of facilities and grounds. School Facilities – All district owned property including but not limited to school buildings, maintenance and sports structures, play fields, parking areas and equipment. District property approved for residential occupancy and the Southern Lehigh Living Memorial Park are outside the scope of this policy. All applications for the use of school facilities will be submitted to the Superintendent or his/her designee. Applications may be approved, or may be disapproved because of noncompliance with established policy and procedures. School programs have priority in scheduling. Permission granted to organizations or individuals may be cancelled or requests denied, at the discretion of the Superintendent or his/her designee, where there are scheduling conflicts with school programs or when unforeseen schedule changes arise. Within each class identified below, student-based organizations shall be given priority over adult organizations. <u>Categories of Individuals, Groups, and Organizations</u> The individual groups and/or organizations that may request permission to use the Southern Lehigh School District facilities are defined as follows and listed in order of scheduling priority: Class I –School Sponsored Organizations District – approved organizations, supervised by District personnel, whose purpose and function is to provide educational and/or extracurricular programs of the District. Class II – School Support Organizations and Booster Clubs Organizations whose primary purpose is to directly support the Southern Lehigh School District or its programs, which organizations shall be subject to annual approval by the School Board for purposes of listing on the School District’s insurance policy. Class III – Non-Profit (501(c)(3))Community, Civic, Service or Athletic Organizations within the Community Organizations located within the geographical boundaries of the School District whose basic goals and objectives are to provide educational, service or recreational programs for residents of the District and which qualify as “charitable organizations” as that term is defined in Section 501(c)(3) of the Internal Revenue Code and the applicable regulations of the IRS. Organizations classified as within the Southern Lehigh Community require
--	--

that a majority of participants or member reside within the district and that the sponsor of the organization is also a district resident.

4. Class IV – For-Profit Organizations within the Community

For-Profit (not qualified under Section 501 (c) (3) of the Internal Revenue Code) organizations located within the geographical boundaries of the School District whose basic goals and objectives are in compliance with the objectives and goals of the District. Access to Southern Lehigh School District facilities by Class IV organizations may be limited at the discretion of the School District. Organizations classified as within the Southern Lehigh Community require that a majority of participants or member reside within the district and that the sponsor of the organization is also a district resident.

5. Class V - Non-Profit (qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations outside the Community

Non-Profit (qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations whose basic goals and objectives are in compliance with the aims and objectives of the Southern Lehigh School District. Access to Southern Lehigh School District facilities by Class V organizations may be limited at the discretion of the School District.

6. Class VI - For-Profit Individuals/Organizations outside the Community

For-Profit (not qualified under Section 501 (c) (3) of the Internal Revenue Code) Individuals/Organizations whose basic goals and objectives are in compliance with the aims and objectives of the Southern Lehigh School District. Access to Southern Lehigh School District facilities by Class VI organizations may be limited at the discretion of the School District.

Conduct

A school representative, that is, a Custodian, Event Manager, Site Manager or designated District employee or Board-approved volunteer will be on duty at all times when school facilities are in use. Conduct detrimental to the public interest or abuse of the building(s) is not permitted. Participants, children, and visitors must be supervised by the members of the sponsoring organization at all times. The District representative shall have the power to enforce this policy.

Sponsoring groups are responsible for the proper use of all school equipment and facilities. The building and equipment must be left in a clean, orderly condition; failure to do so will result in charges, as determined by the Superintendent or his/her designee.

Security is necessary to protect all public property and will be furnished by the District at the expense of the user, as required by the Facility Use Agreement.

Reimbursement for Damages and Required Insurance Coverage

Each organization using District facilities will be required to reimburse the School District for any damages, including clean-up and/or repair to the School District's facilities and equipment, resulting from use thereof. Organizations, individuals, and/or groups which use any school equipment and/or facilities shall furnish to the School District a certificate of insurance for bodily injury and/or property damage liability with amounts of coverage satisfactory to the School District. The School District may require the organization, individual or group to add the District as an "additional insured" under their general liability policy. A waiver of liability in favor of the School District and signed by the organization, individual, and/or group is required.

Groups using gymnasiums, football fields, baseball fields, playgrounds or tennis courts shall be limited to athletic activities appropriate for the designed use and guided by the school regulations.

Application Process

Organizations desiring to use school facilities shall file the prescribed school district application form with the ~~Coordinator of Athletic Services~~ administration in charge of the Athletic Department at least four weeks before the proposed date of activity. Frequent or long-term users should contact the facilities scheduler/athletic coordinator regarding scheduling guidelines. Failure to adhere to this timeline may result in the application not being approved. The application will indicate the time, type, and location of the facilities desired, equipment requested, the purpose of the activity, and the organization, group or individual requesting such use. The application must be signed by the individual making the request or an appropriate official or representative of the group making the request.

All applications shall be processed according to the date of receipt of the application.

Permission to use the facilities shall not be transferable.

Application Evaluation

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school activity.

2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which, if operated by an unqualified operator or if otherwise misused, could result in damage which would be detrimental to the operation of a district program, unless operated by a qualified operator as determined by the District or used under the control and supervision of a School District employee.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.
5. The organization has a past history of abuse/misuse of the facilities or previous damage.
6. The application is not complete, including the submission of required insurance certificates and/or release/hold harmless and indemnification agreements and/or user fees.

Limitations

When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall refrain from any conduct, activities, locations or use of equipment not specifically identified in the approved written request form.
2. All activities must begin and terminate at the agreed upon time. Individuals and community group members must enter and exit the school premises within the prescribed times. Facilities must be left in original condition.
3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the School District.
4. School Equipment
 - a. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Equipment may be used only by a qualified operator as determined by the District.

SC 511 10 P.S. 311 et seq 20 U.S.C. Sec. 7181 et seq 35 P.S. 1223.5 School Code 511, 775 20 U.S.C. Sec 7181 et seq	b. All operation of district stage sound and lighting equipment shall be under the direct control and supervision of a School District employee unless otherwise determined by the District. Users are required to provide any additional stage help desired. Such help shall be under the direct control and supervision of the School District employee. c. Kitchen facilities use, if authorized by the District, shall be under the direct control and supervision of an authorized School District employee. 5. Class III, IV, V and VI activities will not be permitted when buildings are closed due to inclement weather, calendar closings or other reasons as determined by the District. Class I and II activities may be held at the discretion of the Superintendent. 6. Sunday and holiday use of buildings is discouraged. <u>Prohibited Activities</u> The following activities are strictly prohibited: • Use of parking lots and drive ways for other than motor vehicles use unless approved by the Superintendent. • School corridors scheduled for use. • The use of tires brought on campus for any activity. • Practices or training occurring in locker rooms. • Walls used for practice other than those specially designed, i.e. climbing wall • Parking in undesignated areas • Tailgating/cooking on school round except with explicit permission • Possession, use or distribution of illegal drugs and/or alcoholic beverages. • Possession of weapons or replicas. Reference policy on weapons. • Conduct that would alter, damage or be injurious to any district property, equipment or furnishings. • Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations. • Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the District and the required license(s) has/have been obtained. • Use of tobacco products. • Use of open flame, pyrotechnics, or explosives. • Use of gymnasiums, football fields, baseball fields, playgrounds, tennis
---	--

707. USE OF SCHOOL FACILITIES - Pg. 8

20 U.S.C. Sec 7905	courts, and other outdoor areas of the School District for anything other than athletic activities. (Use of any such facilities or areas of the School District for speech activities is strictly prohibited.) • Any activity that is excluded by the District's liability insurance policy. <u>Violations</u> The school district reserves the right to deny access or remove from school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures. Reviewed: 4/11/11
-------------------------------	---