

Subject: Volume I

**This volume of the Policy News Network+ addresses policies, attachments and administrative regulations affected by recent actions at the federal level involving case law, regulation and executive orders related to Title IX.**

**Registration information for our complimentary bi-monthly Web-Based Policy System Training Webinar is provided at the end of the PNN+ - our next training is scheduled for April 2, 2025.**

The PNN+ is part of an annual subscription service providing information on current policy and administrative regulations and newly developed and revised PSBA policy and administrative regulation guides. The newsletter provides information about changes in federal and state laws and regulations; effects of court and arbitration decisions; and issues related to school governance, administration, student achievement and school liability. The policy and administrative regulation guides provided by PSBA are intended to serve as a basis for drafting policy and administrative regulations that meet the needs of your local school entity. Policy guides should be discussed, modified to meet your local needs and adopted by the board. Administrative regulation guides should be discussed with relevant administrators, modified to meet your local needs and approved by the Superintendent. Please notify PSBA of any newly adopted or revised policies; as part of the service, we review the language from a policy perspective, check and adjust policy format, including legal citations, and notify your school entity upon completion of this process. Administrative regulations vary in content and format based on individual school entity preferences and operations; therefore, PSBA will process administrative regulations with the same content and in the same format as received from your school entity.

**The policy and administrative regulations guides provided by PSBA do not constitute the rendering of legal advice or services. The board and administration are responsible for the final review and approval of policies and administrative regulations, and for obtaining independent legal advice and review.**

General policy/administrative regulation questions: [policyprograms@psba.org](mailto:policyprograms@psba.org)

Policy maintenance services: [polycymaintenance@psba.org](mailto:polycymaintenance@psba.org)

Policy sample requests: [polycysamples@psba.org](mailto:polycysamples@psba.org)

***The policies and any attachments to policies contained in this PNN+ may include optional language, indicated by brackets { }, which require selection by the school entity based on local practices and procedures. Please review all policies and attachments carefully to identify and consider optional language. If such optional language has been edited to indicate inclusion or removal prior to submission to PSBA's Policy Maintenance Program, PSBA will be able to proceed with processing the policies and attachments in a timely manner and the school entity will avoid delays in activating the policies and/or attachments and subsequent posting on the local website.***

On January 9, 2025 a federal district court issued a decision vacating the 2024 Title IX Final Rule that amended the 2020 Title IX Regulations. On February 4, 2025 the U.S. Department of Education, Office for Civil Rights issued a Dear Colleague Letter to clarify that the U.S. Office for Civil Rights "will enforce Title IX under the provisions of the 2020 Title IX Rule, rather than the 2024 Title IX Rule. Accordingly, lawful Title IX enforcement includes, *inter alia*, the definition of sexual harassment, the procedural protections owed to complainants and respondents, the provision of supportive measures to complainants and school-level reporting processes as outlined in the 2020 Title IX Rule." Additional information regarding Title IX is available [here](#).

In January, PSBA issued a Statement on Recent Executive Orders to inform our members that it is our priority to share information that is not only timely, but accurate to prevent unnecessary confusion, frustration or concern. At this time, the PSBA Policy Services and Legal Services teams have researched the actions taken at the federal level in terms of recent court decisions, regulation and executive orders, conducted a comprehensive review of relevant policies, attachments and administrative regulations and made appropriate revisions. Across Pennsylvania there were some school entities that maintained the 2020 versions of Title IX-related policies, some school entities adopted the 2024 versions of the Title IX-related policies, and others maintained a mix of 2020/2024. PSBA is issuing all policies, attachments and administrative regulations affected by Title IX so that that our members have the information that they need to make informed decisions and to take action as necessary and appropriate for their individual school entity. **Please consult your solicitor and share this information prior to making changes to your documents.**

Please be assured that we will continue to monitor changes as they occur at the federal level and will issue necessary updates through various channels including the Policy News Network+.

## **POLICY/ATTACHMENT/ADMINISTRATIVE REGULATON UPDATES NEEDED**

### **Policy 103. Discrimination/Harassment Affecting Students**

This policy is the 2020 version of Policy 103 with additional updates to address amendments to the Pennsylvania Human Relations Act (PHRA) regarding religious creed as a protected classification and specific definitions for pregnancy, race and religious creed. Please note that the PHRA contains a definition for "gender identity or expression" that was not used in this policy due to the scope of the federal order. The policy contains additional minor updates. The Bostock v. Clayton County case was removed from the Legal References listing for Policy 103 because it is a U.S. Supreme Court decision regarding discrimination on the basis of sexual orientation or gender identity that specifically protects employees, not students.

**103-Attach 1 Report Form** - 2020 version updated with additional questions and policy cross-references.

**103-Attach 2 Discrimination** - 2020 version with updates reflecting general references to the report form, other process clarifications and additional policy cross-references.

**103-Attach 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints** - 2020 version with updates reflecting references to the report form, other process clarifications and additional policy cross-references.

**103-Attach 4 Parental Objection to Participation Letter** - 2024 version with new title to reflect the purpose of the letter, new statement identifying availability of supportive measures, and other minor edits.

*Policy 103 is mandated by Title IX regulations.*

### **Policy 104. Discrimination/Harassment Affecting Staff**

This policy is the 2020 version of Policy 104 with additional updates to address amendments to the Pennsylvania Human Relations Act (PHRA), the Pregnant Workers Fairness Act (PWFA) and amendments to the Fair Labor Standards Act for Breastfeeding Accommodations in the Workplace including identifying religious creed and pregnancy, childbirth and pregnancy-related conditions as protected classifications, as well as specific definitions and examples for those terms. Please note that the PHRA contains a definition for "gender identity or expression" that was not used in this policy due to the scope of the federal order. The policy contains additional minor updates.

**104-Attach 1 Report Form** - 2020 version updated with additional questions and policy cross-references.

**104-Attach 2 Discrimination** - 2020 version with updates reflecting general references to the report form, other process clarifications and additional policy cross-references.

**104-Attach 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints** - 2020 version with updates reflecting references to the report form, other process clarifications and additional policy cross-references.

*Policy 104 is mandated by Title IX regulations.*

### **Policy 234. Pregnant/Parenting/Married Students**

This policy is the 2024 version of Policy 234 using options instead of a standard listing regarding reasonable modifications for students experiencing pregnancy, parenting or pregnancy-related conditions and the removal of legal citations and content for Title IX.

**234-AR-0. Pregnant/Parenting/Married Students** - This administrative regulation is the 2024 version with an additional statement regarding notification of pregnancy, and the section related to Lactation Space is now optional.

**234-AR-1. Student Health Report Form - DELETE** - This administrative regulation is not applicable and needs to be removed.

*Policy 234 is recommended for legal liability purposes.*

## **Hazing and Bullying/Cyberbullying Administrative Regulations**

The following administrative regulations are based off of the 2020 versions but have been revised to include minor updates:

**247-AR-0. Hazing**

**247-AR-2. Notice to Complainant and/or Parents/Guardians of Complainant**

**249-AR-0. Bullying/Cyberbullying**

**249-AR-2. Notice to Complainant and/or Parents/Guardians of Complainant**

## **NO UPDATE TO POLICY - ONLY UPDATE ATTACHMENT**

**Policy 247. Hazing**

**Policy 249. Bullying/Cyberbullying**

**Policy 252. Dating Violence**

There are NO CONTENT CHANGES to the 2024 version of these policies. *(Policies are attached below for the convenience of those school entities who have not yet adopted the 2024 versions.)*

**Report Form Attachment** - The attached report form in policies 247, 249 and 252 needs to be replaced with the report form in this PNN+. ***Since only the attachment needs replaced in the 2024 version of the policy, school entities can replace the form as an attachment and there is no need to send these policies or their attachment through the Policy Maintenance process at PSBA.***

*Policy 247 is mandated by 18 Pa. C.S. Sec. 2808.*

*Policy 249 is mandated by 24 P.S. 13-1303.1-A.*

*Policy 252 is an optional policy.*

## **NO UPDATE TO POLICY**

**Policy 103.1. Nondiscrimination - Qualified Students With Disabilities**

**103.1 Attach - Report Form for Complaints of Discrimination - Qualified Students With Disabilities**

**103.1 Attach - Parent/Guardian Request for Evaluation, Termination or Modification Under Section 504**

**103.1 Attach - Notice of District-Initiated Evaluation and Provision of Services for Qualified Students With Disabilities**

**103.1 Attach - Procedural Safeguards**

**Policy 336. Personal Necessity Leave**

**Policy 339. Uncompensated Leave**

**Policy 824. Maintaining Professional Adult/Student Boundaries**

There are NO CONTENT CHANGES to the 2024 version of these policies. *(Policies are attached below for the convenience of those school entities who have not yet adopted the 2024 versions.)*

***If you have already adopted the 2024 versions of these policies, there is no need to send these policies through the Policy Maintenance process at PSBA.***

*Policy 103.1 is recommended for legal liability purposes.*

*Policies 336 and 339 are recommended for legal liability purposes.*

*Policy 824 is a recommended policy for student safety.*

**Web-Based Policy System Review Webinar**

Are you new to working with policy or would you like a refresher on working in the policy system? Please join us for a complimentary webinar to review the policy system, learn how to access policy updates, edit policy documents in the system and customize your school entity's Web-based policy manual. This is a very technical webinar designed for users such as the school board secretary, administrative assistant, school administrators or policy committee chairperson who edit school policies and manage the revision and approval process.

\*Please note, this webinar is not eligible for credit for the ASDL recognition program.

Webinars repeat the same content every other month to provide refresher training on the system or an overview for users who are new to working with the policy system. Sign up for a complimentary webinar by clicking the Registration link below:

**April 2, 2025 10:00 AM - 11:30 AM**

Registration: <https://events.teams.microsoft.com/event/eb4d6fa6-f587-4d7b-9cf1-492e313b5ec4@a59b699a-4f48-4607-9019-7011ff524900>

**June 4, 2025 10:00 AM - 11:30 AM**

Registration: <https://events.teams.microsoft.com/event/fc00f2d0-36f6-444f-8e4d-8623de641b82@a59b699a-4f48-4607-9019-7011ff524900>

#### Cross References

103 Vol I 2025 - Discrimination/Harassment Affecting Students  
103.1 Vol I 2025 - Nondiscrimination - Qualified Students With Disabilities  
104 Vol I 2025 - Discrimination/Harassment Affecting Staff  
234 Vol I 2025 - Pregnant/Parenting/Married Students  
234-AR-0 Vol I 2025 - Students Experiencing Pregnancy/Pregnancy-Related Conditions or Parenting  
247 Vol I 2025 - Hazing  
247-AR-0 Vol I 2025 - Hazing  
247-AR-2 Vol I 2025 - Notice to Complainant and/or Parents/Guardians of Complainant  
249 Vol I 2025 - Bullying/Cyberbullying  
249-AR-0 Vol I 2025 - Bullying/Cyberbullying  
249-AR-2 Vol I 2025 - Notice to Complainant and/or Parents/Guardians of Complainant  
252 Vol I 2025 - Dating Violence  
336 Vol I 2025 - Personal Necessity Leave  
339 Vol I 2025 - Uncompensated Leave  
824 Vol I 2025 - Maintaining Professional Adult/Student Boundaries