

STUDENT/PARENT HANDBOOK

2023 - 2024



Montgomery Junior/Senior High School

120 Penn Street

Montgomery, PA. 17752

(570) 547 – 1608 (p)

(570) 547 – 6755 (f)

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BOARD OF SCHOOL DIRECTORS

President
Vice-president
Treasurer

Paul E. Stryker
Dana B. Pick
Paula A. Yeckley

Michael T. Alexander
Jonathan DeSantis
Tom Persing
Robyn Schreiber
Hugh Umpstead
Gary L. Yocum

Grant S. Evangelisti,
*Business Manager and
Secretary to the Board*

ADMINISTRATION

Mrs. Daphne L. Bowers
Superintendent

Dr. Joseph Stoudt
Jr./Sr. High School Principal

Mrs. Tara Bozella
Dean of Students

EQUAL OPPORTUNITY STATEMENT

The Montgomery Area School District declares itself to be an Equal Rights and Opportunities School District and does not discriminate in its educational programs or activities based on race, color, national origin, sex, disability, age, religion, ancestry or any other legally protected classification. This policy is in accordance with state and federal laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990 and the Pennsylvania Human Relations Act. The Title IX Coordinator for the Montgomery Area School District is Mr. Michael Snyder, Director of Athletics. He can be contacted at 570-547-1608 x1147 or msnyder@montasd.org. The Section 504 Coordinator for the Montgomery Area School District is Mr. Kyle Brown, Director of Student Services. He can be reached at 570-547-1608 x1138 or kbrown@montasd.org.

MISSION STATEMENT

The mission statement of the Montgomery Area School District, as the leader of an educational partnership with the community, is to ensure that all students will become independent learners, will acquire respect for self and others, and will attain the knowledge and skills needed to become successful, productive members in the ever changing global community.

The Montgomery Area School District is a member of the Lycoming and Sullivan County Performance Standards Coalition. The Mission Statement, Value Statement, and Vision Statement of the Coalition follow:

Mission Statement – The school districts of Lycoming and Sullivan Counties will implement a standards-based educational program that is driven by rigorous and benchmarked academic standards, classroom instruction that is standards-based, and standards-based assessments which provide data to improve the effectiveness of the educational program enabling students to function in society and demonstrate increased academic performance.

Value Statement – That matters most to us is our students and their educational experiences, opportunities, preparation, and achievements.

Vision Statement – Students in Lycoming and Sullivan Counties will meet the standards necessary to compete in a global economy.



INTRODUCTION

The purpose of the *Student Handbook* is to give school district students and their parents/guardians an understanding of the general rules and guidelines for attending and receiving an education in our schools.

In a case of conflict between a Board Policy and the provisions of this handbook, the Board Policy most recently adopted by the Board will prevail.

Students and parents/guardians should be aware that this document is reviewed annually since policy adoption and revision is an ongoing process. These changes will generally supersede the provisions found in the handbook, which will become obsolete by the newly adopted policy. The handbook is not a contract between the school and parents/guardians or students. It can be amended at any time at the discretion of the district. If policy changes are enacted during the school year, the administration will communicate those changes to students, staff and parents/guardians.

Administration

Dr. Joseph G. Stoudt
Mrs. Tara Bozella

*Jr./Sr. High School Principal
Dean of Students*

HS Office
HS Office

jstoudt@montasd.org
tbozella@montasd.org

Staff

	Assignment	Room #	E-Mail
Ms. Sierra Aichner	English	S07	saichner@montasd.org
Mrs. Penny Becher	8 th Grade Mathematics	S24	pbecher@montasd.org
Mrs. Trisha Berry	English	T10	tlberry@montasd.org
Mr. Eric Brown	Science/Mathematics	T08	ebrown@montasd.org
Mrs. April Burchell	Special Education	T13	aburchell@montasd.org
Mrs. Bridget Carmeci	7 th Grade ELA	S21	bcarmeci@montasd.org
Mrs. Rose Carnevale	Special Education	S23	rbragalone@montasd.org
Mrs. Jessica Carpenter	English	S06	icarpenter@montasd.org
Mr. Nathan Crawford	Science	T11	ncrawford@montasd.org
Mr. Jeremy Deitrick	Special Education	S16	jdeitrick@montasd.org
Mr. Thomas Flick	Mathematics/Technology Education	T09	tflick@montasd.org
Mr. Trey Fox	Band Director/Instrumental Music	Band Room	tfox@montasd.org
Mrs. Emily Glidewell	Spanish	S17	eglidewell@montasd.org
Ms. Nina Green	Science	T12	ngreen@montasd.org
Mrs. Danielle Hack	7 th Grade Mathematics	S22	dhack@montasd.org
Mrs. Shanna Haden	8 th grade ELA	S25	shaden@montasd.org
Mr. Brett Hofstrom	Mathematics	T16	bhofstrom@montasd.org
Mrs. Justine Huss	Business	S02	jhuss@montasd.org
Mrs. Kelly Kurtz	8 th Grade Science	S27	kkurtz@montasd.org
Mrs. Carina McNear	Vocal Music	T04	cmcnear@montasd.org
Mrs. Jocelyn Mounsey	Mathematics	T15	jmounsey@montasd.org
Mr. Zachary Mrochko	Social Studies	S05	zmrochko@montasd.org
Ms. Lynnette Murray	Physical Education/Health	Gym/T14	lmurray@montasd.org
Mr. Jesse Newcomer	Citizenship	S28	jnewcomer@montasd.org
Mrs. Kathleen Nichols	Special Education	S16	knichols@montasd.org
Mr. Kevin Rank	Technology Education	T05-T06	krank@montasd.org
Mrs. Tina Sampsell	Art	Art Room	tsampsell@montasd.org
Mrs. Megan Schoonmaker	Special Education	S23	mschoonmaker@montasd.org
Mrs. Amanda Snyder	Consumer Science Technology	T01	arsnyder@montasd.org
Mr. Jared Stetts	Social Studies	S04	jstetts@montasd.org
Mr. Todd Stutzman	7 th Grade Science	S26	tstutzman@montasd.org
Mrs. Megan Tressler	Librarian	Library	mtressler@montasd.org
Mrs. Billie Jean Tyler	Speical Education	S29	bt Tyler@montasd.org
Mr. Christopher Ulrich	Technology Education/Agriculture	T02	culrich@montasd.org
Mr. Kurt Wertman	Technology Education	T03-T07	kwertman@montasd.org

Office/Support Staff

	Location	E-Mail
Mr. Kyle Brown	District Office	kbrown@montasd.org
Mrs. Virginia Hill	HS Office	vhill@montasd.org
Mrs. Denise Liscum	Guidance	dliscum@montasd.org
Mr. Jeremy Rhoades	Tech. Office	jrhoades@montasd.org
Mr. Michael Snyder	HS Office	msnyder@montasd.org
Ms. Kelly Concini	CTO Office	kconcini@montasd.org
Mrs. Nicole Shnyder	Health Suite	nshnyder@montasd.org

Nurse

Mrs. Heather Walton	Nurse	Nurse's Office	hwalton@montasd.org
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Classified

Mrs. Danielle Bryson	Aide	dbryson@montasd.org
Mrs. Kathy Carey	Aide	kcarey@montasd.org
Ms. Cheyenne Lynch	Aide	clynch@montasd.org
Mrs. LouAnn Taylor	Aide	ltaylor@montasd.org



Montgomery Area School District

SCHOOL CALENDAR

2023-2024



AUGUST M T W T F 14 15 16 17 18 21-23 Teacher In-Service 24 - 1st Day Students 21 22 23 24 25 28 29 30 31 (6 of 6) [9 of 9]	FEBRUARY M T W T F 5 6 7 8 9 16 - Teacher In-Service 12 13 14 15 16 19 - Presidents Day 19 20 21 22 23 19- Make-Up Day if needed 26 27 28 29 (19 of 118) [20 of 126]
SEPTEMBER M T W T F 4 5 6 7 8 4 - Labor Day 11 12 13 14 15 18 19 20 21 22 25 26 27 28 29 (20 of 26) [20 of 29]	MARCH M T W T F 4 5 6 7 8 28-29 -Easter Break 11 12 13 14 15 28- Make-Up Day if needed 18 19 20 21 22 29 - Good Friday 25 26 27 28 29 (19 of 137) [19 of 145]
OCTOBER M T W T F 2 3 4 5 6 9 10 11 12 13 9 - Teacher In-Service 16 17 18 19 20 23 24 25 26 27 30 31 (21 of 47) [22 of 51]	APRIL M T W T F 1 2 3 4 5 1 - Easter Break 8 9 10 11 12 15 16 17 18 19 22 23 24 25 26 22-26 - ELA PSSA 29 30 29-30 - Math & Science PSSA (21 of 158) [21 of 166]
NOVEMBER M T W T F 6 7 8 9 10 20-21 - Teacher In-Service Parent 13 14 15 16 17 Teacher Conferences 20 21 22 23 24 22-27 - Thanksgiving Break 27 28 29 30 23 - Thanksgiving Day (16 of 63) [18 of 69]	MAY M T W T F 6 7 8 9 10 1-3 - Math & Science PSSA 13 14 15 16 17 6-10 - Make-Up PSSA 20 21 22 23 24 13-24 - Keystone Spring 27 28 29 30 27 - Memorial Day 31 - Graduation - Last Day Students Act 80 1/2 Day PM (22 of 180) [22 of 188]
DECEMBER M T W T F 4 5 6 7 8 4-15 - Keystone Winter Wave 1 11 12 13 14 15 18 19 20 21 22 22-29 - Winter Holiday Break 25 26 27 28 29 25 - Christmas Day (15 of 78) [15 of 84]	JUNE M T W T F 10 11 12 13 14 3-4 - Teacher In-Service (0 of 0) [2 of 190]
JANUARY M T W T F 1 2 3 4 5 1 - New Year's Day 8 9 10 11 12 3-17 - Keystone Winter Wave 2 15 16 17 18 19 15 - Teacher In-Service 22 23 24 25 26 29 30 31 (21 of 99) [22 of 106]	<div> <div></div> Teacher In-Service Days - No School (Last In-Service will follow last student day) <div></div> No School - Vacation Day <div></div> Make-Up Day if needed <div></div> Act 80 Day - Students off except PK and K4 <div></div> Student First and Last School Days </div> <div> () Denotes number of student days each month [] Denotes number of staff days each month </div>

Please visit www.montasd.org to view or print district calendar.

EMERGENCY CLOSING

In the event of snow or other emergency weather conditions, a school closing or delay will be announced on the following radio stations, local television stations and school district website. The district may utilize Flexible Instructional Days for required closings during the 2023-24 school year. Please refer to the full Continuity of Education Plan found in *Appendix B* of this document or online at www.montasd.org.

Parents and staff will also receive a telephone message from ParentLink. **Please make sure your contact information is up to date in the HS office or you may not receive notifications.**

Radio Stations

WILQ-FM	105.1	WWPA-AM	1340
WZXR-FM	103.7	WVLY	
WBZD-FM	93.3	WKOK	
WQKX		WEGH	
WJSA		WPSU	
WMLP			

Local Television Stations

WNEP Channel 16
WBRE Channel 28
WYOU Channel 22

District Website

www.montasd.org

Marking Periods

October 27, 20223	First Marking Period Ends
November 3, 2023	Report Cards Issued
January 18, 2024	Second Marking Period Ends
January 25, 2024	Report Cards Issued
March 25, 2024	Third Marking Period Ends
April 3, 2024	Report Cards Issued
May 31, 2024	Fourth Marking Period Ends
June 5, 2024	Report Cards Issued

Progress Reports

Progress reports published to SIS parent and student portals on:

September 29, 2023
December 12, 2023
February 27, 2024
May 3, 2024

Reports will be posted to the parent and student SIS portals within 24 hours from the listed date.

<u>2023-2024 Jr./Sr. High School Bell Schedules</u>	<u>JR HIGH</u> 1: 8:00-8:57 2: 9:00-9:52 3: 9:55-10:47 Lunch: 10:50-11:20 7: 11:23-12:15 6a: 12:18-1:10 6b: 1:13-2:05 8: 2:08-3:00
<u>SR HIGH 1</u> 1: 8:00-8:57 2: 9:00-9:52 3: 9:55-10:47 4: 10:50-11:42 Lunch: 11:45-12:15 6a: 12:18-1:10 6b: 1:13-2:05 8: 2:08-3:00	<u>SR HIGH 2</u> 1: 8:00-8:57 2: 9:00-9:52 3: 9:55-10:47 4: 10:50-11:42 5: 11:45-12:37 Lunch: 12:40-1:10 6b: 1:13-2:05 8: 2:08-3:00

2 HOUR DELAY – BELL SCHEDULE

10:00 – 10:14 - PERIOD 1
10:17 – 10:47 - ROTATING PERIOD 2 OR 3
10:47 – 3:00 - REGULAR SCHEDULE

1 HOUR DELAY – BELL SCHEDULE

9:00 – 9:52 - PERIOD 1
9:55 – 3:00 - REGULAR SCHEDULE

ATTENDANCE

***A WRITTEN EXCUSE IS REQUIRED** upon a student's return to school. Failure to submit a written excuse within three days of absence will result in an illegal day.

ARRIVAL AT SCHOOL

Students should not arrive earlier than 7:45 a.m. Building doors will not be open before that time; thus supervision of your child will not be available.

Arrival and Departure

Tardyarrival 8:00 a.m. to 11:45 a.m.

1/2 Day Absent.....arrival after 11:45 a.m. or depart prior to 1:30 p.m. if no return

Full Day Absent.....arrival after 12:59 p.m. or depart prior to 11:45 a.m. if no return

Tardiness

A student is tardy if not in period 1 by 8:00 a.m. A student, who arrives at school after the tardy bell has rung, must report to the office to sign in and to receive a pass to their next class.

Parents are responsible to provide reasons for tardiness in writing. The student must submit this written note and sign in at the office at the time of entry to school.

The following will be **consequences** of persistent tardiness:

***3 tardies to school = 1 Illegal day of absence**

***For every additional three (3) tardies, the student will receive another illegal day of absence from school.**

***Upon accumulating three (3) unexcused tardies, within one marking period, the student will be assigned detention. For additional unexcused tardies, the student will be assigned additional detentions. If tardiness continues, in-school suspension will be assigned.**

Tardies, as they pertain to truancy and compulsory education, are cumulative over the course of the school year. Students, who are tardy due to illness or for medical appointments, must submit a parental or medical excuse no later than the next morning. If a student is repeatedly tardy because of illness, a doctor's excuse may be required

Early Dismissals

The administration strongly encourages parents to schedule doctor and dentist appointments after school hours. When this is not possible, parents must submit notification in writing to the office prior to the appointment (the day before or no later than 8:40 a.m. the day of early dismissal). **Notification must state: name, grade, time of excused leave, and specific destination/reason.** Students must sign out in the office when they leave and sign in when they return. Students should return to school as soon after their appointment as possible and bring with them notification that the appointment was kept and submit this to the office upon return to school.

After arrival on school grounds, students shall not leave except for an approved early dismissal or upon permission by the Jr./Sr. High School Principal. Violators of this policy shall receive two (2) days out-of-school suspension.

Legal Absence

Absences will be deemed excused providing that a parent or guardian has submitted a note to the office.

***Students who are chronically absent may be asked to furnish an official excuse for each absence. Parents will be notified by mail if official excuses are required for each additional absence.**

The following is a list of accepted official excuses:

1. **Medical excuses issued by a health care provider for each absence stating appointment/absence date and time (written note from a doctor)**
2. **Death in the immediate family**
3. **Court appearances (documentation for the courthouse confirming appearance)**
4. **School related absences (i.e. field trips, academic competitions, athletics, etc.)**
5. **Religious holidays (must be pre-approved by administration)**
6. **Educational trips (must be pre-approved by administration one week in advance)**
7. **Other exceptionally urgent reasons that are authorized by the Jr./Sr. High School Principal**

Once a student accumulates twelve (12) or more absences that do not have an official excuse, the student will forfeit his/her privilege to participate in sports, all school activities, field trips, and to attend all dances (including Prom) for 45 school days. This total will include all excused (parent/guardian written) and unexcused tardies, full-day and half-day absences. The only exceptions that will not count toward the 12 absence accumulations are the official excuses outlined above. An accumulation of five (5) additional absences (seventeen – 17 absences in total) will result in the suspension of the privilege to participate in sports, all school activities, field trips, and to attend all dances (including Prom) for the remainder of the school year.

Any pupil **legally absent from school does have make-up privileges** equal to the amount of absentee time. It is the student's responsibility for making arrangements with the teacher to make up work after returning to school. Failure to make up work will result in a zero.

Illegal Absence

Three days of unexcused absence during any one school year are allowed by law before legal action is taken. **When a student accumulates three illegal days, an official notice will be issued to the parents/guardians informing them that a fine will be assessed for all subsequent illegal days.** The Montgomery Jr/Sr High School follows Section 1333 of the State Code and board policy # 204 concerning penalties for violation of compulsory attendance.

State law has increased fines to a maximum of \$300 per offense. Fines can be levied against students and/or parents. Students can also lose their driving privileges for 90 days for a first offense and six months for a second, while juveniles who are unlicensed are prohibited from applying for a learner's permit for 90 days (first offense) or six months (second offense) after their 16th birthday.

A pupil absent from school must bring to the office on the day he returns to school a written excuse signed by his/her parent or guardian stating the cause of the absence and the date. The excuse will be kept on file and be ready for inspection by any school official. Failure to present this excuse will result in the absence being classified as unexcused. **Failure to submit a written excuse within three days of absence will result in an illegal day.**

If a student is absent illegally from class, the work missed at that time cannot be made up.

Students whose names are on the active membership roll, who are at anytime in the school term **absent from school for 10 consecutive school days, shall thereafter be removed from the active membership roll** unless one of the following occurs:

- the district has been provided with evidence that the absence may be legally excused
- compulsory attendance prosecution has been or is being pursued.

Compulsory Education

The compulsory school age in Pennsylvania was recently changed. These changes went into effect during the 2020-2021 school year and require all students to attend school no later than age 6 and until age 18 or graduation, whichever occurs sooner.

Educational Trips

The Board of School Directors recognizes that educational travel experiences for students enhance and enrich the learning opportunities provided in the Montgomery School District. A maximum of five days per year are granted on an individual basis for approved educational trips, provided that all missed assignments are gathered before the planned trip and returned completed within five days after returning from approved trip. If missed

assignments are not completed within one week of school, the days missed will become illegal days. The information below must be completed and submitted to the building principal at least **one week prior** to the anticipated absence for an education trip.

*A parents/should request a "Trip Request Form" from the office

*The "Trip Request Form" must be completed and signed by the parent or legal guardian and returned to the office for approval. **This form can be found on the district website under *forms/handbooks*.**

*Assigned work during student absences must be made up

*The student must be under the direction and supervision of an adult acceptable to both the school and the student's parents or guardians.

NOTE: We would like to emphasize the term "educational." We recognize the need for students to be out of the classroom for various occasions. Consequently, we are encouraging parents to use this procedure only after consideration of their student's academic and social performance.

CODE OF CONDUCT

- I. All students have the right to learn, and the responsibility to contribute to an environment where others can learn, realize their potential, and teach.
- II. All students have the right to be treated with respect, kindness, and courtesy, and the responsibility for treating others with respect, kindness, and courtesy.
- III. All students and staff have the right to be safe, and the responsibility to contribute to a safe environment for others.
- IV. All students have the right to be proud of their efforts and accomplishments and to be proud of the Montgomery Jr/Sr High School. Students have the responsibility to contribute to a positive school climate.
- V. **Students shall adhere to all procedures and requirements as outlined in the Montgomery Area School District's Health and Safety Plan.** This document is available on the district's website at <http://www.montasd.org>.
- VI. Knowingly making false statements or knowingly submitting false information as part of an ongoing investigation during the grievance process is prohibited.

DISCIPLINE

GENERAL PHILOSOPHY OF DISCIPLINE

The discipline policy listed on these pages applies to student conduct in all school-related activities and programs including bus transportation, and all extracurricular activities such as dances, athletic events, and other school related functions.

Discipline situations range from minor breaches of general decorum through criminal acts punishable in courts of law.

Proper classroom behavior standards as designed by each individual teacher should be reasonable, known to the students, and applied fairly in all circumstances. Punishments for breaches of these standards are at the discretion of the teacher and should parallel the degree of the offense. The punishments, likewise, need to be known, reasonable, and fairly applied. This is in keeping with the assertive discipline philosophy of classroom behavior management.

DETENTION

Detention, as a form of discipline, **is the detaining of a pupil when he/she would otherwise have been dismissed from school or allowed to participate in another activity.**

Detention will be held from 3:05 p.m. until 4:05 p.m. or other specified times.

Bus students and students holding after school jobs are not excused from detention. Parents or guardians will be responsible for transportation to their home on assigned detention date(s).

Office Detention

The following regulations apply:

- Detention will be held daily, Monday through Friday.
- Students must be in the after-school detention room by 3:05 p.m. and may not leave until detention is over.
- Students will not be admitted to the detention room unless they have books or other school materials for study.
- Students will not be permitted to enter detention with food unless it is lunch detention.
- Students in detention are not permitted to talk or study together.
- Students will be given one day advance notice of after-school detention, unless prior arrangements are made with the parent/guardian.

If any student does not report to detention as assigned:

- **1st offense:** Double length of time in detention
- **2nd offense:** ISS (in school suspension)
- **3rd offense:** OSS (out of school suspension)

Students are not permitted on school property during OSS.

A parental conference is required in any suspension exceeding three (3) days.

Detention will be assigned by an administrator.

Teacher Detention

Teachers may assign detention after school. If a student does not serve a teacher detention, he/she will be referred to the office and will **receive double the length of time** in an office detention.

Teacher detention will be assigned in half hour blocks.

Students must be given 24 hours notice unless mutually agreed upon by the student, parent and teacher.

Teacher detention may not begin before 3:05 p.m.

SUSPENSION

Students are not permitted on school property during Out of School Suspension.

Any student receiving OSS will forfeit his/her privilege to participate in all school activities, field trips, and to attend all dances (including Prom) for 45 school days.

Exclusions From School

- A. The board of school directors shall define and publish the types of offenses that would lead to exclusion from school. Exclusion affecting certain exceptional students shall be governed by 22 Pa. Code 13.62 and 341.91 (relating to right to education and disciplinary exclusions of certain handicapped students from special education placement.)
- B. Exclusion from school may take the form of suspension or expulsion.
 - 1.1 Suspension may be given by the principal or person in charge of the public school.
 - 1.2 No student shall be suspended until the student has been informed of the reason for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.
 - 1.3 The parents and the superintendent of the district shall be notified immediately, in writing, when the student is suspended.
 - 1.4 When the suspension exceeds 3 school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements set forth in 12.8 (c) (relating to hearings).

- 1.5 Suspension may not be made to run consecutively beyond the 10 school day period.
- 1.6 Students shall have the responsibility to make up exam and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the board of school directors.
- (2) Expulsion is exclusion from school by the board of education for a period exceeding 10 school days and may be permanent expulsion from the school rolls. All expulsions require a prior formal hearing under 12.8 (relating to hearings).
- (C) During the period prior to the hearing and decision of the board of school directors in an expulsion case the student shall be placed in his normal class except as set forth in subsection (d).
- (D) If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety, morals, or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days, if the formal hearing is not unreasonably delayed. Any student so excluded shall be provided with an alternative education that may include home study.
- (E) Students who are less than 18 years of age are still subject to the compulsory school attendance law even though expelled, and they must be provided an education.
- (1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, through tutorial or correspondence study or through another educational program approved by the district superintendent.
- (2) If the parents or guardians are unable to provide for the required education, they must within 30 days submit to the school district written evidence so stating. The district then has the responsibility to make some provision for the student's education. If 30 days pass without the district receiving satisfactory evidence that the required education is being provided to the student, it must contact the parent and pending the parent's or guardian's provision of such education, the district must make some provision for the student's education or proceed under paragraph (3) or do both.
- (3) If the approved educational program is complied with, the school district may take action in accordance with Chapter 63 of the Juvenile Act, to ensure that the child will receive a proper education.

Hearings

- (A) Education is a statutory right, and students must be afforded all appropriate elements of due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing, this is a fundamental element of due process.
- (B) A formal hearing is required in all expulsion actions. This hearing may be held before the board of school directors or a duly authorized committee of the board, or a qualified hearing examiner appointed by the board. Where the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student.
- (1) The following due process requirements are to be observed with regard to the formal hearings:
 - 1.1 Notification of the charges shall be sent to the student's parents or guardian by certified mail.
 - 1.2 Sufficient notice of the time and place of the hearing must be given.
 - 1.3 The hearing shall be held in private unless the student or parent requests a public hearing.
 - 1.4 The student has the right to be represented by counsel.
 - 1.5 The student has the right to be presented with the names of witnesses against the student and copies of the statements and affidavits of those witnesses.
 - 1.6 The student has the right to request that any such witnesses appear in person and answer questions or be cross examined.
 - 1.7 The student has the right to testify and present witnesses on his own behalf.
 - 1.8 A record must be kept of the hearing, either by a stenographer or by a tape recorder. The student is entitled, at the student's expense, to a copy of the transcript.
 - 1.9 The proceeding must be held with all reasonable speed.
- (2) Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that constitutional issue is involved, the student may file a claim for relief in the appropriate Federal District Court.
- (3) The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

- 3.1 The informal hearings are meant to encourage the student's parents or guardian to meet with the principal to discuss ways by which future offenses can be avoided.
- 3.2 The following due process requirements are to be observed in regard to the informal hearing.
- Notifications of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.
 - Sufficient notice of the time and place of the informal hearing shall be given.
 - A student has the right to question any witnesses present at the hearing.
 - A student has the right to speak and produce witnesses on his behalf.
 - The district shall offer to hold the informal hearing within the first five days of suspension.
- 22 Pa. Code 12.3** - states that "the governing school board has the authority to make reasonable and necessary rules governing the conduct of students".
- 24 PS 13-1317** - states that "every principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians or persons in parental relation to such pupils may exercise over them".
- 24 PS 13-1318** - states that "every principal in charge of a public school may temporarily suspend any pupil on account of disobedience or misconduct".

POSSESSION / USE OF TOBACCO, TOBACCO PRODUCTS, AND "LOOK ALIKE" PRODUCTS

The Board recognizes that use of tobacco by students presents a health and safety hazard which can have serious consequences for both users and non-users.

For purposes of this policy, tobacco shall be defined as a lighted or unlighted cigarette, electronic cigarette, cigar and pipe; other lighted smoking product; and smokeless tobacco in any form.

The Board prohibits students from possessing and using tobacco at any time in a school building, on a school bus, and on school property.

A student convicted of possessing or using tobacco in a school building or on a school bus or school property may be cited to the District Magistrate and incur a fine plus court costs.

TOBACCO-FREE FACILITY AND GROUNDS

The Board recognizes that tobacco, **nicotine and nicotine delivery products** present a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.

School Board Policy #222 Tobacco/Nicotine:

For the purpose of this policy "tobacco" shall refer to all uses of tobacco products or tobacco-like products. For purposes of this policy, **tobacco** includes a lighted or unlighted cigarette, cigar, **cigarillo, little cigar**, pipe or other smoking product or material and smokeless tobacco in any form **including chewing tobacco, snuff, dip or dissolvable tobacco pieces**.

For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

In order to protect the student, staff, and visitors from an environment that is harmful to them, and because the district cannot condone the use of tobacco in any form because of its health effects, the district prohibits the use of all tobacco and/or tobacco looking products by all persons in all school buildings, on all school grounds and in all school vehicles at all times.

Any student found to be in violation of School Board Policy #222 Tobacco/Nicotine will be given two (2) days out-of-school suspension (OSS) and all extracurricular/co-curricular activities (including athletics) will be suspended for two weeks. Additional violations will result in out of school suspension. **A second violation will result in additional OSS and the suspension of the privilege to participate in sports, all school activities, field trips, and to attend all dances (including Prom) for the remainder of the school year.**

DRUG AND ALCOHOL AWARENESS

School Board Policy #227 Drug and Alcohol Awareness as well as The Drug Device and Cosmetics Act of 1961 and "Look Alike Drugs" Law Act #23 of 1982 will be enforced.

Alcohol: Alcoholic beverages, including, but not limited to, beer, wine, liquor and any beverage subject to control and jurisdiction of the Pennsylvania Liquor Control Board and any substance containing ethyl alcohol to the extent that it can impair judgment or function if taken in sufficient quantities.

Drugs shall include all of the following:

1. Controlled substances as defined in the Controlled Substance, Drug, Device and Cosmetic Act, as otherwise prohibited by federal and state law.
2. Prescription or patent drugs (over-the-counter drugs), except those for which permission for the use or possession in school has been granted pursuant to Board policy.
3. Alcohol.
4. Anabolic and non-anabolic steroids.
5. Drug paraphernalia.

Look-alike Drugs: Any noncontrolled substance that in its overall finished dosage appears substantially similar in size, shape, color, marking or packaging to a specific drug.

Policy Violation

This policy is violated when any student, visitor, guest, or any other person unlawfully manufactures, uses, abuses, possesses, constructively possesses, distributes, or attempts to distribute drugs, alcohol, or any mood altering substances, or drug paraphernalia on school premises, or at any school-sponsored activity anywhere, or while traveling to and from school or school-related activities, or while representing the school on an activity, or who conspires, aids, or abets the use, abuse, active possession, constructive possession, or distribution of drugs, alcohol, or any mood-altering substances.

Searches

Student lockers are school district property. Student lockers will be searched by district or building level administrators when reasonable assumption exists that a student is secreting evidence of an illegal act. School authorities may seize any illegal materials.

Student searches must be justified at their inception by reasonable suspicion that policy or law has been violated or is being violated and that evidence of the violation will be disclosed by the search, and the search actually conducted must be reasonably related in scope to the circumstances which justified the search at its inception.

School district administrators are authorized, under circumstances justifying such a search as described above, to require students or other persons under the administrator's jurisdiction to submit to a thorough search of clothing, handbags, wallets, and lockers and to seize any unauthorized materials.

Prior to any student's body search an attempt shall be made to contact parents/guardians for their consent or attendance at the search. Such searches shall be conducted with an appropriate witness, who may be the parent/guardian or staff member, and must not be conducted without reasonable suspicion. Body searches will be made by persons who are the same sex as the student who violates this policy.

Students who do not cooperate with reasonable cause search shall be immediately suspended and subject to additional disciplinary action.

First Offense

Any student who violates this policy will be suspended out-of-school for five (5) days and will not participate in or attend as a spectator any school-related or school-sponsored activity. For an additional forty (40) school days, students would not be permitted to participate in school-related and/or school-sponsored activities which include but are not limited to clubs, musical groups, publications, athletics, and other activities such as National Honor Society, student council, and class activities (spirit week, homecoming, class trips, fundraisers, dances, proms, and commencement). Further, the student must complete successfully the required educational program, as scheduled by the district, or district approved alternative program and/or the Student Intervention Group Program.

If the student refuses to participate in or does not complete successfully the programs mentioned in the previous paragraph, as scheduled by the district, the student will be suspended out-of-school for ten (10) days and will not participate in or attend as a spectator any school-related or school-sponsored activity for an additional thirty-five (35) school days. School-related and/or school-sponsored activities, include clubs, musical groups, publications, athletics, and other activities such as National Honor Society, Student Council, and class activities (spirit week, homecoming, class trips, fund-raisers, dances, proms, and commencement).

Refer to **School Board Policy #227** for disciplinary action resulting from additional infractions.

INELIGIBILITY FOR PARTICIPATION IN CO-CURRICULAR ACTIVITIES AND SCHOOL SPONSORED EVENTS

The School Board recognizes that coaches and advisors have the right, and are expected, to establish and enforce their own rules regarding behavior. However, with regard to the use of alcoholic and unlawful controlled substances, the School Board has established standards for response. Refer to School Board Policy #227 on the district web site for specific information for offenses and consequences.

The Board prohibits any student athlete, whether in-season or out-of-season, any student participating in extracurricular or cocurricular activities, or any student with parking privileges from possessing, using, distributing or selling any drug, including anabolic steroids, alcohol, drug-look-alikes or drug paraphernalia. This conduct is prohibited at any time and at any place – whether during or after school hours, and whether on or off school property. Any student athlete, any student participating in extracurricular or cocurricular activities, or any student with parking privileges who is found to be possessing, using, distributing or selling any drug.

First Violation -

For a first offense of Section II, the principal shall suspend the student from all extracurricular activities, cocurricular activities, athletic competition, and parking privileges for a period of sixty (60) calendar days. During this suspension period, the student may not attend or participate in any athletic events, extracurricular activities, and cocurricular activities, including all practices, performances and competitions.

Second Violation -

For a second offense of Section II, the principal shall suspend the student from attending and participating in all athletic, extracurricular, cocurricular activities, and shall rescind parking privileges for a period of one (1) year (365 days) from the date of the offense.

Third Violation -

For a third offense of Section II, the principal shall permanently suspend the student from attending and participating in all athletic, extracurricular and cocurricular activities, and shall rescind parking privileges for the remainder of the student's years while attending the Montgomery Area School District.

All students who violate this policy will be referred to the Student Assistance Program and will be required to follow the SAP team's recommendations prior to returning to eligible status. Should a student not complete the SAP team's recommendation, this student will be ineligible until fulfilling the recommendations.

Nothing in this policy shall be construed to limit the ability of the Board to impose greater sanctions than those set forth in this policy on any student found guilty of selling or distributing drugs or alcohol or for conviction of criminal activity not related to individual alcohol/drug use.

TERRORISTIC THREATS / ACTS

The Board recognizes the danger that terrorist threats and acts by student's presents to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

DEFINITIONS:

Terroristic Threats: shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience.

Terroristic Act: shall mean an offense against property or involving danger to another person.

AUTHORITY:

The Board prohibits any district student from communicating terrorist threats or committing terroristic acts directed at any student, employee, board member, community member or school building.

The Board directs the superintendent to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act. The superintendent shall be responsible for developing procedures to implement this policy.

Staff members and students shall be responsible for informing the building principal regarding any information or knowledge relevant to a possible or actual terroristic threat or act.

The building principal shall immediately inform the superintendent after receiving a report of such a threat or act.

When an administrator has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

1. The building principal may immediately suspend the student.
2. The building principal shall promptly report the incident to the superintendent.
3. Based on further investigation, the superintendent may report the student to law enforcement officials.
4. The superintendent may recommend expulsion of the student to the Board.

If a student is expelled for making terroristic threats or committing terroristic acts, the Board may require prior to readmission, that the students provide competent and credible evidence that the student does not pose a risk of harm to others. In the case exceptional students, the district will take all steps necessary to comply with the Individuals with Disabilities Education Act and follow Board policy.

HAZING

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

For purposes of this policy **hazing** is defined as any activity that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or membership in or affiliated with any organization recognized by the Board.

Endanger the physical health shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage, drug or controlled substance, or other forced physical activity that could adversely affect the physical health or safety of the individual.

Endanger the mental health shall include any activity, that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exposure from social contact,

forced conduct which could result in extreme embarrassment, or any forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity, whether by an individual or a group, shall be presumed to be a forced activity, even if a student willingly participates.

The Board does not condone any form of initiation or harassment, known as hazing, as part of any school sponsored student activity. No student, coach, sponsor, volunteer or district employee shall permit, condone or tolerate any form of hazing.

The district will investigate all complaints of hazing and will administer appropriate discipline to any individual who violates this policy.

The Board encourages students who have been subjected to hazing to promptly report such incidents to the building principal.

District administrators shall investigate promptly all complaints of hazing and administer appropriate discipline to any individual who violates this policy.

Students, administrators, coaches, sponsors, volunteers, and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal.

The district shall annually inform students, parents, coaches, sponsors, volunteers and district staff that hazing of district students is prohibited, by means of:

- electronic availability of written policy
- publication in handbooks
- presentation at an assembly
- verbal instructions by the coaches or sponsor at the start of the season or program
- posting of notice/sign.

COMPLAINT PROCEDURE:

1. When a student believes that he/she has been subject to hazing, the student shall promptly report the incident, orally or written, to the building principal.
2. The principal shall conduct a timely, impartial, thorough, and comprehensive investigation of the alleged hazing.
3. The principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. Copies of the report shall be provided to the complainant, the accused, and others directly involved, as appropriate.
4. If the investigation results in a substantial finding of hazing, the principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Conduct.
5. Additionally, the student may be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity.

WEAPONS

Weapons and replicas of weapons are forbidden on school property. Weapons shall include, but not be limited to, firearms, knives, metal knuckles, straight razors, explosives, noxious, irritating or poisonous gases, poisons, drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons in accordance to policy.

"Dangerous weapon" means any weapon, device, instrument, material or substance, animate or inanimate, this under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.

Any loaded or unloaded firearm or dangerous weapon possessed on or about a person while on district property is subject to seizure or forfeiture.

Violation of this policy shall require that the incident be reported to the student's parents and will be reported to the police.

This policy shall also require that the proceedings for the expulsion of the student involved, or with students who assist possession in any way, shall be initiated immediately by the building principal.

SEXUAL HARASSMENT POLICY

It shall be a violation of this policy for any member of the district staff to harass a student through conduct or communications of a sexual nature. It shall also be a violation of this policy for students to harass other students or adults through conduct or communications of a sexual nature. **(School Board Policy #248/Policy #103)**

BULLYING/CYBERBULLYING

(School Board Policy #249) The Board is committed to providing a safe, civil, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, presents an obstacle to social/emotional development of students, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occur in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

Bullying consists of a pattern of repeated harmful behavior by a person with more physical or social power toward a less powerful person. This may include a wide variety of behaviors, with deliberate intent to hurt, embarrass, or humiliate the other person. Researchers have identified four (4) forms of bullying.

1. Physical – the most commonly known form; includes hitting, kicking, spitting, pushing and taking personal belongings.
2. Verbal – includes taunting, malicious teasing, name-calling, and making threats.
3. Psychological or Relational – involves spreading rumors, manipulating social relationships and engaging in social exclusion or intimidation.
4. Cyberbullying - forms of verbal and psychological bullying may also occur on the Internet through e-mail, instant messaging, or personal profile web sites such as Facebook. **Cyberbullying** includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student, teacher or employee of the district by sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or web site postings (including blogs). All forms of cyberbullying are unacceptable and, to the extent that such actions are disruptive of the educational process of the district, offenders shall be the subject of appropriate discipline, which may include legal and/or police proceedings.

Bullying includes unwelcome verbal, written or physical conduct directed at a student by another student that has the intent of or effect of:

1. Physically, emotionally or mentally harming a student.
2. Damaging, extorting or taking a student's personal property.
3. Placing a student in reasonable fear of physical, emotional or mental harm.
4. Placing a student in reasonable fear of damage to or loss of personal property.

5. Creating an intimidating or hostile environment that substantially interferes with a student's education opportunities.

The term **bullying** shall not be interpreted to infringe upon a student's right to engage in legally protected speech or conduct.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school and on the way to and from school.

The Board prohibits all forms of bullying by district students.

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. If the behavior is found to meet the definition of bullying, written documentation shall be submitted to the building principal. The building principal or designee will inform parent/guardians of the victim and person accused. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

Each student and staff member shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.

District administration shall annually provide the following information with the Safe School Report:

1. Board's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

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

Education

The district may develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.

Complaint Procedure

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 or a district employee.

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.

The complainant or reporting employee is encouraged to use the report form available from the building principal.

Step 2 – Investigation

Upon receiving a complaint of bullying, the building principal shall immediately investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation. In such a case, the complaint will be filed directly with the Superintendent.

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

The 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.

The findings of the investigation shall be provided to the parents of the accused student and the complainant.

Step 3 – Investigative Report

The building principal shall prepare a written report 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 investigative report shall be retained by the principal/designee and forwarded to the Superintendent as appropriate.

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.

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:

- Counseling services and/or educational activities.
- Parental conference.
- Loss of school privileges.
- Transfer to an out of district placement.
- Transfer to another classroom.
- Exclusion from school-sponsored activities.
- Detention.
- Suspension.
- Expulsion.
- Recommendation for counseling/therapy outside of school.
- Referral to Student Assistance Program.
- Referral to law enforcement officials.
- Restorative conferences.

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

Appeal Procedure

If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, s/he may submit a written appeal to the

Superintendent within fifteen (15) days.

References:

School Code – 24 P.S. Sec. 1302-A, 1303.1-A

State Board of Education Regulations – 22 PA Code Sec. 12.3

Board Policy – 000, 218, 233, 236, 248

USE OF DOGS TO SEARCH SCHOOL PROPERTY

The District supports the elimination of the possession or use of illegal substances/devices. The Board wants to convey a strong message to the community, staff and student body concerning the use or possession of illegal substances.

It shall be the policy of the school district to permit the administration to periodically invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances.

The dog must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions.

The administration shall authorize the search and have a designee on hand while the search is taking place.

All school property such as lockers, classrooms, parking areas and storage areas may be searched.

Individuals shall not be subjected to a search by dogs. An indication by the dog that contraband is present on school property or an automobile shall be reasonable cause for further search by school officials.

Once notification has been given to parents and students, through the inclusion of the policies in the student/parent handbook and/or the school newsletter, the school district will have met its obligation to advertise searches. Additional notices need not be given and actual times or dates of planned searches need not be released in advance.

Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substances(s) on school property.

WELLNESS POLICY

The Montgomery Area School District recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development, and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn and participate in positive dietary and lifestyle practices that can improve student achievement.

Refer to School Board Policy #246 on the district web site at www.montasd.org for specific information.

**MONTGOMERY AREA SCHOOL DISTRICT
STUDENT SERVICES PLAN**

Counseling Services

- K Kindergarten Screening**
The elementary school counselor coordinates all aspects of the kindergarten screening process. The screening is administered to determine the child's developmental age and readiness for skills generally taught in kindergarten. Rather than a kindergarten "entrance exam", the screening is a tool to help identify a child's strengths and weaknesses in some readiness areas as well as to provide information which will be helpful in planning for next year's kindergarten beginning activities. No child will be excluded from kindergarten as a result of the screening.
- K-8 Developmental Classes**
As part of the services included in the counseling program, classes are offered at each grade level and are approved by the elementary and Jr./Sr. High School counselors. The goal of these classes is to encourage the greatest possible development as a means for assuring academic success and emotional well-being. These classes also provide an opportunity for the counselor to establish a rapport with individual students.
- K-12 Standardized Testing Program**
Standardized tests provide valuable data on individual students and provide a means to monitor progress throughout the school years as well as providing an evaluation of the total program offered by the district. The counselors assist with the coordination and the administration of standardized tests.
- K-12 Diagnosis of Special Needs**
Referrals for academic and behavioral screening may come from a variety of sources including parents, teachers, and the Instructional Support Team. Before any student is placed in a Special Education program, extensive screening is conducted to determine the exact needs of that individual child. The counselor conducts initial screening and makes observations of the child in classroom settings before requesting further testing by the school psychologist. Following such screening, the counselor helps interpret the results to teachers and parents and contributes to the team designing, if appropriate, an individualized program for the child.
- K-12 Parent Consultation**
The home environment plays an extremely important role in the total growth of a student. The counselor confers with parents concerning the home environment and their role in their child's academic and social/emotional development and provides tools for parents to use to maximum student growth. Consultation with parents includes information regarding school counseling services and counseling resources as well as various programs to aid students as they prepare for their post-secondary future. In addition, the counselor provides information and interpretation of individual and standardized test results. The secondary counselor provides parent consultation in areas such as social, academic, or career concerns. Parent contact is made when a concern is present. Some areas of concern may include social interactions, unsuccessful academic progress, or failure to be prepared for graduation.
- K-12 Coordination with other Agencies**
The school is part of the larger community and must frequently work with other community agencies to insure maximum support for the development of each child. The school counselor works cooperatively with representatives of community services on the student's behalf and often serves as the school's liaison with other community agencies such as Mental Health/Intellectual Disability Children and Youth Services, CareerLink, and various counseling agencies.
- K-12 Small Group Counseling**
Students in elementary and secondary school frequently encounter social and emotional problems that may interfere with academic progress. When groups of students are identified as having similar needs or problems, they may meet with the counselor who offers small group sessions designed to help children work on these issues. Topics for small group sessions vary from year to year, but typically include the following:
 Stress and Anger Management
 Self-Esteem
 Friendship/Peer Relationships
 Changing Families

Referrals for group counseling may come from a variety of sources, including parents, teachers, and students themselves.

K-12 Individual Counseling

Some children experience unique adjustment problems that affect their academic work. The school counselor works individually with students. Requests or referrals may come from teachers, parents, or students themselves. An atmosphere is created which enables students to feel comfortable discussing their concerns. The counselor helps students develop a better understanding of themselves, their assets and limitations. The services provided help students solve their problems and make personal and social adjustments. The counselor may seek out students whom they know to have special concerns, in addition to students who self-refer as part of the open door policy

K-12 Teacher Consultation

The school counselors provide continuing assistance to teachers as they seek to meet the needs of all students. They help the teacher in his/her contact with children, sharing knowledge of child development, interpreting test results, assessing the individual child's potential and achievement, and assisting in individualized educational programs. The school counselor may initiate, coordinate, and participate with teachers in conferences with parents. The school counselors also provide teacher consultation in areas such as behavioral or academic concerns. The teachers and counselor discuss student concerns and decide the best course of action to benefit the student. Teachers and counselor remain in contact to monitor the students' progress.

7-12 Student Assistance Team- SAP

The Student Assistance Team is comprised of various faculty members, the nurse, the school psychologist, the principal, the school outreach caseworker, the school counselors, and the drug and alcohol counselor. The team meets several times a month to discuss students at risk for drug and alcohol or mental health issues. A student is referred to the team by students, parents, or faculty. Information is collected and reviewed. After the information is reviewed by the team, a determination is made as to whether or not assistance is warranted. The team may decide to recommend the student for drug and alcohol, mental health, or counseling for both. Parent contact is made, and if permission is granted, the counseling begins. At the end of the school year the team also completes a review of the students serviced throughout the year. The information collected is confidential and handled with professional discretion.

SAP is...

- an identification program
- an intervention program
- a referral program

SAP is not...

- a counseling program
- a treatment program
- a discipline program

How can you know if a person is “at risk” for suicide or drug abuse?

- Watch for changing patterns of appearance, performance and behavior.

These are some common clues:

- change in physical appearance and health
- decrease in academic achievement
- increase in tardiness, absenteeism
- moodiness
- withdrawn or change in friends
- possession of drugs or paraphernalia
- odor of drugs or “cover up” scents
- talk about suicide or death
- giving away possessions
- sudden good mood, following a depression

How can YOU help?

- Watch for signs
- Listen to the person – do not judge
- Encourage the person to talk to a trusted adult, remember, you are not a counselor
- Go with the person if necessary
- Do NOT promise “not to tell.” If you think it’s serious, trust your feelings. Friendship sometimes means taking risks
- Take care of yourself too. It is stressful to feel responsible for a friend. Talk to someone you trust

Where can YOU go for help?

- In School or CALL 570 - 547-1608
- Crisis & Emergency Services
CALL 1-888-829-1341 **(24 hours a day)**

9-12 Scheduling

The secondary school counselor assists students in schedule planning and course selection. The students are advised on core course selection as well as appropriate electives. The counselor ensures that all graduation requirements are met in addition to proper credit completion. Approval of changes in a student’s educational program also goes through the counselor.

9-12 Transition Counseling

The secondary school counselor provides services which aid students in formulating and carrying out appropriate educational and vocational plans. The counselor conducts career interest inventories with students to assess their abilities and interests and then matches them to potential careers. Ensuring that students take the appropriate courses to prepare them for their future plans is also the responsibility of the counselor. Several tests are organized and/or administered by the counselor which help to prepare the students for the future: ASVAB, PSAT, SAT, and AP exams. The counselor collaborates with college admissions representatives to arrange visitations and informational meetings. The counselor contacts the PHEAA representative to arrange Financial Aid Night for the parents and students. The appropriate forms such as the FAFSA are also made available to the students. The counselor assists students in researching colleges and technical schools, college applications, and contacts admissions offices with concerns. The school counselor works individually and in group settings to discuss various post secondary options. Students are encouraged to make decisions during their junior and senior years to them transition to the world of work or post secondary education. Various group lessons are taught at each grade level to help students. Examples include, but are not limited to: setting goals, identifying strengths, researching potential colleges, careers, successful work habits, and interviewing skills.

ENGLISH LANGUAGE LEARNER SERVICES

The Montgomery Area School District has a K-12 comprehensive plan designed to determine the need for ELL Services for its students.

All students have been administered a home language survey, which determines whether further assessment is necessary. Students who are placed in the ELL program are provided with a wide range of services designed to facilitate the ELL student’s individual needs as determined by the results of the Woodcock-Munoz Assessment, consultation with parents and ongoing diagnosis of academic success.

CONFIDENTIALITY OF RECORDS

The school district has developed policies to ensure that all records are confidential. Only school personnel are permitted to see a child’s file. Anyone else must have written approval of the parent to see the file or to receive copies of information in the file. Parents can review the child’s file and challenge the

validity of any record, or challenge the maintenance of information on file. All records are reviewed every summer by school personnel and any no longer needed to plan the child's education program are destroyed. However, parents are notified first and permitted to review or copy this information. Federal regulations give both natural parents access to their child's education records unless there is a court order, state statute or legally binding document prohibiting access.

PSYCHOLOGICAL SERVICES

Referral of Children for Screening and Evaluation

The Montgomery Area School District has screening and evaluation procedures to identify children needing special education services, gifted support services, or requiring accommodations through 504 plans. Referrals for screening or evaluation can be requested by a teacher or parents. Parents suspecting that a child may have a disability or require gifted support services can request a screening or an evaluation by contacting the school counselor or school psychologist. No formal evaluation can be conducted without written parental consent.

Screening of Children

Screenings may include speech and language, occupational/physical therapy, health/medical, academic/behavioral screenings. Academic and behavioral screenings are conducted by the school counselor/school psychologist. Screening may be conducted without parental consent. Results of screenings may lead to intervention by the Instructional Support Team (IST), to a referral to an outside agency /service provider, or to a request for a formal psycho-educational evaluation by the School Psychologist/MDT team.

Evaluation of Children

Psychoeducational evaluations are conducted by a Multi-Disciplinary Team (MDT) to determine such things as the child's learning ability, achievement levels, behavior patterns, physical abilities and communication skills. The team may include, but is not limited to a school psychologist, a special education teacher, gifted support teacher, speech therapist, school counselor, occupational and physical therapists, and other staff as necessary. Methods used in the evaluation include, but are not limited to, classroom observations, review of educational and medical records, assessment results, and input from multiple sources (parent, teacher, student, etc.). Results of the evaluation are reviewed by the team to determine if special education services, gifted support services, or a 504 plan are required in order for the student to receive an appropriate education. If services are recommended, parents are part of the team that develops an Individual Education Program (IEP) or 504 plan.

COORDINATION OF SERVICES

The School Psychologist works with parents, teachers, and outside agencies to insure appropriate coordination of services and treatment for students.

***Transition Council:** The local transition council provides assistance to help graduating students and their parents prepare for post-secondary goals. The council consists of the representatives from the following agencies: Office of Vocational Rehabilitation, Mental Health/Intellectual Disability, Careerlink, Center for Independent Living, Blast IU 17, HOPE Enterprises/Community Employment Services.

***Early Intervention Transition:** Early Intervention staff and Montgomery Area School District staff, in addition to the parents of early intervention students, use these transition meetings to discuss and arrange appropriate programming for incoming kindergarten students identified with special needs.

***BLaST IU 17:** MASD's utilization of BLaST IU 17 educational programs and services are coordinated by the school psychologist, including special education classroom placements, EXPLORER (school to work program), ESY, Behavioral Support, itinerant services (vision support, emotional support, audiology, hearing support, mobility)

***Parent-Teacher Consultation:** The School Psychologist consults with teachers and parents in a collaborative effort to develop appropriate academic and behavioral interventions and to monitor the effectiveness of such interventions.

SPECIAL EDUCATION SERVICES

All special education services as mandated by state law are available from the Montgomery Area School District. Specific information regarding these services may be obtained from the special education office by calling the school district at 570-547-1608 ext.1138.

SPECIALIZED SERVICES/CHILD FIND

In compliance with state and federal laws, Montgomery Area School District hereby gives notice that it conducts ongoing activities to identify students who may be in need of various student services including special education and related services, services for protected handicapped students, and services for gifted students.

Special education (Individuals with Disabilities Education Improvement Act of 2007)

If you believe your school-age child may be eligible as a child with a disability and in need of special education and related services, screening and evaluation processes are available to you at no cost upon written request. These processes are designed to assess your child's needs and determine eligibility. Individualized services and programs are available for children who are determined to need specially designed instruction due to the following conditions:

- Autism
- Emotional Disturbance
- Hearing Impairment, including Deafness
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech and Language Impairment
- Traumatic Brain Injury
- Visual Impairment, including Blindness

Service Agreement Plans (Section 504 of Americans with Disabilities Act)

The Montgomery Area School District provides to each protected handicapped student related aids, services or accommodations which are needed to provide equal opportunity to participate in and benefit from the public school program and extracurricular activities to the maximum extent appropriate to the child's abilities. Services are provided without discrimination or cost to the child or family.

To qualify for services under Section 504, the child must be school age with a physical or mental disability that substantially limits or prohibits participation in or access to an aspect of the public school program.

These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in the special education programs.

Gifted Education Programs (Chapter 16)

If you believe that your school-age child may be in need of gifted support services, screening and evaluation processes are available to you at no cost upon written request. These processes are designed to assess the student's needs and determine eligibility.

Additional Information

For further information on the rights of parents and children, provision of services, screening and evaluation, and procedural safeguards, please contact the Montgomery Area School District Special Education Department.

HOME AND SCHOOL VISITOR/SOCIAL WORK SERVICES

School Based Outreach Caseworker

The School Based Outreach Caseworker's role is to provide preventative and supportive services to students and their families K-12. The Outreach Caseworker provides interventions to students in an effort to alleviate barriers that affect student learning and emotional health. Interventions may include (but are not limited to): individual contacts, assessments, referrals to outside agencies, crisis intervention, and summer programming. Referrals come from school staff, students and parents. Written parental consent is required for this service.

Wrap Around Services

Wrap around service providers play a visible role in supporting students and staff in the school setting. Wrap around services include Therapeutic Support Staff (TSS), Behavioral Specialist Consultant (BSC) and Mobile Therapist (MT). The purpose of these services is to develop goals, provide goal-oriented behavioral therapy to the individual child, and assist the family in establishing a stable home environment. Behavioral Specialists Incorporated (BSI) offers wrap around services in the Montgomery Area School District.. However, parents have a choice in which provider they would like to select for these services. The School Counselor can meet with parents to better explain these services and offer assistance in securing them.

Therapeutic Support Staff (TSS): The TSS supports and redirects the student in the school setting, exchanges information, and collaborates with the classroom teacher, counselors, and administrative staff in the manner identified within the treatment plan for the purpose of transferring such skills to the natural supports of the child. In this way, the TSS's efforts not only support the child's behavioral needs but also assist the teacher and school in making necessary individualized accommodations to benefit the child over time.

Behavioral Specialist Consultant (BSC): The BSC provides services that are designed to be consultative in nature rather than a direct service to the child or family. BSC's develop and design treatment plans specific to the individual child, consult with team members including teachers, counselors and administrative staff, and oversee the implementation of the treatment plan.

Mobile Therapist (MT): The MT provides child-centered family-focused psychotherapy using a variety of strength-based modalities as described in the child's treatment plan. The therapist can meet with school personnel to gather information, coordinate treatment and develop behavioral approaches.

HEALTH SERVICES

Please refer to the attached form on page 48 for recent changes to vaccination requirements which went into effect during the 2017-2018 school year.

Montgomery Area School District Health Services strengthens the educational process by giving attention to the health status of children and adolescents. Good health is basic to sound education and productive living. Programs are integrated with community and health agencies. Health services strengthen and reinforce the family and supplement, rather than replace, the function of the home.

SCHOOL HEALTH IS NOT A MEDICAL SERVICE. IT IS A PREVENTATIVE SERVICE INTENDED TO ENCOURAGE AND SUPPORT PARENTS' DECISION-MAKING RESPONSIBILITIES FOR THE HEALTH CARE OF THEIR CHILD.

State mandated health services are provided by the Montgomery Area School District nursing staff to public schools. A certified school nurse (CSN) is currently employed.

A school board approved physician serves as a consultant for the health program and participates in mandated services and sports physicals.

A school board approved dentist serves as a consultant for the dental health program and participates in state mandated services.

Minor Illness and Dismissal from School

1. An emergency card should be on file for every student in a building. It is the parent's responsibility to update the information on the card as necessary.
2. Students coming to the health office must have a pass signed by their classroom teacher with the time noted.
3. Students are **not** permitted to call their parents/designee to come for them. School personnel will evaluate the student's condition. If the student is too ill to remain in school, parent/guardian or designee will be called and arrangements made.

4. Students who have their own cars at school may drive home only with parent/guardian or designee permission and if judged to be fit to drive by the nurse and parent/guardian or designee.
5. Only parent/guardian or designee may give permission for a child to be sent home. Pupil emergency cards are kept in designated areas in each school.
6. If a parent/guardian or designee cannot be reached, the child will be kept in school.
7. Transportation is a parental responsibility. The school will not provide transportation for students.
8. Exceptions to the above procedure can be made at the discretion of the school nurse, after consultation with the building administrator.

Policy for Exclusion and Re-Entry for Communicable Conditions

For the welfare of all students and staff, certain regulations must be enforced when a communicable condition is suspected. The rules established by the Pennsylvania State Department of Health are intended to provide a safe and healthy environment.

1. A student suspected of having a contagious health condition will be sent home with an exclusion notice. Parents/guardians are required to take the student to their family doctor for diagnosis and treatment. Expenses of the examination and treatment are paid for by the family.
2. Students so excluded must be reexamined by the school nurse upon return to school. A note from the physician allowing the return must be brought to the nurse.

Exclusion from School for Pediculosis (Head Lice and/or Nits)

1. Head checks of all elementary students will be made periodically throughout the year by the school nurse. Also, any student suspected of head lice or nits will have his/her head inspected by the school nurse. If lice or nits are found, the student will be sent home.
2. The parent/guardian or authorized party will be contacted so the student will be able to be taken home. Instructions for the treatment will be given to the parents.
3. After the student's hair is properly treated and every nit removed from the hair, the parent/guardian will return to the school with the student along with the medication which was used to treat the student's hair. The nurse will inspect the hair in the presence of the parent/guardian or designee and if the student is NIT FREE, he/she will be permitted to resume school activity. If nits are still present, the student is returned home for additional treatment. Procedure for re-entry will be repeated. The nurse will inspect the student's head once per day. Hair must be dry and free from styling products to be checked by the nurse.
4. Parents are responsible to provide transportation to and from school until the condition is cleared.
5. All days resulting from this exclusion in excess of three calendar days will be declared illegal.
6. A form will be sent home with each student notifying parents that a case or cases of head lice have been found in their child's classroom (Elementary only).

Health Registration Requirements

Transfer

Immunization records are required for a student to start school in the Montgomery Area School District. If you have these with you, please be sure to give them to the secretary to make a copy. If you do not, please draw this to the attention of the secretary who will immediately fax a signed request to your child's previous school. Your child may not start school until we receive the immunizations from their previous school.

Health Pre K/Kindergarten Registration

Proof of current required Pennsylvania immunizations will be required for students to attend pre-k/kindergarten.

Diabetic Policy

Students should have an:

- Individual Health Plan, including:
 - data/information sheet
 - diabetes information and treatment goals
 - emergency goals.
- Blood Glucose Testing – Recommendations:
 - students should be permitted to test their blood glucose in school:

1. Nurse's Office
 2. Classroom – if a student prefers to check their blood glucose in the classroom, the following criteria is required:
 - a. Physician sign-off on the student's competency to accomplish this skill in the classroom.
 - b. Parents must provide a blood glucose meter, test strips, a lancing device, supply of lancets (a non-reusable lancet recommended), emergency glucose source for treatment of hypoglycemia.
 - c. Proper disposal of blood contaminated articles must be done by putting them in a plastic bag before disposal.
- Goals of Treatment (Insulin) - Recommendations
 - Written orders from the student's physician outlining dose and indications for insulin administration
 - Insulin stored appropriately
 - Students with insulin pumps should keep extra batteries in the nurse's office.
 - A physician's order for insulin injections should be included in the IHP in case of pump malfunction (insulin doses should be indicated)
 - Student's parents should provide insulin in case insulin pump malfunctions (should include appropriate insulin and vehicle to administer it)
 - Meals/Snacks – Recommendations:
 - Each IHP should include:
 1. Provision of snacks when indicated by parents
 - Physical Activity/Exercise/Sports - Recommendations
 - Students with diabetes should participate fully in school physical activity
 - The IHP should specify any contradictions to exercise
 - The need for a snack prior to activity should be detailed
 - Student should be allowed to carry emergency glucose
 - Parents of students with diabetes should make sure that coaches are aware of the diabetes
 - School Trips – Recommendations:
 - The student should be allowed to attend all school trips
 - Consideration should be given to having a nurse or parent accompany the student with diabetes on a school trip to administer insulin.
 - Parents of a student with diabetes should provide extra snacks in case of emergency
 - School Bus - Recommendations
 - All bus drivers of children with diabetes should be made aware of the symptoms associated with hypoglycemia and hyperglycemia
 - Bus drivers should know which children have diabetes
 - Consideration may be given to seating a student with diabetes in the front of the bus or in an area that can be easily seen by the bus driver
 - Students with diabetes need to be allowed to eat/drink during the bus ride should it be medically necessary
 - Emergency Situations (Hypoglycemia) - Recommendations
 - IHP should include indications of hypoglycemia for each individual student and recommended treatment
 - IHP should include specific accommodations and modifications needed for test and exam taking
 - Allow all students with diabetes to have readily available carbohydrates on them
 - School personnel should be informed of the student's diabetes and of the need to seek assistance from the school nurse when necessary
 - If students with diabetes need treatment in the nurse's office for hypoglycemia, they should always be accompanied by a responsible other
 - Glucagon administration must be ordered by attending physician
 - The school should have a list of designated trained individuals who can administer Glucagon in the absence of a health care professional
 - Emergency Situations (Hyperglycemia) – Recommendations:
 - IHP should include indications of hyperglycemia for each individual and recommended treatment
 - Students with diabetes should be allowed BRP and access to water or sugar-free drink as necessary

General Medication and Treatment Policy

Ideally, all medications and treatments should be given at home. However, the Montgomery Area School District personnel will cooperate with parents and physicians if a student must receive a medication or treatment during

school hours. The following regulations will apply to the administration/supervision of medications/treatments in school. Failure to follow the guidelines will result in your child not receiving prescribed medication.

Medication Regulation for Prescription Medication/Non- Prescription Medication

1. Upon written or faxed (570-547-0093) request from the physician to school personnel individually prescribed medication or treatments will be administered/ supervised. Included in the request must be the date, name of student, name of medication/treatment, dosage, time to be administered, and diagnose of condition being. **(The label on the outside of the bottle is NOT a physician order.)**
2. The request form must be signed by the parent/guardian indicating that the medication/treatment be administered as prescribed by the physician.
3. All medication must be in a pharmaceutical acceptable container or original packaging and labeled with the student's name, physician's name, date of prescription, name of medication, dosage and frequency and name and phone number of the pharmacy.
4. In the absence of the RN or LPN, the principal/designee will supervise the self-administration of medication.
5. Any medication to be administered during the school day **MUST** be brought into the building by a parent/guardian or adult designee and should be taken to the nurse's office immediately upon arrival at school. If the nurse is not in the building, the medication should be taken directly to the school secretary for storage in the nurse's office. **STUDENTS ARE NOT PERMITTED TO CARRY (OR STORE IN THEIR LOCKER) ANY MEDICATION.**
6. The nurse will not take verbal orders for any medications to be given during the school day. Also, any change to an existing order must be in writing.
7. Cough drops are not available in the nurse's office and need a doctors order as above.
8. If a student is instructed by their doctor to keep medication with them, the nurse must have a written order from the doctor stating this requirement.
9. If the unused/expired prescription is not picked up by the last day of school, the school nurse will destroy/ discard any unused/expired medication. This act will be witnessed by a district employee if the medication to be discarded is a controlled substance. The amount of medication stored by the school can not exceed a 30 day supply.
10. Medication brought in will be logged with signatures of the parent/guardian or designated adult delivering the medication along with the school personnel receiving the medication on the medication log with date, time medication names and number of pill received.
11. **IT IS THE RESPONSIBILITY OF THE STUDENT TO REPORT TO THE NURSE'S OFFICE OR THE MAIN OFFICE FOR HIS/HER MEDICATION AT THE PROPER TIME.**
12. Medication that is ordered three times a day may be given before school, after school and at bedtime unless the physician indicates on the prescription order form that it must be given at lunchtime.
13. Narcotic pain relievers are inappropriate for administration.
14. The first dose of any prescription medication must be administered at home.
15. If tablets must be cut, the parent is responsible for cutting them and sending in the correct dosage to school.

Medication for Field Trips

If your child needs to take medication while on a field trip, please send it with the child in a container labeled with your child's name, the name of the medicine, when it should be given and the dosage. This medicine should be given to your child's teacher the morning of the trip.

Pain Medication

Tylenol will not be given until 2 hours after the start of school or 2 hours before dismissal.
For the 2023-24 school year – 10:00AM-1:00PM

Pennsylvania State Mandated Screening Process

Height and Weight (grades Pre K-12)
Vision (grades Pre K-12)
Hearing (grades Pre K-3, 7 and 11)
Scoliosis (grades 6 and 7)
BMI (grade Pre K-12)

Pennsylvania State Mandated Examinations

Physicals

Kindergarten, 6th grade and 11th grade students: The School Health Law requires medical examinations for these students. We recommend that your family health care provider do this examination since he/she can best evaluate your child's health and assist you in obtaining necessary treatments and/or corrections. Private physicals done by your family health care provider cannot be administered any earlier than one year prior to the first day of the school year for that grade. Sports physicals done during the school year will also be accepted.

Dentals

1st, 3rd & 7th grade students: The School Health Law requires dental examinations for these students. We recommend that your family dentist do this examination since he/she can best evaluate your child's dental care and assist you in obtaining necessary treatments and/or corrections. Private dentals done by your family health care provider cannot be administered any earlier than one year prior to the first day of the school year for that grade.

School Exams

The school offers physical and dental examinations. Physical exams and dental exams performed at the school require a written parental consent form that will be sent home prior to these exams being administered. If the form is not signed for a school examination and returned to the school, no exam will be administered. Please specify whether you want a private or school exam and return it to the school by the end of September either way.

Emergency Cards

An emergency card will be sent home with each child at the start of each school year. Please fill it out completely and return promptly. The school nurse **MUST** have the name and number of a person to contact if your child becomes ill in school and you are not available. Please inform the nurse's office and school office if you have a change of address, phone number, or person to be contacted in case of emergency if you are not available.

Emergency Transportation

Due to the wide range of potential situations for injury and illness, the wide range of parental attitudes regarding these situations, and financial liability concerns, the nurse's office will make every attempt to contact parents prior to requesting emergency transportation for a student. Parents will be asked to make a determination as to how they wish their child to be transported. The nursing staff may make recommendations but the final decision will be made by the parent. If circumstances do not permit time or the ability to establish parental contact, the nursing staff will make the final decision as to when and how a student will be transported for emergency care. **(Expenses for emergency transportation are paid for by the family.)**

Concussion Management

The Board recognizes the importance of ensuring the safety of students participating in the district's athletic program. This policy has been developed to provide guidance for prevention, detection and treatment of concussions sustained by students while participating in athletic activity.

Appropriate medical professional shall mean all of the following:

1. A licensed physician who is trained in the evaluation and management of concussions.
2. A licensed or certified health care professional trained in the evaluation and management of concussions and designated by a licensed physician trained in the evaluation and management of concussions.
3. A licensed psychologist neuropsychologically trained in the evaluation and management of concussions or who has postdoctoral training in neuropsychology and specific training in the evaluation and management of concussions.

Athletic activity shall mean all of the following:

1. Interscholastic athletics.

2. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the school, including cheerleading, club- sponsored sports activities and sports activities sponsored by school-affiliated organizations.
3. Noncompetitive cheerleading that is sponsored or associated with the school.
4. Practice, interschool practices and scrimmages for all athletic activities.

Each school year, prior to participation in an athletic activity, every student athlete and his/her parent/guardian shall sign and return the acknowledgement of receipt and review of the Concussion and Tumatic Brain Injury Information Sheet.

The Superintendent or designee shall develop administrative regulations to implement this policy, which shall include protocols for concussion management.

The school shall hold an informational meeting prior to the start of each athletic season for all competitors regarding concussions and other head injuries, the importance of proper concussion management, and how preseason baseline assessment can aid in the evaluation, management and recovery process. In addition to the students athletes, such meetings may include parents/guardians, coaches, other appropriate school officials, physicians, neuropsychologists, athletic trainers and physical therapists.

Removal From Play

A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist or other official designated by the district, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in an athletic activity shall be removed by the coach from participation at that time.

Return to Play

The coach shall not return a student to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional. The Board may designate a specific appropriated medical professional(s) to provide written clearance for return to participation.

Training

All coaches shall annually, prior to coaching an athletic activity, complete a concussion management certification training course offered by the Centers for Disease Control and Prevention, the National Federation of State High School Associations or another provider approved by the Department of Health.

Penalties

A coach found in violation of the provisions of this policy related to removal from play and return to play shall be subject to the following penalties.

1. For a first violation, suspension from coaching any athletic activity for the remainder of the season.
2. For a second violation, suspension from coaching any athletic activity for the remainder of the season and for the next season.
3. For a third violation, permanent suspension from coaching any athletic activity.

References:

Safety In Youth Sports Act – 24 P.S. Sec. 5321 et seq.

Board Policy – 122, 123

911 Procedures

The 911 county communications services will be utilized when a student is in need of emergency treatment. Parental consent is preferred for this procedure. In the event that a parent/guardian or family member cannot be reached, a medically compromised student shall be sent without immediate parental consent. A copy of the student's emergency card will be sent for emergency purposes as this card has written parental consent for transport.

GENERAL INFORMATION

ACADEMIC HONESTY

Academic honesty and personal integrity are fundamental components of a student's education and character development. The Montgomery Area Jr./Sr. High School expects that students will not cheat, lie, plagiarize, or commit other acts of academic dishonesty. The wellbeing of the entire school community depends on the student accepting responsibility for personal conduct in both social and academic endeavors.

Plagiarism will not be tolerated. Plagiarism includes (but is not limited to) the following:

- Using someone else's words or ideas without proper citation
- Copying someone else's work and calling it your own
- Copying and not properly citing a work from print or online sources

Cheating is work that doesn't reflect your own effort and understanding. This can take many forms and will not be tolerated.

Cheating includes (but is not limited to) the following:

- Looking at others' answers on tests and homework
- Taking someone else's paper and putting your name on it
- Copying someone else's work, answer for answer
- Rearranging words from someone else's work
- Allowing someone to copy from your paper
- Telling someone else the answers on an assignment or test
- Having someone else do your work for you (Friends, Family, Tutors, AI, etc.)

There are other forms of academic dishonesty that will not be tolerated. They include:

- Making up data for an assignment
- Claiming to have handed in an assignment when the student knows they have not done so
- Sabotaging someone else's work

Teachers and administrators will support each other in cases of academic dishonesty. In any case of academic dishonesty, the participants will receive a zero on the assignment and may be given the chance to redo it for a grade no higher than a 70%.

It is the hope of the teachers and administration at the Montgomery Area Jr./Sr. High School that all students will be honest in all of their academic endeavors.

COMPUTER USE POLICY

The use of school computer resources, including the internet, is not a right; it is a privilege and with its use comes responsibility. Inappropriate use of school technology will result in the loss of the privilege and other disciplinary consequences. Acceptable use of the computer network must support education and academic research which would match the mission and educational computer use by students. Students are expected to act in a responsible, ethical, and legal manner in accordance with district policy, accepted rules of the network etiquette, plus state and federal laws. For more information regarding policy #815, please refer to page 71.

DRESS

In order to provide an educational climate with the fewest distractions possible, the following guidelines of dress have been established for the school. Students should arrive at school each day dressed to work at a variety of academic activities. Clothing should be comfortable and relaxed but extremes which may detract from the educational experience should be avoided. It is the responsibility of all students to keep themselves, clothes and hair clean, neat in appearance, and well groomed. School officials may impose limitations on student participation in the regular instructional program where there is evidence that the lack of cleanliness constitutes a health hazard.

Certain **provisions governing dress** have been established to prevent hazard to health and safety, interference with schoolwork, disruption of the educational process, or damage to school property.

These provisions specify that:

Footwear must be worn at all times. Slippers are not permitted.

Clothing promoting or suggesting drug, alcohol, or tobacco use, pornography, hate messages, pictures of weapons, death, obscene and/or offensive language or gestures, is not permitted at school or at school related functions.

Clothing that displays or suggests messages or symbols that cause or are reasonably forecast to cause a substantial disruption to the school is not permitted. Examples of messages that might cause or reasonably forecast to cause a disruption might include, for example, hate messages or symbols; religious, ethnic, sexual, or racial harassment or discrimination; advocating for violation of law or school policy.

No visible undergarments are permitted.

No wearing/carrying/using blankets during school hours.

Shirts must be worn at all times, must cover the midriff (stomach and back) and may not be low cut in the neckline or arm hole.

No strapless shirts, one-strap, spaghetti strap or racer back shirts are permitted.

Shorts and skirts must be of a reasonable length (at least mid-thigh is reasonable). No biker shorts.

Hats, hoods, visors, bandannas, and sunglasses are not permitted and must be removed upon entering the building.

Accessories that are distracting, dangerous, or may cause damage, i.e. **chains, wallet chains, spiked jewelry**, etc. are not permitted.

"Unnatural" hair colors and piercings causing a substantial disruption to the academic environment are not permitted.

*Students may be required to wear face coverings during the regular school day, following a mandate given by the PA Department of Health, PA Department of Education, or by the Governor of the Commonwealth.

Determination of extremes and inappropriateness of dress shall rest with the school administration. It is the district's desire to maintain a standard of good grooming that will reflect in a positive way upon the school, the student and their home. The administration is empowered to provide the best learning environment possible for all students and shall use professional judgment to eliminate factors which compromise the integrity of the learning environment.

Students in violation of the dress code will be given the following options (parents shall be notified):

1. need to cover up or change into alternative attire
2. need to cover up or change into school provided attire
3. be removed to the ISS room until proper attire can be secured

DRIVING/PARKING

Use of the students parking facilities at the school is a privilege. Students are expected to drive carefully and park properly. Permits are required for parking in the student parking lot. Parking privileges may be revoked at any time. See the main office to acquire a permit. No expectation of right of privacy exists when parking on campus. Vehicles may be searched, if reasonable suspicion exists. **The parking lot and the cars parked there are off limits to students except when coming to school or at dismissal time.**

ELECTRONIC DEVICES/CELLULAR TELEPHONES/SMART WATCHES

Student possession and use of cellular phones on school campuses and school buses, at school sponsored activities, and while under the supervision and control of school district employees is permitted under circumstances described herein. Use of smart watches (defined as any wearable device, by wrist strap or other means, with the capability of cellular, wifi, or Bluetooth connection) for the purpose of communicating by making voice calls, sending text messages, accessing email and the internet, or for connecting to third party applications is not permitted.

All Sr. High students will be permitted to use personal electronic devices/cellular telephones during their lunch period and with teacher permission in the classroom, under the following criteria:

- All phones will remain on silent.
- All devices must have head phones attached when listening to music/watching anything with sound.
- Students are not permitted to call or text any student in other classrooms.
- Students are not permitted to take pictures/record video of staff members or other students without their expressed permission to do so.

All Jr. High students may only use personal electronic devices/cellular telephones on campus BEFORE and AFTER school ends. Jr. High students are strongly encouraged to place personal electronic devices/cellular telephones in their lockers during the day. These devices must be kept out of sight and turned off during the instructional program/in the classroom. Unauthorized use of these devices disrupts the instructional program and distracts from the learning environment.

School officials, including classroom teachers, may confiscate personal electronic devices/cellular telephones/smart watches from students for failure to follow the above guidelines. Repeated unauthorized use of such devices will lead to disciplinary action, including but not limited to the suspension of use privilege.

Possession of laser pointers on school property, on buses, and other vehicles provided by the district is prohibited.

The district shall not be liable for the loss, damage, or misuse of any personal electronic device brought to school by a student.

Please refer to the Chromebook policy handbook for additional information on the 1:1 Initiative.

FOOD/BEVERAGE

Food and beverages are not allowed to be consumed except in the cafeteria or PRIDE café unless given special permission by an administrator. Students are permitted, however, to carry a water bottle with them during the day. Water filling stations are available throughout the building.

FOOD SERVICE

Breakfast

Breakfast will be served starting at 7:45 a.m. and is available in the cafeteria. The following procedures and rules will be in effect:

- Students may report to the cafeteria **only if they are going to eat breakfast.**
- Students may not report to breakfast after 8:00 a.m.**
- Parents are strongly encouraged to utilize the **MySchoolBucks** online portal to add funds to students' accounts.
- ALL CAFETERIA RULES ARE IN EFFECT AT BREAKFAST.**

Lunch

There are designated lunch periods and students must eat during the lunch period assigned them. Students may bring lunch or receive from the cafeteria. Students will not be permitted to "order out" and have food delivered.

Students will be encouraged to bring lunches in disposable containers if/when bringing lunch from home.

Students are required to have a pass to be admitted to the lunchroom, if they arrive more than five (5) minutes after the start of the lunch period. Students must remain in the lunchroom until the period ends.

Cafeteria rules to be observed at all times:

- no running to, from, or in the cafeteria
- no throwing food or objects
- no breaking or pushing in line
- students shall be assigned a seat in the cafeteria
- cafeteria misconduct will result in disciplinary consequences as determined by the principal
- follow instructions of teacher, aide, or administration

CHARGING OF CAFETERIA MEALS

Parents/Guardians are solely responsible for providing their children with money for lunch, or packing a lunch from home. Ala carte items and double lunches are not covered under the free lunch guidelines. If for any reason a parent/guardian cannot afford to provide a lunch for their child, free and reduced lunch applications are available in the school offices.

Jr./Sr. High School Student Borrowing Guidelines

Please refer to School Board Policy Section 800 (Operations) Number 808 Volume VI

CLASS DUES

Each student will be assessed class dues of \$15, during his or her Sophomore, Junior, & Senior years, for a total of \$45. This change in the total class dues money owed will take effect with the Class of 2025. Class dues for the Class of 2024 are \$60. Students will have the opportunity to participate in a variety of fundraising activities and then put that money toward the cost of their class dues. Students who do not pay their class dues are not eligible to be a class officer and will not be able to participate in graduation ceremonies and senior class activities such as the class trip.

SAFE2SAY

In 2018, the General Assembly passed Act 44 mandating the establishment and use of the "Safe2Say Something" (S2SS) anonymous reporting system by every Pennsylvania school entity by January 14, 2019.

S2SS is a life-saving and changing school safety program that teaches students, educators, and administrators how: (1) to recognize the signs and signals of individuals who may be at risk of hurting themselves or others and (2) to anonymously report this information through the S2SS app, website, or 24/7 Crisis Center Hotline.

Reporting a tip can be done anonymously through the app or website and also by calling the crisis center. The Safe2Say app can be downloaded from iTunes by following this [link](#). The app can be downloaded from the Google Play store [here](#). The website is available at <http://www.safe2saypa.org>. The crisis center can be reached by calling 1-844-723-2729. I would encourage you to download the app, if possible, bookmark the website, and store the phone number in your contact list. Tips can be submitted year round 24 hours a day/7 days a week. If you have any questions about the program, please direct them toward one of our school's S2SS team members (Mrs. Snyder, Dr. Stoudt, Mrs. Bozella, or Officer Akers).

GRADING

Weighting

Courses at the Montgomery Area Senior High School will be weighted.
The weighted value of courses is as follows:

CP English 9	1.00	Spanish & French I	1.00	Boadcast Prod.&Design	1.00
Honors English 9	1.04	Spanish & French II	1.00	Broadcast Communications I	1.00
CP English 10	1.00	Spanish III	1.04	Broadcast Communications II	1.00
Honors English 10	1.04	Spanish IV	1.04	Theatre I and II	1.00
CP English 11	1.00	Integrated STEM II	1.00	Musical Theatre	1.00
Honors English 11	1.04	Integrated STEM III	1.00		
CP English 12	1.04	Creative Engineering	1.00		
AP English	1.08	Auto CAD PCT	1.08	Art I	1.00
Business Math	1.00			Art II	1.00
Algebra I	1.00	Autodesk Inventor PCT	1.08	Art III	1.00
Geometry	1.00	Const. Hand & Power Tools PCT	1.08	Art IV	1.00
Honors Geometry	1.04	Const. Materials Processing	1.00	Portfolio Preparation	1.00
Algebra II	1.00	Framing Principles (Const. II)	1.00	Personal Finance and Investin	1.00
Honors Algebra II	1.04	Const. Hand & Power	1.00	Sports + Entertain.Marketing	1.00
Algebra II	1.00	Manufacturing I	1.00	Business Management	1.00
Trigonometry	1.00	Manufacturing II	1.00		
Statistics	1.00	Precision Production & Eng.	1.00		
Pre-Calculus	1.04	Yearbook I, II, III, and IV	1.00	All VLN courses	1.00
AP Calculus	1.08	Graphic Comm. I	1.00		
AP Statistics	1.08	Graphic Comm II	1.00		
		Graphic Comm III	1.00	Physical Education	1.00
Biology	1.00	Digital Imaging	1.00	Health	1.00
Honors Biology	1.04	Pastry Arts I	1.00	Drivers Education	1.00
Chemistry	1.00	Pastry Arts II	1.00		
Honors Chemistry	1.04	Culinary Arts I	1.00	Concert Band	1.00
Physics	1.04	Culinary Arts II	1.00	Vocal Workshop	1.00
Forensics	1.00	Farm to Table – Meat Fabrication	1.00	Music Appreciation	1.00
Integrated Science	1.00	Consumer Sci. Internship	1.00	Instrumental Music	1.00
Anatomy & Physiology	1.00				
AP Biology	1.08	Intro. to Ag. Mechanization	1.00		
Bio/Ag STEM	1.00	Creative Writing I, II, and III	1.00	LS English	1.00
Bio/Chem	1.00	Real World Math Applications	1.00	LS Math	1.00
Government/Economics	1.00			LS Social Studies	1.00
Human Geography	1.00	Introduction to Programming	1.08	LS Science	1.00
BU STEM courses	1.08	Intro. to Web Page Development	1.08	LS Reading	1.00
Sociology/Psychology	1.00	Intro. to Gaming and Simulation	1.08		
AP US History	1.08			AP Psychology	1.08
Contemporary US History	1.00	PC Pre-Apprenticeship	1.08	Luzerne CC courses	1.08
World History	1.00	PA College of Health Sciences	1.08	Univ. of Pitt. Courses	1.08
American History I and II	1.00	Principles of Ag. Science - Plant	1.00		
English Lang. and Lit. 12	1.00	Princ. of Ag. Science – Animal	1.00	Environmental Science	1.00

Grade X Credit X Weight = Average

Will appear in GPA only; not in individual courses.

GRADING SYSTEM

The grading system used on report cards and in classes is as follows:

A	95 – 100
B	85 – 94
C	75 – 84
D	70 – 74
E	0 – 69
I	Incomplete

Students receiving an incomplete have two weeks from the end of the marking period to make-up all work.

GRADUATION REQUIREMENTS AND GRADE PROMOTION

The graduation requirements of the Montgomery Area School District are consistent with the requirements set forth in Chapter 4 under Section 4.24. Students will be required to pass twenty-five (25) credits of academic study in the following areas: Mathematics – 4 courses, Science – 4 courses, English – 4 courses, Social Studies – 3 courses, Health – 1 course, Physical Education – 2 courses, Career and Technical Education and/or Elective Area courses to fulfill the 25 credit requirement.

Criteria for grade promotion is as follows:

Grade 9 to Grade 10 – Student must have earned a minimum of 5 credits.

Grade 10 to Grade 11 – Student must have earned a total of at least 12 credits.

Grade 11 to Grade 12 – Student must have earned a total of at least 18 credits.

HONOR ROLL

Placement of a student on the Honor Roll is determined by:

- ✂ averaging together the percentage grades for all regularly graded subjects
- ✂ placing those students whose average is between 95% and 100% inclusive on the Distinguished Honor Roll
- ✂ placing those students whose average is between 85% and 94% inclusive on the Honor Roll
- ✂ having a minimum of a 80% in all other classes

HALL PASSES

Students must have a pass, signed by a teacher, when traveling through any part of the building (senior high school, junior high school, and/or elementary) while school is in session between 8:00 a.m. and 3:00 p.m..

TARDY TO CLASS

Three minutes are allowed per class change. Students entering class after the tardy bell rings shall be marked tardy.

LIBRARY MEDIA CENTER

Entrance to the library during school hours is by hall pass only, unless accompanied by the classroom teacher. The hall pass must be completed and signed **by the classroom instructor** and left at the desk when entering the library.

Circulation: Books may be borrowed for 2 weeks. The due date will always be on a Wednesday. Any magazine or pamphlet file may be borrowed for 1 week. Reference books are overnight books. This means they cannot be taken out until after 7th period and must be returned before the first class the following school day.

Overdue: Books and other library materials will be considered overdue the first period of the day following their due date. At this time, a fine will be due at a rate of .05 per day for each book (.10 per day on reference material).

Damage and loss of materials, will be paid by the student. Refunds will be made when the lost item is given to the librarian.

LOCKERS

Students must provide their own pad lock by bringing one from home. All locks must be combination locks, keyed locks are not permitted. **Students are permitted to visit their lockers before school, before lunch, after lunch and after dismissal.** Exceptions may be made at the discretion of the teacher. **Students are not to keep materials in other students' lockers.**

Students shall not expect privacy regarding items placed in school lockers. Lockers are school property and are subject to searches in many instances.

Skateboards will not be allowed to be kept in lockers nor will they be allowed anywhere on campus at any time.

Lockers are "School District Property" and are assigned to students for the sole purpose of short-term storage of books, clothing and personal effects. Locker use is governed by policies and procedures developed by the school district.

Lockers will be subject to routine, random, periodic searches, and chemical testing ("drug swiping"), and canine sniff searches. Searches will be conducted by the principal, and/or designee to protect the health, welfare, and safety of the students/staff, as well as the educational process.

Each student receiving a locker assignment will be required to sign a consent and release acknowledging that he or she has been informed of the rules related to lockers, that it is with or without individual suspicion of misconduct is consented to.

Failure to follow the rules and procedures for locker use will result in the loss of that privilege.

MERCHANDISE/MAIL DELIVERIES TO STUDENTS

No deliveries of merchandise (food, flowers, etc.) are permitted.

PARENTAL CONFERENCES

Parents are welcomed and encouraged to come to school to talk with their child's teachers. Appointments for these meetings may be made by calling or emailing the school or classroom teacher. **Parents of students failing two or more classes during any one marking period may be contacted by the counselor to schedule a parental meeting with all teachers of that student, the counselor, administrator, and parent.**

PHOTOGRAPHIC IMAGES

Photographic images and the voices of students in any form, including video and audio clips, may not be published on the school district website without parental consent. In addition, there are times throughout the school year that we would like to submit pictures and articles to area newspapers, i.e., Williamsport Sun-Gazette, The Shopper, Milton Standard, or television reports regarding the great things our students are doing. In order to do this, we need to inform parents that their child's picture may be included in the news about the school. Parents have the responsibility of notifying the Montgomery Area School District in writing should they not want their child's image or work to appear in an article of any form.

PIAA/EXTRA CURRICULAR ELIGIBILITY

A student must maintain the average specified below on a weekly basis in order to be eligible for extracurricular activities. Grades will be calculated each Friday and eligibility sheets will be **sent to the Athletic Director.** Grades are cumulative from the beginning of the marking period. **No special considerations or extra credit may be given after the deadline or at the end of a marking period to make a pupil eligible. The student must also have fewer than ten (10) days of absences that do not have an official excuse within one semester.**

Credit for school or community service is not counted towards athletic eligibility.

If a student has a failing average in any two 1-credit courses or a combination of two or more courses totaling 2 credits, he/she will be ineligible. The period of ineligibility is from midnight Sunday to midnight Saturday, following the weekly grade calculation. If a student is not passing four (4) courses at the end of a marking period or the end of the year, the period of ineligibility is fifteen (15) school days into the next marking period. Once a student accumulates twelve (12) or more absences that do not have an official excuse, the student will forfeit his/her privilege to participate in sports, all school activities, field trips, and to attend all dances (including Prom) for 45 school days. This total will include all excused (parent/guardian written) and unexcused tardies, full-day and half-day absences. The only exceptions that will not count toward the 12 absence accumulations are the official excuses outlined on page 11. An accumulation of five (5) additional absences (seventeen – 17 absences in total) will result in the suspension of the privilege to participate in sports, all school activities, field trips, and to attend all dances (including Prom) for the remainder of the school year.

Extra and Co-Curricular Activities

Students must be in school by 9:00 a.m. in order to participate in extra-curricular/co-curricular activities the same day, unless they have an official excuse (official excuses are outlined under 'legal absence' on pages 10 and 11 of this handbook). Students must be in school by 9:00 a.m. on Fridays in order to participate in extra-curricular/co-curricular activities the same day and through the weekend (Saturday and Sunday), unless they have an official excuse. Extra-curricular/Co-curricular activities include: Athletics, Clubs, Student Council, Class Activities, Intramurals, Band, Chorus, Musicals, Odyssey of the Mind, etc. Any student leaving school early without an official excuse, and who does not return, will not be eligible to participate in any extra-curricular/co-curricular activity during the same day/evening. Any student absent, without an official excuse, the day before a field trip will not be allowed to participate.

Athletics

The **athletic program** is a two-fold activity at Montgomery. The intramural program will permit all students the opportunity to participate in a variety of both indoor and outdoor activities. The program is an outgrowth of the physical education classes with skill development and recreation being stressed.

The **interscholastic program** offers a variety of competitive team activities for both boys and girls. During the school year, football, basketball, wrestling, track, cross country, softball, baseball, golf, soccer, tennis, field hockey, and cheerleading will be offered.

RAIDER'S DEN

The Raider's Den is an afterschool program intended for small group/individual help with homework and classwork. The goal is to provide students who are failing two or more classes with additional support that will help improve their academic performance and maintain passing grades.

1. Students who appear on the Eligibility list 2 weeks in a row, failing two or more classes, will be asked to attend this voluntary program.
2. Students will work with the Raider's Den teacher, two pre-determined days a week; (Monday/Wednesday or Tuesday/Thursday) from 3-4 p.m. each day.
3. Parents will be notified by the office that their child will be expected to stay after school for this program; students qualifying for the program will be notified by the office as well.
4. Students will remain in the Raider's Den until they no longer appear on the Eligibility List for two consecutive weeks.
5. Parents will be notified by the Raider's Den teacher if their child does not attend.
6. Parents/Students will be expected to provide their own transportation.

POSTERS/SIGNS/BANNERS

All posters, pictures, announcements, etc., which are displayed anywhere on the school premises **must be approved, and stamped, by the high school office** before they are displayed. All items must be placed on a bulletin board, display cards or tack strips. No materials may be posted on any school walls.

SCHOOL BUS

Safety and proper social attitudes in bus transportation as well as in all phases of the school program are of prime concern to the administration and the Board of Education. Students need to familiarize themselves with the obligations and courtesies of school bus transportation. **Riding a school bus is a privilege, not a right. Any student who cannot maintain self-discipline while riding the school bus will forfeit this privilege and will have to rely on other means of transportation.**

The school bus driver is authorized to enforce safety and social standards on his/her bus and in accordance with the Pennsylvania School Code, he/she has the same authority as a teacher.

Bus students may ride **ONLY** the bus to which they are assigned and must be picked up and discharged at their assigned bus stop.

Any request for change in the above must be submitted in writing 24 hours prior to the request and approved by the District Office. ***This form can be found on page 51 of the parent/student handbook.***

All students, bus drivers, school officials, and parents should be aware of important school bus passenger regulations affecting safety.

Under no circumstances will detention students be permitted to utilize district transportation at the end of the school day.

Major Offenses: (which the bus driver will report to the school office)

- Smoking or using tobacco in any form.
- Destroying bus property.
- Obscene language or gestures, including swearing.
- Throwing any object in the bus.
- Striking matches or lighting firecrackers.
- Fighting.
- Anything which impairs or endangers the lives of the students or the bus driver.
- Any other violations so judged.

Consequences:

- First offense:** Offender may be suspended from the bus from 1-5 days or until such time that a parent conference is held with school officials.
- Second and subsequent offenses:** Same procedures as for the first offense, except that suspension may be up to 5 days or the remainder of the school year.

Minor Offenses:

- First offense:** Warning by bus driver.
- Second offense:** Warning and report by the bus driver to the school office. This may result in school disciplinary action.
- Third offense:** To be the same as that for a major violation of behavior.

SELECTIVE SERVICE REGISTRATION

With few exceptions, all male United States citizens must register within the period of time starting 30 days before and ending 30 days after their 18th birthday.

If you have not registered by age 26, you will lose eligibility for benefits and privileges such as job training under the federal Job Training and Partnership Act and student financial aid under Title IV of the Higher Education Act. Educational benefits include such need-based programs as Guaranteed Student Loans and Pell Grants. In addition the opportunity to work for the Federal Government, including the US Postal Service and the Federal Prison System is denied to otherwise eligible men if they fail to register. Registration is available on-line.

MILITARY RECRUITER OPT-OUT

Federal law requires school districts to release the names, addresses, and telephone listings of secondary school students to military recruiters upon request, unless a student's parent or guardian has signed a form requesting that this information be withheld. ***This form can be found on page 49 of the parent/student handbook and must be submitted to the high school office by July 1, prior to the student entering 11th grade.***

STUDENT ACTIVITIES

Dances

A completed "Activity Form" must be given to the office by dance sponsors, five (5) days prior to the dance or activity.

The following rules will be in effect:

- All school rules are in effect.
- A chaperone will ask anyone displaying disrupting conduct to leave the dance and school property.
- Once someone has left the dance they will not be re-admitted nor should they remain on school property.
- A student must sign out and include name, address, phone number and time left to sign out early.
- Dances are for currently enrolled Montgomery Area Junior and Senior High students only.

Students wishing to bring a guest to a senior high dance must fill out a dance request form. *This form can be found on page 52 of the parent/student handbook.*

Student may be excluded from dances if they have had ISS, OSS, or detention. Decisions are made at the discretion of the principal. Students failing two or more core courses are not permitted to attend a dance that occurs during the week in which they are ineligible.

End of Year Senior Activities

All school rules and regulations are in effect including the following:

- Any violation of school rules will eliminate the senior from all senior activities, including commencement.
- Absolutely no alcohol consumption or possession will be tolerated. Appropriate disciplinary action will be taken. Law enforcement officers will be contacted and charges will be filed.
- Consumption and/or possession of tobacco and tobacco products will not be tolerated.
- Attendance at practice sessions is required. Remember: Those who do not attend practices will not be permitted to participate in senior programs. This includes commencement.
- Seniors should remain in the areas designated by the schedule. Any student leaving practice areas, will not participate in the activity. You will not be permitted to roam the building. Underclassmen will be in class.
- Differences of opinion will arise as we decorate and rehearse. The designated student chairpersons, class officers, class advisor, and principal are in charge.
- Dress for awards night and baccalaureate is shirt, tie, and dress slacks for males. Dress clothing for females (no jeans, shorts, tee shirts, etc.).
- Dress for commencement – graduation cap, gown and tassel with dress clothing underneath.
- Attendance is required, unless you are excused by the class advisor and principal.
- Any violation of these rules and/or school code will result in exclusion from all remaining senior activities, including commencement. Seniors not participating in commencement will need to make an appointment to receive their diploma after the last day of school.

The Prom

All school rules are in effect at the prom. The possession or use of tobacco, drugs or alcohol in any form, is prohibited, including being under the influence or possession of alcohol, drugs, or tobacco. This applies to escorts, even if they are of legal age to use tobacco or alcohol. Please refer to the district's drug and alcohol policy for consequences.

Once a student leaves, he/she will not be re-admitted. If students are asked to leave, a refund will not be given and parents will be notified. To attend the prom, a student must be in at least ninth grade.

STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the confidentiality of student educational records by limiting their disclosure. FERPA guarantees parents or eligible students (students who are age 18 years or older) the right to inspect their child's or their own educational records, to receive copies of the records, and to have a school official explain the records if requested. Contact the office if you wish to inspect your child's or your records.

TEXTBOOKS AND CHROMEBOOKS

Textbooks and Chromebooks are school property and should be treated accordingly. **If they are lost or damaged, restitution to the school must be made or the student will be cited to the district magistrate. Payment for replacement will be at the rate of the cost of the textbook or Chromebook.**

VISITORS TO SCHOOL

During the school day the following entrances will be used for students and visitors. They are as follows:

**Jr./Sr. High School Students (morning entry): Main entrance near the library and Tech. Wing.
Jr./Sr. High School Students (late entry) and all visitors: Use HS office entrance to the right of the main entry awning.**

All doors will be locked after the start of school. The entrance to the Junior/Senior High School and the Montgomery Elementary are equipped with a buzzer and a video/intercom system. Students and visitors will be required to ring the buzzer and identify themselves before they will be allowed access to the building.

Any visitor to the building having direct supervision of students will be required to submit the necessary clearances (Act 34, 151, and FBI fingerprinting) before access is granted. Information about clearances can be found by visiting the district's website, under the 'District Info' tab.

No student, at any time between 8:00 a.m. and 3:00 p.m., **may bring a guest or non-student on school property**. This specifically includes, but is not limited to pre-school children, out-of-town friends, relatives or acquaintances, or any other non-student regardless of age, unless permission is granted by the principal.

WITHDRAWAL FROM SCHOOL

The procedures for withdrawal from school are:

- Parents must sign a withdrawal form in the office.
- Students should return textbooks and have teachers sign the withdrawal form.
- Turn Chromebook in to the office.
- Return library books to the library and pay any fees and have the librarian sign off on the withdrawal form.
- Clean out lockers and take personal belongings home.
- Be sure all financial obligations toward the school are met (cafeteria, sports equipment, etc.)
- Return the withdrawal form to the office at the end of the day.

WORKING PAPERS

Any minor (ages 14 – 17) who wishes to be employed must obtain working papers. According to Pennsylvania State law, parents must appear in the high school office, with proof of birth of the minor. Acceptable forms of proof of birth are (birth certificate, baptismal certificate, driver license), school records can not be used. The application must be signed by the student's parent/guardian. Upon completion of the application, minors will receive their work permit.

CLASS OFFICERS

Four class officers will be elected each school year for grades 10, 11, and 12. All class officers are expected to attend officer and class meetings, as well as assist with and participate in all class fundraisers. All class officers are expected to plan, organize, and attend all class events. They are also responsible for performing any other jobs deemed necessary by the class advisor. Students not meeting these expectations will be removed from office and will not be able to run for office again in future years.

Alma Mater

**Down along the Susquehanna,
on a hill so high.
Stands our dear old Alma Mater,
Montgomery Area High.**

*Sing it out boys, sing it out girls,
all together sing.
"Hail to thee our Alma Mater,
loud her praises ring."*

**Down along the winding river,
near our little town,
Standing out against the skyline,
Queenly she looks down.**

*Sing it out boys, sing it out girls,
all together sing.
"Hail to thee our Alma Mater,
loud her praises ring."*



Revised July 27, 2023

SCHOOL WIDE POSITIVE BEHAVIOR MATRIX

Restroom	<ul style="list-style-type: none"> Use appropriate language and volume Treat others with kindness 	<ul style="list-style-type: none"> Keep spaces clean Report problems/concerns to an adult Return to class promptly 	<ul style="list-style-type: none"> Wash your hands Be respectful of self and others' privacy
Cafeteria	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Treat others with kindness 	<ul style="list-style-type: none"> Get your food promptly and return to your seat Clean up all items and discard garbage in appropriate containers Keep tables, chairs and restrooms in good, clean condition Stay in seat Report problems/concerns to an adult 	<ul style="list-style-type: none"> Wash/sanitize your hands before and after eating Eat nutritious food and drink plenty of water Maintain appropriate distance from others
Library/ Media Center	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Be engaged Treat others with kindness 	<ul style="list-style-type: none"> Follow posted rules Return all materials to appropriate locations Report problems/concerns to an adult Keep space and materials in good, clean condition 	<ul style="list-style-type: none"> Maintain appropriate distance from others Make positive choices
Auditorium	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Remain quiet and attentive while others are speaking Treat others with kindness 	<ul style="list-style-type: none"> Actively engage and participate when appropriate Report problems/concerns to an adult Avoid bringing any food or drink into the auditorium Keep feet on the floor Take all items with you when you leave Keep seats in good, clean condition 	<ul style="list-style-type: none"> Stay in designated area and/or with designated adult Be present and mindful and avoid using technology Maintain appropriate distance from others Keep hands and feet to yourself
Assemblies/ Athletic Events/ Field Trips	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Remain quiet and attentive while others are speaking Treat others with kindness 	<ul style="list-style-type: none"> Actively engage and participate when appropriate Report problems/concerns to an adult 	<ul style="list-style-type: none"> Stay in designated area and/or with designated adult Be present and mindful and avoid using technology
Online Environments	<ul style="list-style-type: none"> Use appropriate language and facial expressions Follow adult directions Avoid eating or drinking while using your Chromebook and attending virtual meetings Attend virtual meetings on time and stay for duration Be supportive of your classmates Treat others with kindness Be respectful of self and others' privacy 	<ul style="list-style-type: none"> Actively participate Check work before submitting Help others when needed Stay engaged in your work and complete your daily assignments on time Check email daily Have materials ready including a charged Chromebook Report problems/concerns to an adult Be an independent learner Create and follow a daily schedule during remote learning 	<ul style="list-style-type: none"> Engage in positive conversations and respond respectfully to adults and peers THINK before posting (Is it True, Helpful, Inspiring, Necessary, Kind) Ask for help when needed Be mindful and present and avoid multitasking Set daily goals and make plans to achieve them Clean devices regularly Be a good digital citizen
	Be Respectful	Be Responsible	Be Healthy
All Environments (home, school, community and digital)	<ul style="list-style-type: none"> Treat others with kindness and compassion Be respectful of self and others' privacy Nurture a positive view of yourself Recognize strengths and use daily Have an optimistic outlook and keep things in perspective 	<ul style="list-style-type: none"> Be self-reliant and independent Recognize and develop positive relationships Visualize your future and set goals Set personal boundaries Dress for success Use time management strategies Make good choices Be accountable for yourself and your actions Find ways to provide service to your community Talk to a trusted adult about concerns and/or problems with self or others Have a positive sense of self by being a good role model Follow through with commitments (ie. school attendance, work, appointments) and responsibilities 	<ul style="list-style-type: none"> Maintain a healthy sleep schedule Eat properly and drink plenty of water Exercise daily Practice good personal hygiene Balance screen time/social media for a healthy lifestyle Practice gratitude daily Be generous Practice mindfulness by being present and avoiding multitasking Be resilient and overcome obstacles Practice forgiveness of self and others
Bus	<ul style="list-style-type: none"> Follow adult directions and posted rules Use appropriate language and volume Treat others with kindness 	<ul style="list-style-type: none"> Keep aisle clear Be on time Keep seats and bus in good, clean condition Report problems/concerns to an adult 	<ul style="list-style-type: none"> Stay seated at all times Keep hands and feet to yourself Maintain appropriate distance from others
School Grounds/ Parking Lot	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Park in assigned area 	<ul style="list-style-type: none"> Follow school rules Maintain safe speed when driving Report problems/concerns to an adult Direct all visitors to main office Keep building safe and secure 	<ul style="list-style-type: none"> Maintain appropriate distance from others Be mindful of surroundings Be safe
Hallway/ Stairwell	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Stay to the right Hold door for others Treat others with kindness 	<ul style="list-style-type: none"> Move to class promptly and arrive on time Report problems/concerns to an adult Avoid touching items hanging in the hallway 	<ul style="list-style-type: none"> Move to class safely, keeping hands and feet to yourself Maintain appropriate distance from others
Classroom	<ul style="list-style-type: none"> Follow adult directions Use appropriate language and volume Treat others with kindness Be mindful of posture and body language 	<ul style="list-style-type: none"> Follow school and classroom rules Keep space and materials in good, clean condition Report problems/concerns to an adult Check email daily 	<ul style="list-style-type: none"> Engage in positive conversations and respond respectfully to adults and peers Ask for help when needed Be mindful and present and avoid multitasking Maintain appropriate distance from others

SCHOOL VACCINATION REQUIREMENTS FOR ATTENDANCE IN PENNSYLVANIA SCHOOLS

FOR ATTENDANCE IN ALL GRADES CHILDREN NEED THE FOLLOWING:



- 4 doses of tetanus, diphtheria, and acellular pertussis* (1 dose on or after the 4th birthday)
- 4 doses of polio (4th dose on or after 4th birthday and at least 6 months after previous dose given)**
- 2 doses of measles, mumps, rubella***
- 3 doses of hepatitis B
- 2 doses of varicella (chickenpox) or evidence of immunity

*Usually given as DTP or DTap or if medically advisable, DT or Td

** A fourth dose is not necessary if the third dose was administered at age 4 years or older and at least 6 months after the previous dose

***Usually given as MMR



ON THE FIRST DAY OF SCHOOL, unless the child has a medical or religious/philosophical exemption, a child must have had at least one dose of the above vaccinations or risk exclusion.

• If a child does not have all the doses listed above, needs additional doses, and the next dose is medically appropriate, the child must receive that dose within the first five days of school or risk exclusion. If the next dose is not the final dose of the series, the child must also provide a medical plan (red and white card) within the first five days of school for obtaining the required immunizations or risk exclusion.

• If a child does not have all the doses listed above, needs additional doses, and the next dose is not medically appropriate, the child must provide a medical plan (red and white card) within the first five days of school for obtaining the required immunizations or risk exclusion.

• The medical plan must be followed or risk exclusion.

FOR ATTENDANCE IN 7TH GRADE:

- 1 dose of tetanus, diphtheria, acellular pertussis (Tdap) on the first day of 7th grade.
- 1 dose of meningococcal conjugate vaccine (MCV) on the first day of 7th grade.

ON THE FIRST DAY OF 7TH GRADE, unless the child has a medical or religious/philosophical exemption, a child must have had the above vaccines or risk exclusion.

FOR ATTENDANCE IN 12TH GRADE:

- 1 dose of MCV on the first day of 12th grade. If one dose was given at 16 years of age or older, that shall count as the twelfth grade dose.

ON THE FIRST DAY OF 12TH GRADE, unless the child has a medical or religious/philosophical exemption, a child must have had the above vaccines or risk exclusion.

The vaccines required for entrance, 7th grade and 12th grade continue to be required in each succeeding school year.

These requirements allow for the following exemptions: medical reason, religious belief, or philosophical/strong moral or ethical conviction. Even if your child is exempt from immunizations, he or she may be excluded from school during an outbreak of vaccine preventable disease.

Pennsylvania's school immunization requirements can be found in 28 Pa.CODE CH.23 (School Immunization). Contact your healthcare provider or call 1-877-PA-HEALTH for more information.



pennsylvania
DEPARTMENT OF HEALTH

Military Recruiter Opt-Out Form

The No Child Left Behind federal law requires school districts to release the names, addresses and telephone listings of secondary school students to military recruiters upon request, unless a student's parent or guardian has signed a form requesting that this information be withheld.

Please complete this form if you **do not** want your child's directory information released to the military recruiters.

Date: _____

Student's Grade Level: _____

Student's Full Name (please print) _____

Parent/Guardian Name (please print) _____

Parent/Guardian Signature _____

MONTGOMERY SCHOOL DISTRICT

Application for Excused Absence For an Educational Trip, Not School Sponsored

The Board of School Directors recognizes that educational travel experiences for students enhance and enrich the learning opportunities provided in the Montgomery School District. A maximum of five days per year are granted on an individual basis for approved educational trips, provided that all missed assignments are gathered before the planned trip and returned completed within five days after returning from approved trip. If missed assignments are not completed within one week of school, the days missed will become illegal days. The information below must be completed and submitted to the building principal at least one week prior to the anticipated absence for an educational trip.

NAME OF STUDENT _____ GRADE _____

SCHOOL _____ MONTGOMERY ELEM _____ ELIMSPORT ELEM _____ MIDDLE SCHOOL _____ HIGH SCHOOL

HOMEROOM TEACHER _____

DATE(S) OF TRIP _____

DATE(S) OF OTHER TRIPS APPROVED THIS SCHOOL YEAR, IF ANY _____

DESCRIPTION OF EDUCATIONAL ACTIVITIES _____

NAME, ADDRESS & TELEPHONE NUMBER OF CHAPERONE(S), IF OTHER THAN PARENT/GUARDIAN _____

QUALIFICATIONS OF CHAPERONE(S) _____

OTHER STUDENTS IN THE FAMILY PARTICIPATING IN THE EDUCATIONAL TRIP		
NAME	SCHOOL BUILDING	GRADE
_____	_____	_____
_____	_____	_____
_____	_____	_____

SIGNATURE OF PARENT / GUARDIAN _____

PARENT / GUARDIAN ADDRESS _____

DATE SUBMITTED _____

FOR OFFICE USE ONLY

ACTION BY PRINCIPAL _____

_____ APPROVED

_____ DENIED REASON _____

SIGNATURE OF PRINCIPAL _____ DATE _____

Transportation Change Form must be received in
DISTRICT OFFICE at least TWO FULL SCHOOL DAYS in
advance of requested change. It may also be FAXED to 547-
6271 or emailed to distoffice@montasd.org.



PLEASE PRINT. Date: _____

Student's Name: _____ Grade: _____

If Elementary, Teacher's Name: _____

Name of Parent or Guardian: _____

Address of Current Stop: _____

Telephone: _____

Email: _____

Assigned Bus Number: _____

Requested Change to: Bus Number: _____

Requested Bus Stop Address, Contact Name and phone number:

Requested for: AM ___ PM ___ Both ___ To Begin on: _____

Reason for Change: _____

Parent/Guardian Signature: _____

☐ Approved

☐ Disapproved

Authorized Signature: _____

Montgomery Area School District

120 Penn Street
Montgomery, Pennsylvania 17752
Phone: (570) 547-1608
Fax: (570) 547-6755

Dance Request Form For Non-MASD Students

Directions: Please complete this form in its entirety. Please be advised that completing this form does not necessarily guarantee the guest being permitted to the event. The Montgomery student requesting this guest will be informed as to his/her permission to bring the guest to the dance.

Event _____

Name of Montgomery Student _____

Name of Guest (Non-Montgomery Student) _____

Grade of Guest _____ Age of Guest _____

TO BE COMPLETED BY THE GUEST (NON-MONTGOMERY STUDENT)

****Please note: Guest will be asked to provide Photo ID****

The above student is in good standing at _____
(Print Name of School)

School Administrator's Signature and Title _____

I will abide by all rules, procedures and directions of any adult in a supervisory capacity while at the event sponsored by Montgomery Area High School. I understand that failure to do so will result in my being dismissed from the event and/or sanctions imposed on me by local law enforcement.

Signature of Guest _____ Date _____

Signature of Parent/Guardian of Guest _____

THIS PORTION TO BE FILLED OUT ONLY BY A GUEST NO LONGER IN HIGH SCHOOL:

Please note: Guest must be under the age of 21 to attend this event.

I am currently not a high school student, but will be attending the Montgomery Area High School event with _____ (Name of Montgomery Student). I understand I am a guest of this event, and resume full responsibility for my actions, and the failure to do so will result in being dismissed from the event and/or sanctions imposed by local law enforcement. I will provide a photo ID.

Signature of Guest _____ Date _____

FOR MONTGOMERY AREA SCHOOL DISTRICT USE ONLY:

Approved _____ Not Approved _____

Montgomery Area School District Official Signature _____

APPLICATION FOR WORK PERMIT

PDE-4565 (1/13)

Date of application _____
 Certificate/Permit number _____
 Date issued _____

A. To be completed by the applicant

Name of minor	Sex _____ Color of hair _____ Color of eyes _____	Signature of issuing officer _____
Any physical work restrictions		School district - name and address

Place of residence			Place of birth		
Date of birth			Evidence of age accepted and filed. Evidence shall be required in the order designated. Check the accepted evidence.		
Month	Day	Year	a. Transcript of birth certificate b. Baptismal certificate or transcript c. Passport d. Other documentary evidence e. Affidavit of parent or guardian accompanied by physician's statement of opinion as to the age of the minor		

B. To be completed by parent or guardian, unless minor is a high school graduate (please attach proof of graduation)

Signature of parent, guardian or legal custodian*	Name and address of parent, guardian or legal custodian
---	---

Commonwealth of Pennsylvania - Department of Education

*In lieu of signature under clause (B), the applicant may execute a statement before a notary public or other person authorized to administer oaths attesting to the accuracy of the facts set forth in the application on a form prescribed by the department. The statement shall be attached to the application.

Book
Policy Manual

Section
200 Pupils

Title
Unlawful Harassment

Code
248

Status
Active

Adopted
June 15, 1993

Last Revised
May 21, 2002

Purpose

The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain an educational environment in which harassment in any form is not tolerated.

Authority

The Board prohibits all forms of unlawful harassment of students and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.^{[1][6][7][8]}

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation or religion when such conduct:^[7]

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.

3. Otherwise adversely affects an individual's learning opportunities.

For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:[9]

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services or treatment.
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.

Examples of conduct that may constitute **sexual harassment** include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile or offensive learning or working environment.

Delegation of Responsibility

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent as the district's Compliance Officer.[5]

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.

The administration shall be responsible to provide training for students and employees regarding all aspects of unlawful harassment.

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an atmosphere free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

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.

Guidelines

Complaint Procedure – Student/Third Party

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 or a district employee.

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.

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.

The complainant or reporting employee 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 unlawful harassment, 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.

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 a written report 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.

Copies of the report shall be provided to the complainant, the accused, and the Compliance Officer.

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.

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

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

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, 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.

Legal

1. 42 U.S.C. 2000e et seq

5. Pol. 103

6. 20 U.S.C. 1681 et seq

7. 29 CFR 1606.8

8. 43 P.S. 951 et seq

9. 29 CFR 1604.11

Book
Policy Manual

Section
200 Pupils

Title
Bullying/Cyberbullying

Code
249

Status
Active

Last Revised
February 19, 2019

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Definitions

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:^[1]

1. **Substantially interfering** with a student's education.
2. **Creating** a threatening environment.
3. **Substantially disrupting** the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.^[1]

Authority

The Board prohibits all forms of bullying by district students.^[1]

The Board encourages students who **believe they or others** have been bullied to promptly report such incidents to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside

personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of bullying shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be bullying under this policy but merits review and possible action under other Board policies.

Discrimination/Discriminatory Harassment

Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination and discriminatory harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer. If, in the course of a bullying investigation, potential issues of discrimination or discriminatory harassment are identified, the Compliance Officer shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.[2][3]

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

Reprisal or retaliation relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.

Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[1]

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.[1]

District administration shall annually provide the following information with the Safe School Report:[1]

1. Board's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

Guidelines

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.[1][4][5]

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website.

Education

The district shall **develop, implement** and evaluate **bullying prevention and intervention programs** and activities. **Programs** and activities shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][6][7][8]

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[1][5][9]

1. Counseling within the school.
2. Parental conference.
3. Loss of school privileges.
4. Transfer to another school building, classroom or school bus.
5. Exclusion from school-sponsored activities.
6. Detention.
7. Suspension.
8. Expulsion.
9. Counseling/Therapy outside of school.
10. Referral to law enforcement officials.

PSBA Revision 12/18 © 2018 PSBA

Legal

1. 24 P.S. 1303.1-A
2. Pol. 103
3. Pol. 103.1
4. 22 PA Code 12.3
5. Pol. 218
6. 20 U.S.C. 7118
7. 24 P.S. 1302-A
8. Pol. 236
9. Pol. 233
- Pol. 113.1

Reporting of Incidents

Reports of bullying/cyberbullying may be made verbally or in writing and may be anonymous, except where made by district staff. Any staff member who receives a report of bullying/cyberbullying from any source will encourage the Complainant/Reporter to directly meet with and report the allegations to the building principal or designee. Staff members who receive a report of bullying/cyberbullying will not directly investigate the allegations but will take appropriate action to protect the safety of involved students. Staff members who observe bullying/cyberbullying or who receive a report of bullying/cyberbullying will promptly provide a summary of what was observed or reported in a confidential email to the building principal.

Reports of bullying/cyberbullying may come to the district from different sources. For purposes of these administrative regulations a "Reporter" is someone, other than district staff, who makes a report alleging bullying/cyberbullying directed at one or more students and a "Complainant" is the alleged victim or target of bullying/cyberbullying. There are various circumstances in which a Complainant may be both a Reporter and a Complainant, for example, where more than one (1) person was subjected to bullying and only one (1) of them reports the matter.

The building principal or designee will encourage the Complainant/Reporter to promptly review and complete the Report Form for Complaints of Bullying/Cyberbullying. Oral and anonymous reports will be accepted, documented and investigated in accordance with Board policy and related administrative regulations. Where the Complainant/Reporter is not able, due to age or incapacitation, to complete a form, the building principal or designee will interview the Complainant/Reporter and complete a Report Form for Complaints of Bullying/Cyberbullying and sign it as having received this report. If the initial report comes to the district from a Reporter, the Complainant and, in most circumstances, the Complainant's parents/guardians will be contacted promptly, informed of the report and, if they believe bullying/cyberbullying has occurred, they will be encouraged to promptly review and complete the Report Form for Complaints of Bullying/Cyberbullying. If the Complainant/Reporter, school staff or others with professional knowledge relating to the Complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the Complainant's health or well-being, the building principal will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold notification of the report from the Complainant's parents/guardians.

Every report of bullying/cyberbullying will be subject to a sufficient investigation to address any misconduct, consistent with the protection and well-being of the Complainant.

A Complainant age fourteen (14) or older and the Complainant's parents/guardians who are otherwise being notified of the report of alleged bullying/cyberbullying will be provided with the Notice to Complainant and/or Parents/Guardians of Complainant at the outset of the investigation.

Investigation of Incidents

If, at the time of the report or at any time during the investigation of the reported bullying/cyberbullying, there is reason to believe that the conduct may fall within the district's discrimination/discriminatory harassment policies, this matter must immediately be handled in accordance with those policies and administrative regulations and may not be further investigated as a general bullying/cyberbullying matter.

After determining that this matter need not be handled under the discrimination/discriminatory harassment policies, the building principal will make an initial determination whether the alleged violations can be investigated by him/her or a building level designee or must be referred to or discussed with the Superintendent or other appropriate central administrator to determine who will perform the investigation.

If the police have been called or a police report is known to have been made or if proven allegations could lead to an expulsion, the building principal will discuss this matter with the Superintendent or appropriate central administrator, who will consult with legal counsel as appropriate.

Unless the investigation is turned over to the Superintendent, central administrator or legal counsel, the building principal or designee will conduct a timely, impartial, thorough and comprehensive investigation of the alleged bullying/cyberbullying. During the investigation, the investigator will use and complete the Investigative Fact Sheet.

Confidentiality of all parties, **witnesses, the allegations, the filing of a complaint and the investigation** will be maintained consistent with the district's legal and investigative obligations **necessary to enforce Board policy.**

The investigation may include the following steps based on the specifics of the allegations:

1. Identifying and interviewing the complainant.
2. Identifying and interviewing the individual(s) accused of **having** participated in the alleged bullying/cyberbullying.
3. Identifying and interviewing any witnesses to the alleged bullying/cyberbullying.
4. Review of any physical evidence or documents **related to the** alleged bullying/cyberbullying.
5. **Review of any other relevant evidence produced by those interviewed.**
6. Any other reasonable investigation **resulting from the information received during the course of the investigation or which** the building principal deems necessary **to reach a finding or address proven misconduct.**

A report of bullying/cyberbullying must be investigated even if the report is anonymous and even if the **Complainant/Reporter states** that s/he does not want the district to do anything.

Investigative Report Findings

Investigated reports of bullying/cyberbullying will include a summary of the investigation, **a determination of whether the complaint has been substantiated as factual, whether the conduct violated Board policy and of any other violations of law or Board policy which may warrant further district action,** and a recommended disposition of the complaint.

The **Complainant/Reporter** and the accused will be informed of the outcome of the investigation, **for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws.** The accused will not be notified of the individual remedies offered or provided to the Complainant.

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 Board policy, the district will take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district will promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the effect the prohibited conduct had on the Complainant and the school or school program environment. District staff will document the corrective action taken and, where not prohibited by law, inform the Complainant/Reporter. The investigator will 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 will be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

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

249-AR-1. REPORT FORM FOR COMPLAINTS OF BULLYING/CYBERBULLYING

Complainant/**Reporter**: _____
Home Address: _____
Phone **Number**: _____
School Building: _____
Date of Alleged Incident(s): _____

Name of person(s) you believe violated the district's bullying/cyberbullying policy: _____

If the alleged bullying/cyberbullying was directed against another person(s), identify the other person(s): _____

Describe the incident as clearly as possible, including what electronic, written, verbal or physical actions or series of actions occurred, if any, and what verbal statements (i.e. threats, requests, demands, etc.) have been made. Attach additional pages if necessary.

When and where **the alleged** incident(s) occurred: _____

List any witnesses who were present: _____

This complaint is based upon my honest belief that _____ has bullied/cyberbullied 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/**Reporter's** Signature*

Date

Received by

Date

* If a Complainant/Reporter is too young or is otherwise unable due to incapacity to prepare and sign this report, only the "Received by" line shall be signed and the Receiver shall put "N/A" on the Complainant's/Reporter's signature line and document below.

PSBA Revised 12/18

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249-AR-2. NOTICE TO COMPLAINANT AND/OR
PARENTS/GUARDIANS OF COMPLAINANT

To: [Parents/Guardians if appropriate; Student if fourteen (14) or older]

From:

Subject: Report of Being Subjected to Bullying/Cyberbullying

Date:

The elimination of improper conduct, including bullying/cyberbullying, is a high priority for the district. It is the established policy of the Board to prohibit all forms of improper conduct, including bullying/cyberbullying. A copy of the district's policy and administrative regulations are attached, and we urge you to read them and become familiar with their provisions. This notice is **provided** to highlight **specific** information **related to the investigative process for, and resolution of, incidents of bullying/cyberbullying**.

1. **If you believe that the allegations may involve acts of illegal discrimination or discriminatory harassment, please notify me immediately as this must be handled pursuant to a different policy and procedure. If, during the course of this investigation, it appears that the allegations may involve acts of illegal discrimination or discriminatory harassment, the matter will be transferred to appropriate district personnel to handle the complaint under the proper policy and procedure.**
2. The district will investigate allegations of **bullying/cyberbullying** brought to its attention. The investigation will be conducted by _____. If you have any questions **about the district's policy on bullying/cyberbullying or this investigation**, you may contact the investigator at the following address and telephone number:

3. During the investigation, you have the right to: (a) provide the district with information and documentation concerning the alleged **bullying/cyberbullying**; (b) advise the district of the identity and location of any possible witness; and (c) all other rights set forth in law or in Board policy.
4. The district is interested in knowing what actions you are seeking in response to the **alleged** bullying/cyberbullying. Although the **district will determine the best way to address any misconduct**, a collaborative dialogue may be a useful tool in addressing and eliminating bullying/cyberbullying.
5. The district will take reasonable steps to preserve confidentiality and will **take appropriate action** to prevent public disclosure of the names of the parties involved, except to the extent necessary to carry out the investigation. The district is interested in knowing your views about confidentiality issues and will try to accommodate them, subject to the district being able to fulfill its commitment to eliminate bullying/cyberbullying.
6. District employees, **witnesses** and students who are alleged to be perpetrators of bullying/cyberbullying may be entitled to due process and may be protected by certain confidentiality rights. Subject to **these rights**, the district will make an effort to keep you advised of the progress of its investigation and, **as appropriate or necessary**, of any decisions it reaches concerning the situation. If you have any questions concerning the progress of the investigation or the actions taken by the district to remediate any bullying/cyberbullying that may have occurred, please feel free to contact the investigator **previously** identified in this notice.
7. If you are dissatisfied with the progress of the investigation or the decision/**resolution** reached, you have the right to **file a written request, no later than ten (10) days after you learn the investigation was completed, seeking a review by the Superintendent. The Superintendent will review the progress of the investigation, or the completed investigation, and the decision/resolution materials and communicate a response to you**

consistent with due process and other confidentiality rights of employees, witnesses and alleged perpetrators. This request may be filed by email to the Superintendent or by a letter addressed to the Superintendent outlining your reason for requesting a review. The contact information to use is:

Email address: dbowers@montasd.org

Postal address: 120 Penn Street, Montgomery, PA. 17752

8. If it is concluded following the investigation that the allegations have merit and that action will be taken to remediate the situation, the district will follow up with you to **avoid** a recurrence of **bullying/cyberbullying**. If there is any repeat of **such** conduct, **or if you believe the complainant or others involved in the investigation are being subjected to retaliation for their involvement, please notify the building principal immediately.**

Thank you for your assistance and cooperation.

I hereby acknowledge receipt of this notice.

Date: _____

Signature: _____

Book
Policy Manual

Section
200 Pupils

Title
Homeless Students

Code
251

Status
Active

Adopted
October 17, 2006

Last Revised
February 21, 2017

Authority

The Board recognizes the need to promptly identify homeless children and youths within the district, facilitate their immediate enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state laws and regulations.[1][2][3]

The Board shall ensure that homeless children and youths have equal access to the same educational programs and services provided to other district students.[1][2][3][4]

The Board, authorizes the Superintendent to waive district policies, procedures and administrative regulations that create barriers to the identification, enrollment, attendance, transportation, school stability and success in school of homeless children and youths.[3]

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on his/her homeless status.[5][6]

Definitions

Enroll or Enrollment means attending classes and participating fully in school activities.[7]

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[7][8]

1. Children and youths who are:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;

- c. Living in emergency, transitional or domestic violence shelters; or
 - d. Abandoned in hospitals.
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
 4. Migratory children who qualify as homeless because they are living in circumstances described above; and
 5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. When the child or youth completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools.[6]

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[7]

Delegation of Responsibility

The Board designates the Superintendent to serve as the district's liaison for homeless children and youths.[6]

The district's liaison shall ensure outreach and coordination with:[6]

1. Local social service agencies and other entities that provide services to homeless children and youths and families.
2. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.
3. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[9][10]
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's liaison shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[6]

The district's liaison shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[6]

Guidelines

Enrollment/Placement

Best Interest Determination -

In determining the best interest of a child or youth, the district shall:

1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth.[6]
2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the parent/guardian or unaccompanied youth.[6]
3. If, after such consideration, the district determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the district shall provide the parent/guardian or unaccompanied youth with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal.[6]

Placement -

In accordance with the child's or youth's best interest, the district shall continue to enroll a homeless student in his/her school of origin while s/he remains homeless and through the end of the academic year in which s/he obtains permanent housing.[6]

Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools.[6]

The district's liaison shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled.[6]

The district shall provide the parent/guardian or unaccompanied youth with a written explanation of any district decision related to school selection or placement, including the right to appeal.[6]

Enrollment -

The selected school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment.[3][11][12][13][14][15][16][17]
2. The application or enrollment deadline has passed during any period of homelessness.[6][11]

The district's liaison shall immediately contact the school last attended by the child or youth to obtain relevant academic or other records.[6][11][12][13][14][15][16]

The district may require a parent/guardian to submit contact information.[6]

Assignment -

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's assignment within the school.[6][18]

Dispute Resolution -

If a dispute arises over eligibility, enrollment or school selection:[6]

1. The parent/guardian or unaccompanied youth shall be referred to the district's liaison, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district's liaison shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may appeal a district's written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.[16][17]

Comparable Services

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to:[1][6][19]

1. Transportation services.[20]
2. School nutrition programs.[21]
3. Career and technical education.[22]
4. Preschool programs.
5. Educational programs for which the homeless student meets the eligibility criteria, such as:
 - a. Services provided under Title I or similar state or local programs.[23]
 - b. Programs for English Language Learners.[24]
 - c. Programs for students with disabilities.[10]
 - d. Programs for gifted and talented students.[25]

Transportation

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.[1][6][20]

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[6]

Training

The district's liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[6]

The district's liaison shall arrange professional development programs for school staff, including office staff.[6]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[6]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

Legal

1. 24 P.S. 1306

2. 22 PA Code 11.18

3. 42 U.S.C. 11431 et seq

4. 34 CFR 299.19

5. 42 U.S.C. 11431

6. 42 U.S.C. 11432

7. 42 U.S.C. 11434a

8. 34 CFR 200.30

9. Pol. 103.1

10. Pol. 113

11. Pol. 200

12. Pol. 201

13. Pol. 203

14. Pol. 204

15. Pol. 209

16. Pol. 216

17. Pol. 113.4

18. Pol. 206

19. Pol. 146

20. Pol. 810

21. Pol. 808

22. Pol. 115

23. Pol. 918

24. Pol. 138

25. Pol. 114

22 PA Code 403.1

20 U.S.C. 1232g

20 U.S.C. 6301 et seq

34 CFR Part 99

67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan

McKinney-Vento Homeless Education Program

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT:

The Education for Homeless Children and Youth (EHCY) program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) (McKinney-Vento Act). The McKinney-Vento Act was originally authorized in 1987 and most recently re-authorized in December 2015 by the Every Student Succeeds Act (ESSA).¹ The McKinney-Vento Act is designed to address the challenges that homeless children and youths have faced in enrolling, attending, and succeeding in school.

Under the McKinney-Vento Act, educational agencies must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youths. Homeless children and youths must have access to the educational and related services that they need to enable them to meet the same challenging State academic standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. Local Educational Agencies are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths.

The law indicates that the LEA liaison shall ensure that all homeless children, youth and families are identified through coordinated activities with other entities.

DEFINITION OF HOMELESS (MCKINNEY-VENTO ACT SEC. 725(2); 42 U.S.C 11435(2)): CHILDREN WHO LACK A FIXED, REGULAR, AND ADEQUATE NIGHT TIME RESIDENCE:

"Doubled up" - Sharing the housing of others due to the loss of housing, economic hardship, or similar reasons.

Living in motels, hotels, trailer parks, camping grounds, due to lack of adequate alternative accommodations.

Living in emergency or transitional shelters.

Living in a public or private place not designed for humans to live.

Migratory children living in above circumstances

Living in cars, parks, abandoned buildings, substandard housing, bus or train stations, or similar settings

Unaccompanied Youth - Children or youth who meets the definition of homeless and not in the physical custody of a parent or guardian.

Residency and Educational Rights:

Students who are in temporary, inadequate and homeless living situations have the following rights:

Immediate enrollment in the school they last attended or the school in whose attendance area they are currently staying even if they do not have all of the documents normally required at the time of enrollment;

Access to free meals and textbooks, Title I and other educational programs and other comparable services including transportation;

Attendance in the same classes and activities that students in other living situations also participate in without fear of being separated or treated differently due to their housing situations.

When a student is identified as being McKinney-Vento eligible, staff will:

Assist with enrollment, monitor school attendance and arrange transportation (preK-8 students)

Provide school supplies and other school related materials as needed

Advocate for and support students and families through school and home visits

Set clear expectations for student behavior, attendance and academic performance

Assist students/families access with community services

Assist students/families with access to tutoring, special education, and English language learner resources

Assist students so they can participate in sports, field trips, and school activities regardless of their ability to pay or to provide their own transportation.

For additional information, contact LEA Homeless Liaison at 570-547-1608 ext. 1122.

Policy Manual

Section
800 Operations

Title
Acceptable Use of Technology

Code
815

Status
Active

Adopted
April 8, 1997

Last Revised
June 19, 2012

Purpose

The Montgomery Area School District provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

The Board supports use of the computers, Internet and other network resources in the district's instructional and operational programs in order to facilitate learning, teaching and daily operations through interpersonal communications and access to information, research and collaboration.

For instructional purposes, the use of network facilities shall be consistent with the curriculum adopted by the district as well as the varied instructional needs, learning styles, abilities, and developmental levels of students.

This Acceptable Use Policy does not attempt to address every required or prohibited behavior by its users. Therefore all users must conduct themselves in a responsible and ethical manner at all times. The user is ultimately responsible for his/her behavior and actions when using technology.

This Acceptable Use Policy applies to all students, employees and visitors.

The district reserves the right to change its technology policies at any time in order to continually protect the safety and well-being of our students and community. Therefore, the district may add additional rules, restrictions, and guidelines at any time.

Definitions

Backdoor - a way to get around the security or filtering of a computer or network

Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:^[23]

1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.[24]

Cyberbullying - the intentional sending of derogatory or threatening messages and/or images through a technology device, purposefully excluding of a student from an online group, or creating of a website or fake account to criticize or make fun of another person.[2]

Hacking - attempting to get into a computer system without authorization.

Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:[3][4]

1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
2. Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and
3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.

Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:[25]

1. Predominantly appeals to the prurient, shameful, or morbid interest of minors;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.

Network - a group of computers and other technology devices that are linked together wired or wirelessly for the purpose of communication and accessing network resources.

Obscene - any material or performance, if:[25]

1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and

3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Pirating - the act of illegally attempting to duplicate copyrighted software.

Plagiarism - taking the ideas or writings of others and presenting them as your own.

Spamming - sending of annoying or unnecessary messages to a large number of people.

Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, pornographic, and otherwise inappropriate.[4]

Technology - includes but not limited to computers, network resources, projectors, TV's, DVD players, stereos/sound systems, digital cameras, camcorders, calculators, scanners, printers, external storage devices, and associated cabling.

User - anyone who utilizes or attempts to utilize technology owned by the school district, including students, staff, and any visitors.

Vandalism - any malicious attempt to harm or destroy data of another user, Internet or other network resources and devices.

Authority

The availability of access to electronic information does not imply endorsement by the district of the content, nor does the district guarantee the accuracy of information received. The district shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.

The district shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other network resources.

The Board declares that computer and network use is a privilege, not a right. The district's computer and network resources are the property of the school district. Use of the system is governed by this policy. Users shall have no expectation of privacy in anything they create, store, send, receive or display on or over the district's Internet, computers or network resources, including personal files and Internet browsing history. The district reserves the right to monitor, track and log network access and use; monitor fileserver utilization; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The district shall cooperate to the extent legally required with the Internet Service Provider, local, state, and federal officials in any investigation concerning or related to the misuse of the district's Internet, computers and network resources.[5][6][7]

The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the Superintendent or designee.

The Board establishes the following materials, in addition to those stated in law and defined in this policy, that are inappropriate for access by minors:[4]

1. Defamatory.

2. Lewd.
3. Vulgar.
4. Profane.
5. Threatening.
6. Harassing.[8][9][10][11]
7. Discriminatory.[8][9][10][11]
8. Bullying.[2]
9. Terroristic.[12]

The district reserves the right to restrict access to any Internet sites or functions that it deems inappropriate through general policy and software and internet blocking. The district operates and enforces a technology protection measure (TPM) that blocks and filters access to inappropriate matter by minors on its computers that are accessible by adults and students. The TPM shall be enforced during use of computers accessing the Internet through the district's network. After submission of a claim to the Network Administrator, TPM may be disabled to enable an adult or student who has written consent from a parent/guardian to access valid research, not within the prohibitions of this policy, or for another lawful purpose. If a request is denied, the Superintendent or designee shall expedite a review and may authorize the claim. No person may have access to any illegal material specified by federal or state laws.[3][4][13][14]

At times it is necessary to access user accounts in order to perform maintenance and security tasks. The Network Administrator has the right to access by interception, the stored communication of user accounts for any reason in order to uphold this policy.

The district also reserves the right at any time to:

1. Specify who uses its technology.
2. Prohibit the use of district technology for private or personal business and assign appropriate disciplinary action.
3. Determine which network resources will be provided.
4. Determine the types of files allowed to be stored on servers and computers.
5. View and monitor all network resources and traffic.
6. Remove excess email or files when needed.
7. Revoke user privileges, remove/disable user accounts, or refer to legal and district authorities when a violation is determined.

Delegation of Responsibility

The Network Administrator and/or designee will serve as the coordinator to oversee the district's technology, assist in educating users, approving activities, providing leadership for proper training of the school district's technology and related policies,

and establish a system to enforce network supervision, maintenance of user agreements and this Acceptable Use Policy.

The district shall make every effort to ensure that this resource is used responsibly by students and staff. Because of its nature, the district cannot completely block access to all inappropriate resources. Accessing these resources regardless may be considered unacceptable and result in consequences detailed in this and other relevant policies. As part of the district's Internet safety policy, the school district will educate all students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.^{[2][15]}

The district shall inform staff, students, parents/guardians and other appropriate users about this policy through employee and student handbooks, posting on the district web site, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request.^[13]

Users of district technology shall, prior to being given access and equipment, sign the user agreement acknowledging awareness of the provisions of this policy, and awareness that the district uses monitoring systems to detect inappropriate use.

Student user agreements shall also be signed by a parent/guardian.

Parents/Guardians have the right to request the termination of their child's account.

Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.

Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the district and on the Internet.

Building administrators shall make initial determinations of whether inappropriate use has occurred.

The Superintendent or designee shall be responsible for recommending technology and developing procedures used to determine whether the district's technology is being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:^{[3][4][18]}

1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board.
2. Maintaining and securing a usage log.
3. Monitoring online activities of minors.

The Superintendent or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior.^[4]

The Network Administrator and/or designee shall establish a process for setting up individual and class accounts, set quotas for disk usage when needed, establish a data and email retention policy, and establish a virus protection system.[17]

Guidelines

Accounts

Network accounts shall be used only by the authorized owner of the account for its approved purpose. Network users shall respect the privacy of other users on the system.

Guest accounts may be considered for non-district staff or students if there is a specific, district-related purpose requiring such access. Use of the system by a guest must be specifically limited to the district-related purpose. An agreement may be required.

Equipment

Each employee issued a laptop shall be responsible for the security and care of the laptop, regardless of whether the laptop is used in the district or outside the district and must sign an Employee Laptop Agreement.

Employees shall be responsible for all content on their district issued laptop. All district computer and laptop content may be monitored at any time by the district.

Safety

It is the district's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher or administrator. Network users shall not reveal personal information to other users on the Internet, including chat rooms, email, social networking websites, etc.

Internet safety measures shall effectively address the following:[4]

1. Control of access by minors to inappropriate matter on the Internet.[18]
2. Safety and security of minors when using email, chat rooms, and other forms of electronic communications.
3. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information of minors.
5. Restriction of any minor's access to materials harmful to themselves.
6. Student Safety:
 - a. Users will not post personal contact information about themselves or other people. Personal contact information includes address, phone number,

school address, work address, etc.

- b. Users will not agree to meet with someone they have met online without their parent's/guardian's approval and participation.
- c. Users will promptly disclose to their teachers or other school employees any message they receive that is inappropriate or makes them feel uncomfortable.
- d. Student photographs:
 - i. K-6: Parents/Guardians may notify the building principal if they object to the publishing of individual or group photographs where their student is not identified. If schools wish to publish photos with student identification, written parent/guardian permission is required.
 - ii. Parents/Guardians may notify the building principal if they do not wish to have photos of their students published, whether or not the student can be identified.

E-mail

1. Students: Students may be assigned an email account based on curriculum needs.
2. District Employees: Permanent full-time employees will be assigned an email account.
3. Users will not post chain letters or engage in spamming.
4. Users with district supplied email will check their email frequently, delete any unwanted message immediately, and stay within any specified quotas.
5. Users will subscribe to only high quality discussion group mailings that are relevant to education or professional development.
6. District supplied email should not be used for private purposes, commercial offerings of products or services, or to solicit products or services.
7. District supplied email may not be used for political or religious purpose.
8. Emails are subject to district administration review at any time.
9. Students are only permitted to use district provided email accounts.

Parental Notification and Responsibility

The district will notify parents/guardians about the school district's technology and its governing policies. This policy contains restrictions on accessing inappropriate sites and material. It is not possible for the school district to monitor and enforce every policy. The district believes the parent/guardian bears the primary responsibility for transmitting their family values on to their children to determine what is or is not appropriate for their child.

Inappropriate Material

If a user inadvertently accesses a website or material that is profane or obscene, advocates illegal acts, advocates violence, or advocates discrimination towards other people, they should immediately close it and report it to the supervising adult or building principal. This will help protect users against any unwarranted allegations.

Selection of Material

When using the Internet for class activities, teachers will make every effort to select material that is age appropriate and that is relevant to the course objectives. Teachers will preview the materials and sites they require or recommend students to access, in order to determine the appropriateness of the material contained on or accessed through the site. District employees may access the above material only in the context of legitimate research.

Teachers will make an effort to provide guidelines and lists of resources to assist their students in channeling their research activities effectively and properly. Teachers will assist their students in developing the skills to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

Prohibitions

Users are expected to act in a responsible, ethical and legal manner in accordance with district policies, accepted rules of network etiquette, and federal and state laws. These prohibitions are in effect at all times while using district technology and resources. Specifically, the following uses are prohibited but not limited to:

1. Commercial or for-profit purposes.
2. Facilitating illegal activity or using in an illegal manner.
3. Nonwork or nonschool related work.
4. Product advertisement or political lobbying.
5. Bullying/Cyberbullying.[2][15]
6. Hate mail, discriminatory remarks, and offensive or inflammatory communication.
7. Unauthorized or illegal installation, distribution, pirating or use of copyrighted materials, including but not limited to illegal file sharing.
8. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.[19]
9. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with district policies.
10. Inappropriate language or profanity.

11. Transmission of material likely to be offensive, objectionable, or threatening to recipients.
12. Intentional obtaining, modifying, destruction and transferring of files, passwords, codes, and data belonging to other users without authorization.
13. Impersonation of another user, account, anonymity, and pseudonyms.
14. Fraudulent copying, communications, or modification of materials in violation of copyright laws.[20]
15. Installation, use, or duplication/pirating of unauthorized or copyrighted games, programs, files, or other electronic media.
16. Disruption of the work of other users.
17. Destruction, modification, abuse, theft, or unauthorized access to network hardware, software and files.
18. Accessing the Internet, district computers or other network resources without authorization or via a back door.
19. Disabling or bypassing the Internet blocking/filtering software without authorization.
20. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.
21. Referencing personal communication in a public forum without prior consent from the other party.
22. Knowingly or recklessly posting false or defamatory information.
23. Unauthorized installation of computer hardware, software, peripherals or network hardware.
24. Violating privacy or security of electronic information.
25. Participating in unauthorized chats, instant messages and Internet voice communications not school-related or required for employees to perform their duties.
26. Using the Montgomery Area School District and its schools names in any form to express or imply the position of the school district without the expressed or written permission of the Superintendent.
27. Posting information that, if acted upon, could cause damage or disruption.
28. Illegal Activities (United States Code – Title 18, Part I, Chapter 47 [The Computer Fraud and Abuse Act], United States Code – Title 18, Part I, Chapter 121 [Stored Wire and Electronic Communications And Transactional Records

Act])).

- a. Users will not attempt to gain unauthorized access to the district system or to any other computer system through the district system, or go beyond their authorized access. This includes attempting to log in through another person's account or access another person's files.
- b. Users will not make deliberate attempts to disrupt the computer system or destroy data.
- c. Users will not use the district system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person or property, etc.

29. Nondisclosure of improper events such as accidentally viewing passwords, accessing inappropriate web sites, etc. to the appropriate authority.

30. Attempting to undermine or thwart any computer related rule, procedure, security measure, or common sense courtesy.

Software

All users shall be responsible to take precautions to prevent the introduction of viruses and malware to the district-owned computers and servers. Attempts to degrade or disrupt any network resources are considered criminal activity under state and federal law.

Use of district-owned software must abide by the software licensing agreement with the publisher.

Respecting Network Resources

Users will utilize the system only for education and professional development activities and limited individual, personal usage. Technology resources, including, but not limited to, disk space, printer ink/toner and workstations are finite and shared.

Users will not download or save large files to the server, such as movies, unless absolutely necessary. Once finished with the file, it should be removed.

Users will not print non-district related materials without prior authorization.

Cell Phones and Personal Electronic Devices

1. Cell phones and personal electronic devices, including but not limited to, mp3 players, gaming devices, tablet computers, and personal laptops are permitted on campus, but are not to be used during class time, unless authorized by school officials. The above will not and shall not be attempted to be connected to the district network in any way.
2. Students are not permitted to send or take photographs or videos with their electronic device on school property or at school events unless authorized by school officials.
3. The district is not responsible for the safe keeping or content of these devices.

4. Misuse of such devices may result in confiscation and/or applicable punishment according to district policy and rules.

Cameras and Webcams

1. Cameras, recording devices or similar capturing devices are not allowed on campus, unless authorized by school officials.
2. Web cams are provided standard on some district owned computers and devices.

Social Networking and Websites

1. Social networking sites, including, but not limited to, Facebook, shall not be accessed during school hours on either district or personally owned computers and devices.
2. Students are not permitted to access any photograph sharing websites from district technology.
3. Students are not permitted to access any dating or rating websites from the district technology.

Instant Messaging

Students are not permitted to access any instant messenger services.

Security

System security is protected through the use of passwords. Employee failure to adequately protect passwords could result in unauthorized access to personal or district files. To protect the integrity of the system, these guidelines shall be followed:

1. Employees and students shall not reveal their password to another individual. Student may be required to reveal passwords to their teacher or another district official when needed for troubleshooting account problems by the Technology Department.
2. Employee passwords will be required to be reset every ninety (90) days and must meet the following criteria:
 - a. Not contain the user's account name or parts of the user's full name that exceed two (2) consecutive characters.
 - b. Be at least eight (8) characters in length.
 - c. Contain characters from three of the following four categories:
 - i. 1 uppercase letter (A through Z)
 - ii. 1 lowercase letter (a through z)
 - iii. 1 number (0 through 9)
 - iv. 1 non-alphabetic character (for example, !, \$, #, %).
3. Users are not to use a computer that has been logged in under as a different user.

4. Any user identified as a security risk or having a history of problems with the system may be denied access to the network.
5. Users are not to disable or circumvent any district security programs, such as filtering and virus protection.
6. Users will be held responsible for the result of any misuse of their account if left unattended and accessible by others, whether intentional or through neglect to follow the above guidelines. If any user becomes aware of any security or data compromise, whether inside or outside the district, the breach must be reported immediately to the Network Administrator, Superintendent, or building principal.

Plagiarism

Users shall not plagiarize works that they find on the Internet.

Copyright

The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network shall be subject to fair use guidelines and applicable laws and regulations. Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If the user is unsure whether or not they can use a work, they should request permission from the copyright owner.[20][26]

Content Guidelines

Information saved to the district network or website shall abide by the following guidelines:

1. Shall not include student's private information such as birth date, social security number, address, phone numbers, family member names, etc.
2. Shall not include personally identifiable information indicating a student's location without parental consent.
3. Shall not contain or link to objectionable material.
4. Must conform to all district policies.
5. Any content created with school technologies will be considered property of the school district.

District Website

The district shall establish and maintain a web site and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All users publishing content on the district website shall comply with this and other applicable district policies. Teachers are responsible for maintaining their own web pages.[22]

Users shall not copy or download information from the district website and disseminate such information on unauthorized web pages without authorization from the Superintendent, Network Administrator or building principal.

With approval from the Superintendent, Network Administrator or building principal, school-sponsored extracurricular organizations may establish their own web pages on the district website. The building principal or designee will establish a process and criteria for the establishment of such web pages. Materials presented on the organization's web pages must relate specifically to organization activities. Organization web pages must include the following notice: "This is a school-sponsored student extracurricular organization webpage. Opinions expressed on this page shall not be attributed to the school district".

Blogging

If an employee, student, or guest engages in blogging sites, the user must not violate any privacy rights of another user. Users may not use district personal or private data, images or copyrighted material in their blog. Misconduct will result in disciplinary actions expressed under the Consequences for Inappropriate Use section.

District Limitation of Liability

The district makes no warranties of any kind, either expressed or implied, that the functions of services provided by or through the districts system will be free of errors or without defect. With "Cloud Computing" becoming more and more relevant, the school district may utilize such applications but does not personally support them and cannot guarantee their stability and functionality. The district will not be responsible for any damage users may suffer including, but not limited to, physical damage, loss of data or interruption of services to both district and personal devices. The district is not responsible for the accuracy or quality of the information obtained through or stored on the system. The district will not responsible for financial obligations arising through use of the system.

Search and Seizures

1. Users should have no reasonable expectation of privacy of their data and emails. The district retains the right to review content of district and personally owned technology in the course of an investigation relative to a policy violation.
2. Routine maintenance and monitoring of the system may lead to discovery that the user has or is violating this policy or federal and state laws.
3. An individual search may be conducted if there is reasonable suspicion that a user has violated a district policy or federal or state law. The nature of the investigation will be reasonable and in the context of the nature of the alleged violation.
4. District employees should be aware that their personal files and email may be accessible under public record laws.

Consequences for Inappropriate Use

The district's administrators shall have authority to interpret and enforce district policies.

The district retains the right to suspend service, accounts, and data access without notice to the user if deemed necessary.[13]

The user will be responsible for incidental or unintended damage resulting from negligent, deliberate or willful violation of technology policies.

Users shall be responsible for payments related to repair/replacement of software, hardware, data files and technological consultant services due to any technology policy violations.

Users shall be responsible for payments related to lost or stolen technology and/or recovery of the device and the data contained on it.

Illegal use of the network; intentional damage or deletion of files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings.

Failure to comply with this policy or inappropriate use of the Internet, district network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.[5][6][7]

Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately when on the system.

Employee violations of technology policies will be handled in accordance with the district disciplinary procedures.

The district will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through the district system.

Legal

2. Pol. 249

3. 20 U.S.C. 6777

4. 47 U.S.C. 254

5. Pol. 218

6. Pol. 233

7. Pol. 317

8. Pol. 103

9. Pol. 104

10. Pol. 248

11. Pol. 348

12. Pol. 218.2

13. 24 P.S. 4604

14. 24 P.S. 4610

15. 24 P.S. 1303.1-A

17. Pol. 815.1

18. 47 CFR 54.520

19. Pol. 237

20. Pol. 814

22. Pol. 815.2

23. 18 U.S.C. 2256

24. 18 Pa. C.S.A. 6312

25. 18 Pa. C.S.A. 5903

26. 17 U.S.C. 101 et seq

24 P.S. 4601 et seq

Pol. 220

Pol. 815.3

Policy Manual

Section
200 Pupils

Title
Hazing

Code
247

Status
Active

Last Revised
February 19, 2019

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[1]

1. **Violate federal or state criminal law.**
2. **Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.**
3. **Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.**
4. **Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.**
5. **Endure brutality of a sexual nature.**
6. **Endure any other activity that creates a reasonable likelihood of bodily injury to the student.**

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:[2]

1. **The person acts with reckless indifference to the health and safety of the student; or**
2. **The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.**

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.[3][4]

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:[5]

1. The consent of the student was sought or obtained, or

2. The conduct was sanctioned or approved by the school or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization.[6][7]

For purposes of this policy, bodily injury shall mean impairment of physical condition or substantial pain.[8]

For purposes of this policy, serious bodily injury shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.[8]

Authority

The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.[4][5][7][9][10]

No student, parent/guardian, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing.

The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

Delegation of Responsibility

Students, parents/guardians, coaches, sponsors, volunteers, and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal or designee.

Discrimination/Discriminatory Harassment

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination and discriminatory harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer. If, in the course of a hazing investigation, potential issues of discrimination or discriminatory harassment are identified, the Compliance Officer shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.[11][12]

Guidelines

In addition to posting this policy on the district's publicly accessible website, the district shall inform students, parents/guardians, sponsors, volunteers and district employees of the district's policy prohibiting hazing, including district rules, penalties for violations of the policy, and the program established by the district for enforcement of the policy by means of [4]

1. Distribution of written policy
2. Publication in handbooks
3. Presentation at an assembly
4. Verbal instructions by the coach or sponsor at the start of the season or program

This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct.[7]

Complaint Procedure

A student who believes that s/he has been subject to hazing is encouraged to promptly report the incident to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Board policies.

Interim Measures/Police

Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to the police consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to the police at every stage of the proceeding. The decision to report a matter to the police should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with the police in this regard.[13]

Referral To Law Enforcement and Safe Schools Reporting Requirements –

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act. [14][15][16]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property,

in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. [14][15][17][18][19][20]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian. [14][20][21]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form. [15][20]

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

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if s/he complies with the requirements under law, subject to the limitations set forth in law. [13]

Students –

If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. The student may also be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline. [4][7][13][22][23]

In addition to other authorized discipline, building principals shall have the authority, after providing the student or students an informal hearing, to impose a fine of up to Fifty dollars (\$50) on each student determined to have engaged in hazing in violation of this policy. [4][22]

When recommended disciplinary action results in a formal hearing before the Board, in addition to other authorized disciplinary consequences, the Board may also impose a fine of up to

One hundred seventy five dollars (\$175) on each student determined to have engaged in hazing in violation of this policy. [4][23]

When fines have not been paid, the Superintendent shall have the authority to direct that student diplomas and/or transcripts be withheld until payment in full is made or a payment plan is agreed upon. In cases of economic hardship, the Superintendent shall consider whether diplomas and/or transcripts should be released despite an unpaid fine. [4]

Nonstudent Violators/Organizational Hazing -

If the investigation results in a substantiated finding that a coach, sponsor, or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, s/he shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment.[24]

If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district.

Criminal Prosecution –

Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[4]

PSBA Revision 12/18 © 2018 PSBA

Legal

1. 18 Pa. C.S.A. 2802
2. 18 Pa. C.S.A. 2803
3. 18 Pa. C.S.A. 2804
4. 18 Pa. C.S.A. 2808
5. 18 Pa. C.S.A. 2806
6. 18 Pa. C.S.A. 2801
7. 24 P.S. 511
8. 18 Pa. C.S.A. 2301
9. Pol. 122
10. Pol. 123
11. Pol. 103
12. Pol. 103.1
13. 18 Pa. C.S.A. 2810
14. 22 PA Code 10.2
15. 24 P.S. 1303-A
16. 35 P.S. 780-102
17. 22 PA Code 10.21
18. 22 PA Code 10.22
19. 24 P.S. 1302.1-A
20. Pol. 805.1
21. 22 PA Code 10.25
22. Pol. 218
23. Pol. 233
24. Pol. 317
- 18 Pa. C.S.A. 2801 et seq
- 22 PA Code 10.23
- Pol. 113.1
- Pol. 916

Policy Manual

Section
900 Community

Title
Title I Parent and Family Engagement

Code
918

Status
Active

Adopted
March 19, 2019

Purpose

The Board recognizes that meaningful parent and family engagement contributes to the achievement of state academic standards by students participating in Title I programs. The Board views the education of students as a cooperative effort among the school, parents and family members, and community.[1][2]

Definition

Parent and Family (Family Member) - these terms are used interchangeably and shall include caregivers, a legal guardian or other person standing in loco parentis such as a grandparent or stepparent with whom the child lives, a person who is legally responsible for the child's welfare, or a legally appointed Education Decision Maker of a child participating in a Title I program.

Authority

The Board directs the district and each of its schools with a Title I program to:[1]

1. Conduct outreach to all parents and family members.
2. Include parents and family members in development of the district's overall Title I Plan and process for school review and improvement.[3]
3. Include parents and family members in the development of the Title I Parent and Family Engagement Policy. Following adoption of the policy by the Board, the policy shall be:
 - a. Distributed in writing to all parents and family members.
 - b. Incorporated into the district's Title I Plan.[3]
 - c. Posted to the district's publicly accessible website.[4]
 - d. Evaluated annually with parent and family involvement.

4. Provide opportunities and conduct meaningful collaborations with parents and family members in the planning and implementation of Title I programs, activities and procedures.

Accessibility

The district and each of its schools with a Title I program shall provide communications, information and school reports to parents and family members who are migrants or who have limited English proficiency, a disability, limited literacy, or racial and ethnic minority backgrounds, in a language they can understand.[1][5]

Delegation of Responsibility

The Superintendent or designee shall ensure that the district's Title I Parent and Family Engagement Policy, plan and programs comply with the requirements of federal law.[1][3]

The Superintendent or designee shall ensure that the district and its schools with Title I programs provide opportunities for the informed participation of parents and family members by providing resources, information and school reports in an understandable and uniform format or, upon request, in another format. Such efforts shall include:

1. Providing communications in clear and simple language.
2. Posting information for parents and family members on the district's website.
3. Including a telephone number for parents and family members to call with questions.
4. Partnering with community agencies which may include libraries, recreation centers, community-based organizations and faith-based organizations to assist in sharing information.
5. Provide language access services to families with limited English proficiency through on-site or telephonic translation and interpretation services, as appropriate.[5]

The building principal and/or Title I staff shall notify parents and family members of the existence of the Title I programs and provide:

1. An explanation of the reasons supporting their child's selection for the program.
2. A set of goals and expectations to be addressed.
3. A description of the services to be provided.
4. A copy of this policy and the School-Parent and Family Compact.[1]

Parents and family members shall actively carry out their responsibilities in accordance with this policy and the School-Parent and Family Compact. At a minimum, parents and family members shall be expected to:[1]

1. Volunteer in their child's classroom.[6]
2. Support their child's learning.
3. Participate, as appropriate, in decisions relating to the education of their child and positive use of extracurricular time.

Guidelines

Each district school operating a Title I program shall hold an annual meeting of parents and family members at a convenient time, to explain the goals and purposes of Title I programs and to inform them of their right to be involved. Parents and family members shall be given the opportunity to participate in the design, development, operation and evaluation of the program. Parents and family members shall be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs.[1]

The schools with Title I programs shall offer a flexible number of meetings which shall be held at various times of the morning and evening. Title I funds may be used to enable parent and family member attendance at meetings through payment of transportation, child care costs or home visits.[1]

The schools shall involve parents and family members in an organized, ongoing and timely way, in the planning, review and improvement of Title I programs, the Title I Parent and Family Engagement Policy and the joint development of the Title I Plan.[1][3]

At these meetings, parents and family members shall be provided:[1]

1. Timely information about programs provided under Title I.
2. Description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the achievement levels of the academic standards.
3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.

To ensure the continuous engagement of parents and family members in the joint development of the Title I Plan and with the school support and improvement process, the district shall:

Communicate with parents and family members about the plan and seek their input and participation through the use of newsletters, the district website, email, telephone, parent and teacher conferences, and home visits if needed.

Train personnel on how to collaborate effectively with parents and family members with diverse backgrounds that may impede their participation, such as limited literacy or language difficulty.

Analyze and share the results of the Title I Parent/Family Survey.

Post school performance data on the district's website.

Distribute and discuss the School-Parent and Family Compact.

Host various parent and family nights at each school building with a Title I program.

Actively recruit parents and family members to participate in school review and improvement planning.

Invite participation of parents and family members at the regular comprehensive planning committee meetings, Title I budget meetings and school improvement plan meetings to obtain input and propose school improvement initiatives.

If the Title I Plan is not satisfactory to parents and family members, the district shall submit any parent or family member comments with the plan when the school makes the plan available to the Board.[1][3]

Building Capacity for Parent and Family Engagement

The district shall provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family involvement activities to improve academic achievement and school performance through:[1]

1. Providing assistance to parents and family members in understanding such topics as the academic standards, state and local academic assessments, the requirements of parent and family involvement, how to monitor a child's progress and work with teachers to improve the achievement of their children.[2][7]
2. Providing material and training to help parents and family members work with their children to improve academic achievement and to foster parent and family engagement, such as:
 - a. Scheduling trainings in different locations on a variety of topics including how to support their child in school, literacy, school safety, cultural diversity and conflict resolution.
 - b. Using technology, including education about the harms of copyright piracy, as appropriate.[8]
 - c. Providing information, resources and materials in a user friendly format.
 - d. Providing, as requested by a parent or family member, other reasonable support for parent and family engagement activities.
3. Educating teachers, specialized instructional support personnel, principals and other school leaders and staff, with the assistance of parents and family members, on the value and usefulness of contributions of parents and family members and in how to reach out to, communicate with, and work with them as equal partners, implement and coordinate parent and family programs, and build ties between parents and family members and the school.[9]
4. To the extent feasible and appropriate, coordinating and integrating Title I parent and family involvement efforts and activities with other federal, state and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents and family members in more fully participating in the education of their children.[1][5][10][11][12][13][14][15]
5. Engage the PTO/PTA to actively seek out and involve parents and family members through regular updates, information sessions and assistance with the identification of effective communication strategies.
6. Engage community-based organizations and businesses in parent and family engagement activities.

Coordinating Parent and Family Engagement Strategies

The district shall coordinate and integrate Title I parent and family engagement strategies with other parent and family engagement strategies required by federal, state, and local laws by:[1][5][10][11][12][13][14][15]

1. Involving district and program representatives to assist in identifying specific parent and family member needs.
2. Sharing data from other programs to assist in developing initiatives to advance academic achievement and school improvement.

Annual Parent and Family Engagement Policy Evaluation

The district shall conduct, with meaningful participation of parents and family members, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of all district schools with a Title I program.[1]

The evaluation shall identify:[1]

1. Barriers to parent and family member participation, with particular attention to those who are migrants, are economically disadvantaged, have a disability, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority.
 2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers.
 3. Strategies to support successful school and parent and family interactions.
- The evaluation shall be conducted through:

A parent and family member and teacher survey designed to collect data on school level and district-wide parent and family engagement outcomes.

Documentation of parent and family member input regarding Title I programs and activities from throughout the year.

The district shall use the findings of the annual evaluation to design evidence-based strategies for more effective parent and family engagement, and to revise, if necessary, the district's Title I Parent and Family Engagement Policy.[1]

School-Parent and Family Compact

Each school in the district receiving Title I funds shall jointly develop with parents and family members a School-Parent and Family Compact outlining the manner in which parents and family members, the entire school staff and students will share responsibility for improved student academic achievement and the means by which the school and parents and family members will build and develop partnerships to help children achieve the state's academic standards. The compact shall:[1]

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment, enabling students in Title I programs to meet the academic standards.
2. Describe the ways in which parents and family members will be responsible for supporting their child's learning; volunteering in the classroom; and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time.[6]
3. Address the importance of ongoing two-way, meaningful communication between parents/family members and teachers through, at a minimum, annual parent-teacher conferences at the elementary level, frequent reports to parents

and family members on their child's progress, reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.[6]

Title I Funds

Unless exempt by law, the district shall reserve at least one percent (1%) of its Title I funds to assist schools in conducting parent and family engagement activities. Parents and family members shall be involved in the decisions regarding how the Title I reserved funds are used for parent and family engagement activities.[1]

Not less than ninety percent (90%) of the reserved funds shall be distributed to district schools with a Title I program, with priority given to high need schools. The district shall use the Title I reserved funds to conduct activities and strategies consistent with this policy, including:[1]

Supporting programs that reach parents and family members at home, in the community, and at school.

Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

Engaging in any other activities and strategies that the district determines are appropriate and consistent with this policy.

Documentation of Parent and Family Engagement Practices

Documentation to track the implementation of this policy is an essential part of compliance and may include, but not be limited to, sign-in sheets at workshops, meetings and conferences; schedules, training and informational materials; communications and brochures; and meeting notes.

1. 20 U.S.C. 6318

2. Pol. 102

3. 20 U.S.C. 6312

4. 24 P.S. 510.2

5. Pol. 138

6. Pol. 916

7. Pol. 127

8. Pol. 814

9. Pol. 333

10. 20 U.S.C. 7845

11. 29 U.S.C. 3271 et seq

12. 29 U.S.C. 701 et seq

13. 42 U.S.C. 11301 et seq

14. 42 U.S.C. 9831 et seq

15. Pol. 212

Appendix A



Book	Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Students
Code	103 Vol IV 2020
Status	

Authority

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 **and activities** offered in the schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability. [1][2][3][4][5][6][7][8][9][10][11][12][13][14][15][16][17]

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics and extracurricular activities without any form of discrimination, **including Title IX sexual harassment**. Discrimination is inconsistent with the **rights of students and the** educational and programmatic goals of the district and is **prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities**.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.[18][19][20][21]

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment

applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages students and third parties who believe they or others have been subject to **Title IX sexual harassment, other discrimination or retaliation** to promptly report such incidents to **the building principal**, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. **A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.**

The student's parents/guardians or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal.

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.[22]

If the building principal is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or **the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing**; however, **verbal reports of an incident or incidents** shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not

responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.[18][20][23][24]

When an emergency removal, as described in Attachment 3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable.[18][19][20][23]

When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a **report** and the investigation **related to any form of discrimination or retaliation, including Title IX sexual harassment**, shall be handled in accordance with **applicable law, regulations, this policy, the attachments** and the district's legal and investigative obligations.[25][26][27][28][29]

Retaliation

The Board prohibits retaliation by **the district** or any other person against any person for: [28]

1. Reporting **or making a formal complaint** of **any form of** discrimination **or retaliation, including Title IX sexual harassment**.
2. **Testifying, assisting, participating or refusing to participate** in a related investigation, **process or other proceeding** or hearing.
3. **Acting in opposition to** practices the person reasonably believes to be discriminatory.

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against **anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.**

Definitions

Complainant shall mean an individual who is alleged to be the victim.

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex,

sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Definitions Related to Title IX Sexual Harassment

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[27][30]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[30]

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[30]

1. **Counseling.**
2. **Extensions of deadlines or other course-related adjustments.**
3. **Modifications of work or class schedules.**
4. **Campus escort services.**
5. **Mutual restrictions on contact between the parties.**
6. **Changes in work or housing locations.**
7. **Leaves of absence.**
8. **Increased security.**

9. **Monitoring of certain areas of the campus.**
10. **Assistance from domestic violence or rape crisis programs.**
11. **Assistance from community health resources including counseling resources.**

Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.[17][18][23][24][31]

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[30]

1. **A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.**
2. **Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.**
3. **Sexual assault, dating violence, domestic violence or stalking.**
 - a. ***Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[32]**
 - i. **Length of relationship.**
 - ii. **Type of relationship.**
 - iii. **Frequency of interaction between the persons involved in the relationship.**
 - b. ***Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.[32]**
 - c. ***Sexual assault* means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.[33]**
 - d. ***Stalking*, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a**

course of conduct directed at a specific person that would cause a reasonable person to either:[32]

- i. Fear for their safety or the safety of others.
- ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.[26][27][30]

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 [34]

[The district may choose the same or different individuals to fulfill the roles of Compliance Officer and Title IX Coordinator. If designating one (1) individual to fulfill both responsibilities, select the first option and enter the appropriate position title. If designating two (2) individuals to fulfill the separate responsibilities, select the second option and enter the appropriate position titles.]

District Superintendent as the district's Compliance Officer and District Director of Athletics as the district's Title IX Coordinator.

The Compliance Officer can be contacted at:

Address: 120 Penn Street

Email: dbowers@montasd.org

Phone Number: 570-547-1608 ext. 1121

The Title IX Coordinator can be contacted at:

Address: 120 Penn Street

Email: msnyder@montasd.org

Phone Number: 570-547-1608 ext. 1147

The Compliance Officer and Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.

2. Training - **Provide** training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure **or Title IX procedures**, such as making reports to the police, and available **supportive measures such as** assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. 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.
5. District Support - **Assure** that like aspects of the school programs **and activities** receive like support as to staffing and compensation, facilities, equipment, and related areas.**[35]**
6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. **Reports/Formal** Complaints - Monitor and provide technical assistance to **individuals involved in managing informal reports and formal** complaints.

Guidelines

Title IX Sexual Harassment Training Requirements

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker (s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role:

1. Definition of sexual harassment.
2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.

8. **How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.**

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the district's website.

Disciplinary Consequences

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to:[18][19][20]

- 1. Loss of school privileges.**
- 2. Permanent transfer to another school building, classroom or school bus.**
- 3. Exclusion from school-sponsored activities.**
- 4. Detention.**
- 5. Suspension.**
- 6. Expulsion.**
- 7. Referral to law enforcement officials.**

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[21][36]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

PSBA Revision 7/20 © 2020 PSBA

Legal

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 15.1 et seq
4. 22 PA Code 4.4
5. 24 P.S. 1301
6. 24 P.S. 1310
7. 24 P.S. 1601-C et seq
8. 24 P.S. 5004
9. 43 P.S. 951 et seq
10. 20 U.S.C. 1681 et seq
11. 34 CFR Part 106
12. 29 U.S.C. 794
13. 42 U.S.C. 12101 et seq
14. 42 U.S.C. 1981 et seq
15. 42 U.S.C. 2000d et seq
16. U.S. Const. Amend. XIV, Equal Protection Clause
17. Pol. 103.1
18. Pol. 113.1
19. Pol. 218
20. Pol. 233
21. Pol. 317
22. Pol. 806
23. Pol. 113.2
24. Pol. 113.3
25. 20 U.S.C. 1232g
26. 34 CFR 106.44
27. 34 CFR 106.45
28. 34 CFR 106.71
29. 34 CFR Part 99
30. 34 CFR 106.30
31. Pol. 113
32. 34 U.S.C. 12291
33. 20 U.S.C. 1092
34. 34 CFR 106.8
35. Pol. 150
36. Pol. 317.1
- 18 Pa. C.S.A. 2709
- 20 U.S.C. 1400 et seq

28 CFR Part 41
28 CFR Part 35
34 CFR Part 100
34 CFR Part 104
34 CFR Part 110
U.S. Const. Amend. I
Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
Office for Civil Rights - Resources for Addressing Racial Harassment
Pol. 122
Pol. 123
Pol. 138
Pol. 216
Pol. 220
Pol. 247
Pol. 249
Pol. 251
Pol. 252
Pol. 320
Pol. 701
Pol. 815
Pol. 832

103-Attach 1 Report Form.pdf (161 KB)

103-Attach 2 Discrimination.docx (40 KB)

103-Attach 3 Title IX.docx (77 KB)

103-Attach 4 ConfidentialityTemplateLetter.docx (21 KB)

**MONTGOMERY AREA SCHOOL DISTRICT
DISCRIMINATION/SEXUAL HARASSMENT/RETALIATION
REPORT FORM**

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from sexual harassment, other discrimination and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: Director of Athletics, Michael Snyder

Address: 120 Penn Street

Email: msnyder@montasd.org

Phone Number: 570-547-1608 ext. 1147

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for making this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

Note: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

Assigned School Building(s):

I am a:

☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is:

☐ Another Employee ☐ Student

☐ Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Harassment, Retaliation or Other Discrimination You are Reporting

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐ Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge. I understand that any false information provided herein is subject to penalties contained in 18 Pa. C.S.A. Sec. 4904, relating to unsworn falsification to authorities.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 104 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

Assigned School Building(s):

Reporter is a:

☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is:

☐ Another Employee ☐ Student

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please provide the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

☐ Student(s) ☐ Employee(s)

☐ Other _____ (please explain relationship to the district)

III. Level of Report:

☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation ☐ Other _____

Nature of the Report (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Genetic Information |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's programs or activities in the course of school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal or Administrative Leave of a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of an individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students

☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff

☐ Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

☐ A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

☐ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

☐ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

☐ Policy 104 Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 2
Discrimination Complaint Procedures

☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 3 Title IX
Sexual Harassment Procedures and Grievance Process for Formal Complaints

☐ Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. Determine what supportive measures may be offered to the respondent.
4. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint of sexual harassment pursuant to Title IX.

☐ Yes

☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether instead a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is a supervisor, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district official in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

**MONTGOMERY AREA SCHOOL DISTRICT
DISCRIMINATION
COMPLAINT PROCEDURES**

The Discrimination Complaint Procedures prescribed in this Attachment apply to reports of retaliation or discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability that do not constitute Title IX sexual harassment as defined in the Policy 103.

All reports of discrimination shall be reviewed by the Title IX Coordinator upon receipt to determine if the allegations meet the definition and parameters of sexual harassment under Title IX. If the result of this review determines that the allegations fall within the scope of Title IX sexual harassment, then the process set forth in Policy 103 Attachment 3 for Title IX Sexual Harassment shall be followed.

[Note: if the same individual is assigned to the roles of Title IX Coordinator and Compliance Officer through Policy 103, please revise the terminology in this Attachment 2 to reflect the position of Title IX Coordinator/Compliance Officer throughout.]

All reports of discrimination and retaliation brought pursuant to the district's discrimination policy shall also be reviewed for conduct which may not be proven discriminatory under Policy 103 but merits review and possible action under the Code of Student Conduct and other Board policies. (Pol. 103.1, 218, 247, 249, 252)

Definitions

Complainant shall mean an individual who is alleged to be the victim.

Respondent shall mean an individual who has been reported to be the perpetrator of the alleged conduct.

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Retaliation shall mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report discrimination or harassment, participate in an investigation or other process addressing discrimination or harassment, or act in opposition to discriminatory practices.

Reasonable Accommodations

Throughout the discrimination complaint procedures, the district shall make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for all parties, and address barriers being experienced by disadvantaged students such as English learners and homeless students, consistent with the requirements of federal and state laws and regulations and Board policy. (Pol. 103.1, 113, 138, 251, 832, 906)

Required Reporting Under Other Policies

In addition to implementing the disciplinary complaint procedures, the building principal or Compliance Officer shall ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents under the Safe Schools Act, reports of educator misconduct, threats, or reports of suspected child abuse. (Pol. 218, 317.1, 806, 824)

Timeframes

Reasonably prompt timeframes shall be established for completing each step of the discrimination complaint procedures, including timeframes for filing and resolving appeals.

The established timeframes included in these procedures may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action shall be provided to the complainant and the respondent, and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party or a witness.
2. Concurrent law enforcement activity.
3. Need for language assistance or accommodation of disabilities.

PROCEDURES FOR COMPLAINTS OF DISCRIMINATION

Step 1 – Reporting

A student or individual who believes they have been subject to discrimination by any student, employee or third party is encouraged to immediately report the incident to the building principal using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report verbally or in writing to the building principal.

Parents/Guardians of students have the right to act on behalf of the complainant, the respondent, or other individual at any time.

Any person with knowledge of discrimination in violation of Board policy or this procedure is encouraged to immediately report the matter to the building principal.

A school employee who suspects or is notified that a student has been subject to discrimination shall immediately report the incident to the building principal. Additionally, employees 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. (Pol. 806)

The building principal shall immediately notify the Title IX Coordinator and Compliance Officer of the reported discrimination.

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

The complainant or reporting individual shall be encouraged to use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form, however, complaints shall be accepted in person, by telephone, by mail or email, or by any other means that results in the appropriate individual receiving the individual's verbal or written report. Verbal reports shall be documented using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form, and these procedures shall be implemented.

The Title IX Coordinator shall review reports and complaints, and may gather additional information from the individual submitting the report and other parties identified in the report using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in this Attachment 2, or if the reported circumstances meet the definition and parameters of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other applicable Board policies.

If the Title IX Coordinator determines that the report should be addressed through the discrimination complaint procedures, the Compliance Officer shall be notified and the complaint procedures in this Attachment 2 implemented.

When any party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator shall notify the Director of Special Education and coordinate to determine whether additional steps must be taken for the party, while the discrimination complaint procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, functional behavioral assessment (FBA) or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Step 2 – Initial Communications/Supports

The complainant shall be informed about the Board's policy on discrimination, including the right to an investigation of both verbal and written reports of discrimination.

The building principal or designee, in consultation with the Compliance Officer, Title IX Coordinator and other appropriate individuals, shall promptly implement appropriate measures to protect the complainant and others as necessary from violation of the policy throughout the course of the investigation.

The building principal or designee may provide to the complainant factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. 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 respondent.

The building principal or designee shall seek to obtain consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under age eighteen (18), and inform parents/guardians of the complainant that the complainant may be accompanied by a parent/guardian during all steps of the complaint procedure. When a parent/guardian requests confidentiality and will not consent to the alleged victim's participation in an investigation, the building principal or designee shall explain that the school shall take all reasonable steps to investigate and respond to the complaint consistent with that request for confidentiality as long

as doing so does not preclude the school from responding effectively to the discrimination and preventing discrimination that affects other students.

The building principal or Compliance Officer shall provide relevant information on resources available in addition to the discrimination complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources, including counseling resources.

Informal Remedies -

At any time after a complaint has been reported, if the Compliance Officer believes the circumstances are appropriate, the Compliance Officer may offer the parties involved in the complaint the opportunity to participate in informal remedies to address the reported conduct. Informal remedies can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, restorative practices, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services, or other measures to support the parties.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal remedies shall document the nature of the complaint and the proposed resolution of the matter, have both parties sign the documentation to indicate agreement with the resolution and receive a copy, and forward it to the Compliance Officer.

The Compliance Officer shall contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies, and shall document all appropriate actions.

*If the informal remedies result in the final resolution of the complaint, the following steps are not applicable.

Step 3 – Investigation

The Compliance Officer shall assess whether the investigation should be conducted by the building principal, another district employee, the Compliance Officer or an attorney and shall promptly assign the investigation to that individual. When a parent/guardian has requested confidentiality and will not consent to the alleged victim's participation in an investigation, the Compliance Officer shall provide the parent/guardian with a letter containing information related to the district's legal obligations to conduct an investigation and address violations of Board policy, and any other information appropriate to the specific complaint.

The Compliance Officer shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination and retaliation issues and Board policy, and how to conduct investigations and draft an investigative report.

The investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the respondent may suggest additional witnesses and provide 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 investigation may consist of individual interviews with the complainant, the respondent, 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.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Compliance Officer, who shall promptly inform law enforcement authorities about the allegations.

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a delay in fulfilling the district's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation, and the reason for such delay shall be documented by the investigator.

Step 4 – Investigative Report

The investigator shall prepare and submit a written report to the Compliance Officer within twenty (20) school days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or 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 investigative 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 Board Policy 103 and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discrimination or harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of

Board policy 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 respondent shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written investigative report, to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The respondent shall not be notified of the individual remedies offered or provided to the complainant.

Step 5 – District Action

If the investigation results in a finding that some or all of the allegations of the discrimination complaint are founded and constitute a violation of Board 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 discriminatory effect the prohibited conduct had on the complainant and the district education program or activity. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Compliance Officer 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 Policy 103 or these procedures, 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. (Pol. 113.1, 218, 233, 247, 249)

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations. (Pol. 103, 104, 113.1, 218, 233, 317, 317.1)

Appeal Procedure

If the complainant or the respondent is not satisfied with a finding made pursuant to these procedures or with recommended corrective action, they may submit a written appeal to the Compliance Officer within fifteen (15) school days of receiving notification of the outcome of the investigation. If the Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.

The individual receiving the appeal shall review the investigation and the investigative report and may also conduct or designate another person to conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.

The person handling the appeal shall prepare a written response to the appeal within ten (10) school days.

Copies of the response shall be provided to the complainant, the respondent and the investigator who conducted the initial investigation.

**MONTGOMERY AREA SCHOOL DISTRICT
TITLE IX SEXUAL HARASSMENT PROCEDURES AND
GRIEVANCE PROCESS FOR FORMAL COMPLAINTS**

The Title IX sexual harassment procedures and grievance process for formal complaints prescribed in this attachment apply only when a report includes allegations of sexual harassment subject to Title IX regulations. (34 CFR 106.44, 106.45)

All other reports or complaints of discrimination or retaliation shall follow the complaint procedures established in Policy 103 Attachment 2 regarding discrimination.

[Note: a live hearing process is not required for the grievance process for formal complaints in the K-12 setting. Language on a live hearing process is not included in these procedures, but the district may add language in consultation with the school solicitor.]

Definitions

Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the district's Title IX Coordinator or any district official who has the authority to institute corrective measures on behalf of the district, or to any employee of an elementary and secondary school, other than the respondent.

Exculpatory evidence means evidence tending to exonerate the accused or helps to establish their innocence.

Inculpatory evidence means evidence tending to incriminate the accused or indicate their guilt.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator the complainant or other party during the grievance process. The phrase "**document filed by a complainant**" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Retaliation shall mean actions including, but not limited to, intimidation, threats, coercion, or discrimination against a victim or other person because they report conduct that may constitute discrimination or harassment, including Title IX sexual harassment, in accordance with Board policy and procedures, participate in an investigation or other process addressing discrimination or Title IX sexual harassment, or act in opposition to discriminatory practices.

The following actions shall not constitute retaliation:

1. An individual exercising free speech under the rights protected by the First Amendment.

2. The assignment of consequences consistent with Board policy and the Code of Student Conduct when an individual knowingly makes a materially false statement in bad faith in an investigation. The fact that the charges of discrimination were unfounded or unsubstantiated shall not be the sole reason to conclude that any party made a materially false statement in bad faith.

Supportive measures mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures shall be designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:

1. Counseling.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Changes in work or housing locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy. (Pol. 103.1, 113, 113.1, 113.2, 113.3)

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
3. Sexual assault, dating violence, domestic violence or stalking.
 - a. **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
 - 1) Length of relationship.
 - 2) Type of relationship.
 - 3) Frequency of interaction between the persons involved in the relationship.
 - b. **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
 - c. **Sexual assault** means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 - d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either:
 - 1) Fear for their safety or the safety of others.
 - 2) Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment subject to Title IX regulations. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs.

TITLE IX SEXUAL HARASSMENT PROCEDURES

General Response – (with or without a formal complaint)

Any person, whether the alleged victim or not, may report Title IX sexual harassment using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report verbally or in writing to the building principal, or by using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Upon receipt of a report, school staff shall immediately notify the building principal.

A report may be made at any time, including during nonbusiness hours. Verbal reports shall be documented by the Title IX Coordinator or employee receiving the report using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form, and these procedures shall be implemented appropriately.

District staff who become aware of bullying, hazing, harassment or other discrimination affecting a student or staff member shall promptly report it to the building principal.

Parents/Guardians of students have the right to act on behalf of the complainant, the respondent, or other individual at any time.

When the district has actual knowledge of Title IX sexual harassment, the district is required to respond promptly and in a manner that is not deliberately indifferent, meaning not clearly unreasonable in light of the known circumstances.

All sexual harassment reports and complaints received by the building principal shall be promptly directed to the Title IX Coordinator, in accordance with Board policy. The Title IX Coordinator shall use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form to gather additional information from the reporter and/or other parties identified in the report, to determine if the allegations meet the definition and parameters for Title IX sexual harassment.

The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall initially assess whether the reported conduct:

1. Meets the definition of Title IX sexual harassment.
2. Occurred in a district program or activity under the control of the district and against a person in the United States.
3. Involves other Board policies or the Code of Student Conduct.
4. Indicates, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of an individual.
5. Involves a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act. (Pol. 103.1, 113)

If the result of this initial assessment determines that none of the allegations fall within the scope of Title IX sexual harassment, but the matter merits review and possible action under the Code of Student Conduct and other Board policies or Attachment 2 addressing Discrimination Complaints, then the Title IX Coordinator shall redirect the report to the appropriate administrator to address the allegations. (Pol. 103, 103.1, 113.1, 218, 247, 249, 252, 317, 317.1)

If the result of the initial assessment determines that the allegations may constitute Title IX sexual harassment, the Title IX Coordinator shall promptly explain to the complainant the process for filing a formal complaint and inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

The Title IX Coordinator shall contact the parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

The Title IX Coordinator shall also determine what supportive measures may be offered to the respondent.

If either party is an identified student with a disability, or thought to be disabled, the Title IX Coordinator shall contact the Director of Special Education to coordinate the required actions in accordance with Board policy. (Pol. 113, 113.1, 113.2, 113.3)

Confidentiality regarding the supportive measures offered and the identity of the following individuals shall be maintained, except as may be permitted by law or regulations relating to the conduct of any investigation: (20 U.S.C. Sec. 1232g; 34 CFR Parts 99, 106; Pol. 113.4, 216)

1. Individuals making a report or formal complaint.
2. Complainant(s).
3. Respondent(s).
4. Witnesses.

The district shall treat complainants and respondents equitably by:

1. Offering supportive measures to the complainant and may offer such measures to the respondent.
2. Following the grievance process for formal complaints before imposing disciplinary sanctions or other actions that are not supportive measures on the respondent.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment -

When reports allege Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

When an emergency removal, as described below, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable. (Pol. 113.1, 113.2, 113.3, 233)

When an emergency removal is not required, disciplinary sanctions will be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable. (Pol. 113.1, 113.2, 218, 233)

Supportive Measures -

All supportive measures provided by the district shall remain confidential, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. (34 CFR 106.44)

When any party is an identified student with a disability, or thought to be a student with a disability, the Title IX Coordinator shall notify the Director of Special Education and coordinate to determine whether additional steps must be taken as supportive measures for the party while the Title IX procedures are implemented. Such measures may include, but are not limited to, conducting a manifestation determination, FBA or other assessment or evaluation, in accordance with applicable law, regulations or Board policy. FBAs must be conducted when a student's behavior interferes with the student's learning or the learning of others and information is necessary to provide appropriate educational programming, and when a student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability. (Pol. 113, 113.1, 113.2, 113.3)

Reasonable Accommodations –

Throughout the Title IX sexual harassment procedures, the district shall make reasonable accommodations for identified physical and intellectual impairments that constitute disabilities for any party, and address barriers being experienced by disadvantaged students such as English learners and homeless students, consistent with the requirements of federal and state laws and regulations and Board policy. (Pol. 103.1, 113, 138, 251, 832)

Emergency Removal –

If the district has determined, based on an individualized safety and risk analysis, that there is an immediate threat to the physical health or safety of any student or other individual due to the allegations of Title IX sexual harassment, the respondent may be removed from the district's education program or activity or moved to an alternative setting, consistent with all rights under federal and state laws and regulations, and Board policy, including but not limited to the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. If the respondent is an identified student with a disability, or thought to be disabled, the Title IX Coordinator shall contact the Director of Special Education to coordinate the required actions in accordance with Board policy. The respondent shall be provided with notice and provided an opportunity for due process, in accordance with law, regulations and Board policy. When expulsion is necessary because continuation of educational services is not feasible, the Board's written adjudication of expulsion shall address the pending Title IX process and the impact of the outcome of the Title IX process on a student's emergency removal status. (20 U.S.C. Sec. 1400 et seq. ; 29 U.S.C. Sec. 794 ; 42 U.S.C. Sec. 12101 et seq. ; 34 CFR 106.44 ; Pol. 103.1, 113.1, 233)

Administrative Leave -

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis.

An accused nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with

state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract. (29 U.S.C. Sec. 794, 42 U.S.C. Sec. 12101 et seq., 34 CFR 106.44, Pol. 317)

Required Reporting Under Other Policies -

In addition to implementing the Title IX sexual harassment procedures, the Title IX Coordinator shall ensure that reported conduct which meets the definition of other laws, regulations or Board policies, is also appropriately addressed in accordance with the applicable laws, regulations or Board policies, including but not limited to, incidents under the Safe Schools Act, reports of educator misconduct, threats, or reports of suspected child abuse. (Pol. 218, 317.1, 806, 824)

Timeframes

Reasonably prompt timeframes shall be established for the conclusion of the grievance process for formal complaints, including timeframes for the informal resolution process and timeframes for filing and resolving appeals.

The established timeframes included in these procedures may be adjusted to allow for a temporary delay or a limited extension of time for good cause. Written notice of the delay or extension and the reason for such action shall be provided to the complainant and the respondent, and documented with the records of the complaint. Good cause may include, but is not limited to, considerations such as:

1. The absence of a party, a party's advisor or a witness.
2. Concurrent law enforcement activity.
3. Need for language assistance or accommodation of disabilities.

Redirection or Dismissal of Title IX Formal Complaints

Formal complaints may be dismissed, if at any time during the investigation or written determination steps described below:

1. A complainant provides written notification of withdrawal of any allegations or of the formal complaint.
2. The respondent is no longer enrolled or employed by the district in a district program or activity.
3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Only alleged conduct that occurred in the district's education program or activity, and against a person in the United States, may qualify as Title IX sexual harassment within the district's jurisdiction. If it is determined during the investigation or written determination steps below that

none of the allegations, if true, would meet the definition and parameters of Title IX sexual harassment within the district's jurisdiction, the Title IX Coordinator shall dismiss the formal complaint under Title IX. If the matter merits review and possible action under the Code of Student Conduct and other Board policies or Attachment 2 addressing Discrimination Complaints, then the Title IX Coordinator shall redirect the report to the appropriate administrator to address the allegations.

Written notification shall be promptly issued to the parties simultaneously of any allegations found not to qualify or that are dismissed in compliance with Title IX. Written notification shall state whether the allegations will continue to be addressed pursuant to the Code of Student Conduct and other Board policies or Attachment 2 addressing Discrimination Complaints.

A dismissal may be appealed via the appeal procedures set forth in this Attachment.

Consolidation of Title IX Formal Complaints

The district may consolidate formal complaints against more than one (1) respondent, or by more than one (1) complainant against one or more respondents, or by one (1) individual against another individual, where the allegations of sexual harassment arise out of the same facts or circumstances.

GRIEVANCE PROCESS FOR FORMAL COMPLAINTS

Step 1 – Formal Complaint

The district is required to initiate the grievance process for formal complaints when a complainant or the complainant's parent/guardian files a formal complaint. The Title IX Coordinator is also authorized to initiate this process despite a complainant's wishes when actions limited to supportive measures are not a sufficient response to alleged behavior, or when a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. Only the Title IX Coordinator is authorized to initiate the formal complaint process despite a complainant's wishes, but the Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

The complainant or the Title IX Coordinator shall use the designated section of the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form to file or sign a formal complaint.

The Title IX Coordinator shall assess whether the investigation should be conducted by the building principal, another district employee, the Title IX Coordinator or an attorney and shall promptly assign the investigation to that individual.

The Title IX Coordinator, investigator, decision-maker, or any individual designated to facilitate the informal resolution process, each must have completed the required training for such roles as designated in Board policy and shall not have a conflict of interest or bias for or against an individual complainant or respondent, or for or against complainants or respondents in general.

The respondent shall be presumed not responsible for the alleged conduct until a written determination regarding responsibility has been made at the conclusion of the grievance process for formal complaints.

Notice Requirements -

Upon receipt of a formal complaint, or when the Title IX Coordinator signs a formal complaint to initiate the grievance process for formal complaints, the Title IX Coordinator shall provide written notice to all known parties, and the parents/guardians of known parties, where applicable, providing the following information:

1. Notice of the district's grievance process for formal complaints and any informal resolution process that may be available.
2. Notice of the allegations potentially constituting Title IX sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include:
 - a. The identity of the parties involved, if known.
 - b. The conduct allegedly constituting sexual harassment.
 - c. The date and location of the alleged incident(s), if known.
3. A statement that a written determination regarding responsibility shall be made at the conclusion of the grievance process for formal complaints and, until that time, the respondent is presumed not responsible for the alleged conduct.
4. Notice that parties may have an advisor of their choice, who may be, but is not required to be, an attorney. The advisor may inspect and review evidence.
5. Notice that Board policy and the district's Code of Student Conduct prohibits knowingly making false statements or knowingly submitting false information to school officials in connection with reports of misconduct or discrimination complaints.
6. Notice to all known parties of any additional allegations that the district decides to investigate during the course of the investigation.

Step 2 – Informal Resolution Process

[Note: The informal resolution process cannot be offered or used to facilitate a resolution for any formal complaint where the allegations state that an employee sexually harassed a student.]

At any time after a formal complaint has been filed, but prior to reaching a determination of responsibility, if the Title IX Coordinator believes the circumstances are appropriate, the Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process, which does not involve a full investigation and adjudication of the Title IX sexual harassment complaint.

The district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal Title IX sexual harassment complaints. Similarly, a district may not require the parties to participate in an informal resolution process.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, mediation, facilitated discussions between the parties, restorative practices, acknowledgment of responsibility by a respondent, apologies, a requirement to engage in specific services, or supportive measures.

When offering an informal resolution process, the Title IX Coordinator shall:

1. Provide the parties a written notice disclosing the following:
 - a. The allegations.
 - b. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process for formal complaints.
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtain the parties' voluntary, written consent to the informal resolution process. As part of the consent process, all parties shall be informed of the rights being waived by agreeing to the informal resolution process, and shall acknowledge such agreement in writing.
3. The informal resolution process shall be conducted within twenty (20) school days of the parties' signed agreement for the informal resolution process.

If the matter is resolved to the satisfaction of the parties, the district employee facilitating the informal resolution process shall document the nature of the complaint and the proposed

resolution of the matter, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. Within ten (10) school days after the complaint is resolved in this manner, the Title IX Coordinator shall contact the complainant to determine if the resolution was effective and to monitor the agreed upon remedies. The Title IX Coordinator shall document the informal resolution process, responses from all parties, and an explanation of why the district's response was not deliberately indifferent to the reported complaint of sexual harassment.

***If Step 2 Informal Resolution Process results in the final resolution of the complaint, the following steps are not applicable.**

Step 3 – Investigation

The designated investigator, if other than the Title IX Coordinator, shall work with the Title IX Coordinator to assess the scope of the investigation, who needs to be interviewed and what records or evidence may be relevant to the investigation. The investigation stage shall be concluded within twenty (20) school days.

When investigating a formal complaint, the investigator shall:

1. Bear the burden of proof and gather evidence and conduct interviews sufficient to reach a written determination. During the process of gathering evidence, unless the district obtains the voluntary, written consent of the party, or the party's parent/guardian when legally required, the district cannot access, consider, disclose or otherwise use a party's records which are protected by legal privilege, such as those records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with providing treatment to the party. (Pol. 113.4, 207, 209, 216, Safe2Say Something Procedures)
2. Objectively evaluate all available evidence, including inculpatory and exculpatory evidence.
3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

However the district may request a nondisclosure agreement be signed by the parties and their advisor(s), if any, stating that they will not disseminate or disclose evidence and documents exchanged in the investigation.

5. Provide the parties with the same opportunities to have others present during any interview or other meeting, including an advisor of the party's choice. The district may establish restrictions, applicable to both parties, regarding the extent to which the advisor may

participate.

6. Provide written notice to any party whose participation is invited or expected during the investigation process with the following information, in sufficient time for the party to prepare to participate:
 - a. Date.
 - b. Time.
 - c. Location.
 - d. Participants.
 - e. Purpose of all investigative interviews or other meetings.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations, including evidence the district does not intend to rely on to reach a determination regarding responsibility and any inculpatory and exculpatory evidence, whether obtained from a party or other source.

If at any point the investigation expands to include additional allegations that were not included in the initial notice provided upon initiation of the grievance process for formal complaints, the investigator shall alert the Title IX Coordinator. The Title IX Coordinator shall provide written notice of the new allegations to the known parties.

Prior to the completion of the investigative report, the investigator shall:

1. Send to each party and the party's advisor, if any, the evidence subject to inspection and review in electronic or hard copy format.
2. Provide the parties at least ten (10) school days following receipt of the evidence to submit a written response.
3. Consider the written response prior to drafting the investigative report.

The investigator shall draft an investigative report that fairly summarizes relevant evidence and shall provide the investigative report to all parties and to the designated decision-maker.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Title IX Coordinator, who shall promptly inform law enforcement authorities about the allegations and make any additional required reports, in accordance with law, regulations and Board policy. (Pol. 218, 317.1, 806)

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The

investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to request for a delay in fulfilling the district's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation and the reason for such delay shall be documented by the investigator.

In the course of an investigation, it is possible that conduct other than, or in addition to, Title IX sexual harassment may be identified as part of the same incident or set of circumstances. The fact that there may be Title IX sexual harassment involved does not preclude the district from addressing other identified violations of the Code of Student Conduct or Board policy. If such other conduct is being investigated and addressed together with Title IX sexual harassment as part of the Title IX grievance process for formal complaints, disciplinary action normally should not be imposed until the completion of the Title IX grievance process for formal complaints. A decision whether and when to take such action should be made in consultation with the school solicitor.

Step 4 – Written Determination and District Action

Designation of Decision-Maker -

To avoid any conflict of interest or bias, the decision-maker cannot be the same person as the Title IX Coordinator or the investigator. The responsibility as the decision-maker for complaints of Title IX sexual harassment shall generally be designated to the building principal.

If the building principal has a conflict of interest or is a party in the formal complaint process, they shall disclose the conflict and the Title IX Coordinator shall designate another individual to serve as the decision-maker.

Written Determination Submissions -

A written determination of responsibility (written determination) must not be finalized less than ten (10) days after the investigator completes the investigative report and provides it to all parties. Before the decision-maker reaches a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that a party wants to be asked of any party or witness, shall provide each party with the answers, and shall allow for additional, limited follow-up questions from each party.

Relevant questions for a party or witness must be submitted by each party within five (5) school days following receipt of the investigative report. Follow-up questions must be submitted by each party within five (5) school days of being provided the answers to the initial questions.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as part of the follow-up questions and responses, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and

evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The decision-maker shall explain to the party proposing the questions about any decision to exclude a question as not relevant.

Written Determination -

The decision-maker must issue a written determination for the conduct alleged in formal complaints. To reach this determination, the decision-maker shall apply the preponderance of the evidence standard, meaning that the party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party or which shows that the fact to be proven is more probable than not.

[Note: Districts may consult with their school solicitor and decide to use the "clear and convincing evidence" standard, as permitted by the federal regulations, in place of the "preponderance of the evidence" standard. However, the legal disadvantages of this should be carefully considered with the school solicitor.] the clear and convincing evidence standard, meaning that the party bearing the burden of proof must show that the truth of the allegations is highly probable.

In considering evidence, the decision-maker shall ensure credibility determinations are not based on an individual's status as a complainant, respondent or witness.

After considering all relevant evidence, the decision-maker shall issue a written determination that includes:

1. Identification of the allegations potentially constituting Title IX sexual harassment.
2. A description of the procedural steps taken from the receipt or signing of the formal complaint through the written determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.
3. Findings of fact supporting the determination.
4. Conclusions regarding the application of the district's Code of Student Conduct or Board policies to the facts.
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. Determination regarding responsibility.
 - b. Disciplinary sanctions.

- c. Remedies designed to restore or preserve equal access to the district's education program or activity that will be provided by the district to the complainant. Such remedies may be punitive or disciplinary and need not avoid burdening the respondent.
6. The procedures, deadline and permissible bases for the complainant and respondent to appeal.

The written determination shall be provided to the parties simultaneously. The determination becomes final either:

1. On the date that the district provides the parties with the written decision of the result of the appeal, if an appeal is filed;
2. Or, if an appeal is not filed, on the date on which an appeal would no longer be considered timely, in accordance with the timeframe established for appeals in this Attachment.

The Title IX Coordinator shall be responsible to ensure that any remedies are implemented by the appropriate district officials and for following up as needed to assess the effectiveness of such remedies. Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws and regulations, including specific requirements and provisions for students with disabilities. (Pol. 113.1, 218, 233, 317, 317.1)

Appeal Process

Districts must offer both parties the right to appeal a determination of responsibility and the right to appeal the district's dismissal of a Title IX formal complaint or any allegation in the Title IX formal complaint. The scope of appeals related to Title IX sexual harassment are limited to the following reasons for appeal as stated in the Title IX regulations:

1. A procedural irregularity that affected the outcome of the matter.
2. New evidence that that could affect the outcome was not reasonably available at the time the decision to dismiss or determination of responsibility was made.
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the individual complainant or respondent or for or against complainants or respondents generally that affected the outcome of the matter.

Written notice of a party's appeal shall be submitted to the Title IX Coordinator within five (5) school days after the date of the written determination. Notice of appeal shall include a brief statement describing the basis for the appeal.

The Title IX Coordinator shall ensure that the designated appeal authority is not the same person as the decision-maker that reached the determination, the investigator, or the Title IX Coordinator. The designated appeal authority shall be the:

Superintendent and/or the District Solicitor or outside counsel.

For all appeals, the designated appeal authority shall:

1. Provide written notice to the other party when notice of an appeal is filed and implement appeal procedures equally for both parties.
2. Provide both parties a reasonable, equal opportunity to submit a written statement in support of or challenging the stated basis for the appeal. Supporting statements shall describe in detail as applicable the procedural irregularities asserted to have affected the outcome of the determination, the nature of any new evidence asserted to have affected the outcome, and the nature of any bias asserted to have affected the outcome, with an explanation of how the outcome was affected by such factors. If evidence exists supporting the basis for appeal, it shall accompany the supporting statement, or it shall identify where such evidence may be found.

Supporting statements must be submitted to the appeal authority and provided to the other party within five (5) school days of the written notice of appeal.

Statements in opposition to the appeal shall be submitted within five (5) school days of the submission of supporting statements. If a statement in opposition to an appeal refers to any evidence beyond what is described in a supporting statement, it shall accompany the statement in opposition, or it shall identify where such evidence may be found.

The appeal authority may accept and consider evidence in support of or in opposition to an appeal in making any conclusions necessary to deciding the appeal. Alternatively, when the appeal authority determines that factors exist making it necessary for the decision-maker to further develop the evidentiary record relevant to the basis for appeal, the appeal authority may return the matter to the decision-maker for that limited purpose.

3. Determine whether the appeal meets the grounds for permitted reasons for appeal and justifies modifying the written determination.
4. Issue a written decision setting forth the respects, if any, in which the written determination is modified and the rationale for the result within ten (10) school days.
5. Provide the written decision simultaneously to both parties. A copy of the written decision shall also be provided to the Title IX Coordinator.

Recordkeeping

The district shall maintain the following records for a of a minimum of seven (7) years after conclusion of procedures and implementation of disciplinary sanctions and/or remedies, or in the case of a complainant or respondent who is a minor, until the expiration of the longest statute of limitations for filing a civil suit applicable to any allegation:

1. Each Title IX sexual harassment investigation, including any written determination and any audio or audiovisual recording or transcript, and disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity.
2. Any appeal and the result.
3. Any informal resolution and the result.
4. All materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process.
5. Records of any district actions, including any supportive measures, taken in response to a report or formal complaint of Title IX sexual harassment. In each instance, the district shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If a district does not provide a complainant with supportive measures, then the district must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.



Montgomery Area School District Flexible Instruction Plan

The Flexible Instructional School Day (FID)

During the time period of the FIDs, direct instruction virtual meetings in all subject areas will occur via Zoom or related software on Monday, Tuesday, Wednesday, Thursday, and Friday during the individual jr./sr. high school students' regularly scheduled class period. Elementary students must follow the Zoom or related software schedule provided by their teachers. Individual/Small group virtual sessions for additional support may occur based on teacher recommendation and availability. Office hours for teachers will occur between the hours of 7:35 am and 3:05 pm Monday - Friday, where students may email questions to their teachers or request a virtual session with a teacher for face-to-face question and answer.

*Zoom or related software invites and all assignments will be posted in Schoology.

*Teachers will have the option of recording instructional sessions and posting these to their Schoology classrooms.

Attendance during Flexible Instructional Days

Student attendance during the FIDs will be determined daily. A student's attendance will be based on accessing all course materials, turning in assignments and/or participation in live sessions. If it is deemed that a student is not actively participating in their schooling during the FIDs, the student's parents will be notified. School administration, the school counselor, teachers and the school social worker will reach out to families to assist in ensuring that work is completed. If the jr./sr. high school student continues non-participation, the student will be placed in mandatory after-school tutoring upon the district's return to the regular school day. Extreme cases of non-compliance with the attendance policy during the time period of FID may also result in unexcused absences. The Children and Youth Liaison will be contacting the parents to set up a meeting. In addition, the student's course grades will also reflect their participation and attendance in their courses.

Frequently Asked Questions

What is a Flexible Instructional Day (FID)? The Pennsylvania Department of Education (PDE) approved the use of Flexible Instructional Days (FID) as an alternate form of instruction in place of a day otherwise cancelled due to inclement weather or another emergency. This is a logical choice given the vast amount of technology available to students of the Montgomery Area School District. The FID(s) will be held on the day(s) of the building closure. On a FID, students will complete learning assignments provided by the teacher at home on the day that otherwise would have been cancelled. Students will receive assignments for each subject that would have originally taken place during a regular school day. Students are expected to attend scheduled Zoom or related software sessions for direct instruction.

How will parents and students find the FID learning activities and assignments? Classroom teachers will provide the learning assignments, activities, and online resources through the Schoology platform (the district's learning management system) or directly to the students via email. Parents and/or students should make teachers aware of a need for a paper copy version of the assignment if WiFi will not be available on the FID. For prolonged periods of closure, paper copies of the assignments will be provided to the student.

What if a student does not have access to a computer and/or internet to access the lesson or complete activities? The teacher will provide the office with paper copies of the learning activities and assignments. The office will ensure that these activities are delivered to the student's home. Students will have the week to complete the required learning activities and assignments.

Will students have assignments and activities for their special classes such as music? Students will be expected to complete lessons for classes that are typically scheduled to include specials in physical education/health, art, music, library, and other elective courses.

What happens if a student does not complete the FID assignments? School students may lose the point value or grade for the assignment. This loss of points could negatively impact a student's marking period grade. Each teacher weighs learning activities and assignments differently. It would be in the best interest of the student to complete the assignments within the designated window. Failure to complete assignments will negatively impact attendance and the student will be assigned to mandatory after-school tutoring until all assignments have been completed. School administration, the school counselor, teachers and the school social worker will reach out to families to assist in ensuring that work is completed.

How much time is my student expected to take to complete the assignments? Teachers will design learning activities and assignments that are equivalent to time spent on a similar activity on a regularly scheduled class period. Students working independently on an assignment will likely take less time to complete the assignment compared to a large group setting. Teachers will make every effort to assign an approximate time to each activity or assignment.

What if there is only one computer in the house but multiple students? Students may need to share resources in the home or other locations. Some students may want to work on offline options while others complete online assignments. School students will be expected to use the district-assigned Chromebook, which should help to alleviate the demand on the home computer. Students have the ability to request an offline version of the learning activities and assignments. This is only available in the absence of WiFi in the home.

May a student access the assignments or complete the online assignments from their smartphone? Teacher assignments can be accessed from a variety of tablets, smartphones, laptops and desktop computers. The assignments may use a variety of websites and applications that may or may not work from a variety of devices.

What will happen with regard to special education services? Students with disabilities will continue to be educated during a school closure the same as their non-disabled peers and as indicated in their Individualized Education Plan (IEP). Students will receive accommodations and modifications in the general education curriculum as outlined in their IEP to the maximum extent possible while participating in flexible instructional opportunities available to all students. Special education teachers will conduct small group Zoom or related software sessions with students having an IEP to support student progress towards IEP goals. Special education teachers will remain in contact with students, families, and general education teachers during the closure.

What will happen with regard to school counseling services? School counseling services will be available during the time period of the FIDs. Parents and students must initiate contact with the school counselors via email. The jr./sr. high school counselor can be reached at discum@montasd.org and the elementary counselor can be reached at tcondit@montasd.org. Individual and small group sessions may occur using telephone or online technologies.

Appendix C



PROCEDURES

APPROVED:

REVISED:

SAFE2SAY SOMETHING PROCEDURES

Note: These procedures are designed as a resource and framework to be reviewed and modified by the school district based on your specific staffing, needs and resources. School Code 1303-D requires that school districts implement procedures to assess and respond to Safe2Say Something Program reports, but it does not specify content of those procedures. Please work with your school safety and security personnel, your school solicitor and the county emergency dispatch and local law enforcement agency(ies) in developing and implementing procedures that meet the needs of your schools, students, staff and community.

Overview

In accordance with law, the district establishes the following procedures for receiving, assessing and responding to reports received from the Safe2Say Something anonymous reporting program of the Pennsylvania Office of the Attorney General. (24 P.S. 1303-D)

These procedures establish a framework within which district administrators and staff will operate and coordinate with the county emergency dispatch center and local law enforcement agencies.

Safe2Say Something reports may be submitted by any individual, including students, parents/guardians, staff and others as a secure and anonymous report about unsafe, potentially harmful, dangerous, violent or criminal activities in a school entity or threat of such activities in a school entity through:

1. A twenty-four (24) hours a day, seven (7) days a week telephone hotline maintained by the Office of the Attorney General's Safe2Say Something Crisis Center;
2. A Safe2Say Something program secure website; or
3. A Safe2Say Something software program application, or "app" accessed through a mobile electronic device.

Reports may be submitted through one of these methods for an identified K-12 school anywhere in the state. Anonymous reports will be triaged by the Safe2Say Something Crisis Center and delivered to the appropriate school entity based on the location of the identified school, and county emergency dispatch center, where applicable, by Crisis Center staff through telephone communication, text and/or email.

Report Categorization

Reports, also known as tips, will be analyzed by the Safe2 Say Something Crisis Center and categorized as either Life Safety or Non-Life Safety based on definitions determined and approved by the Office of the Attorney General.

The following list provides examples of incidents, concerns or threats that may be categorized as Life Safety or Non-Life Safety, and is not an all-inclusive list.

Safe2SaySomething Definitions		
Life Safety - Imminent and In-Progress	Non-Life Safety - Crime or Violence	Non-Life Safety
Active Shooter or presence of explosive device	Alcohol possession or use	Anger issues/management (non-life threatening)
Bodily injury and/or emergency condition	Animal cruelty	Breaks school code of conduct
Child predator	Cannabis/Other drug paraphernalia	Bullying/cyber-bullying/general teasing
Dating violence	Distribution of inappropriate photos	Creating a hostile environment
Disorderly/dangerous conduct	Drunk and/or under influence of other substances	Depression/anxiety (non-life threatening)
Domestic violence/victimization	Forgery/falsifying documents	Discrimination
Drug use, distribution/sale, and/or substance abuse	Graffiti and/or other defacing of property	Drug use NOT in progress
Emergency building condition (fire, collapse, explosion)	Hate crime/speech	Eating Disorder/anorexia/bulimia
Gang violence/formation/threats	Sexting	General harassment of students/staff
Have attempted suicide and are requesting help	Theft	General school complaint
Human Trafficking	Threat/Ideation of performing a false alarm	Inappropriate behavior, language, gestures
Individual is unconscious/unresponsive	Truancy/skipping school	Inappropriate bus behavior
Intend/threaten/ideate to commit suicide	Vandalism	Inappropriate intimidating physical contact
Intend/threaten/ideate to harm another person		Inappropriate use of technology/school equipment
Intend/threaten/ideate to harm building/property		Intention, discussion, and/or planning of any hazing
Missing/lost student, educator, and/or administrator		Mean/cruel towards others
Physical Abuse		Planned parties
Planned attack, shooting, fight/assault		Possession of lighter/matches
Presence of weapons (guns, knives, explosive)		Sexual harassment
Reckless driving on school property		Smoking tobacco, e-cigs, or vapes
Sexual Assault/Rape		Verbal abuse
Terrorism threat and/or ideation		

Chart provided courtesy of the Pennsylvania Office of the Attorney General

The Safe2Say Something Crisis Center will forward reports to a team, established by the district, via telephone communication, text and/or email, depending on the nature and categorization of the report received:

Life Safety Reports – Delivered twenty-four (24) hours a day, seven (7) days a week via telephone call, email and text message to the district's designated Crisis Team. A call is made to one (1) team member at a time through a list designated by the district until someone answers the call and verbally confirms that they will review the report.

Non-Life Safety Reports – Delivered daily via email and/or text message between 6:00 a.m. and 6:00 p.m. to the district's designated Crisis Team.

The district's designated team will respond to Life Safety and Non-Life Safety Reports in accordance with these procedures.

Crisis Team

Notes: The district may designate the name for this team based on its own internal operations and terminology; the phrase "Crisis Team" is used based on terminology from the Safe2Say Something program training, but does not indicate any specific requirements or certifications. Please review and revise the terminology throughout these procedures as necessary, based on the needs of your district, local law enforcement agencies and community. The 3-5 person limit is a best practice of the Safe2Say Something program and may be expanded at the district's discretion. The district should consult with the school solicitor regarding any contractual or collective bargaining agreement implications in assigning team members.

The Superintendent, School Safety and Security Coordinator or designee will establish a Crisis Team of three (3) to five (5) members, who will be designated, registered and trained to receive Safe2Say Something reports for all school buildings in the district.

The Crisis Team will be comprised of (identify 3-5 individuals):

1. School Safety and Security Coordinator.
2. Superintendent.
3. Building principal.
4. Director of Student Services.
5. School Resource Officer.

For purposes of communication, training and administration of district information in the Safe2Say Something program, the Superintendent will be designated as the Crisis Team lead administrator. The lead administrator will be responsible for updating contact information for all school buildings and designated Crisis Team members in the Safe2Say Something program, and determining the priority order of team members to receive calls about Life Safety reports.

Note: This section is optional for school districts who have the capacity and would like to create a team of individuals to assist in assessing and responding to Safe2Say Something reports, but who do not receive and manage the initial reports from the Crisis Center in the Safe2Say Something program.

The Crisis Team may be assigned by the Superintendent or designee to handle other emergency, crisis management and/or threat assessment situations, such as emergency preparedness planning; suicide awareness, prevention and response; terroristic threat assessment; or other situations, based on appropriate physical and/or behavioral health training and in accordance with law, regulations, Board policies and administrative regulations.

The Crisis Team will meet on a regular basis to assess school climate, monitor trends in reporting among specific students or groups of students who may need additional supports, determine the need for additional training of students and/or staff and prepare reports for district administration and/or the Board.

Training

The Crisis Team lead administrator and team members designated to receive reports from the Crisis Center must attend training designated by the Safe2Say Something program. Training must include practicing report handling in the system.

The Crisis Team will ensure that middle school and high school students and other staff members are provided with training in how to make reports and also awareness on risk factors and the importance of reporting. Training may include online and interactive video training.

Confidentiality

Crisis Team members will receive training regarding confidentiality and the handling of student and staff information, in accordance with applicable laws, regulations, Board policies, administrative regulations, and procedures. (20 U.S.C. 1232g; Pol. 113.4, 207, 216, 236, 249, 324, 800, 819)

Confidentiality will be handled in accordance with these procedures and the district's legal and investigative obligations.

Crisis Team members whose other assignments and roles require confidentiality of specific student communications, in accordance with law, will ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Board policy and administrative regulations. (22 PA Code 12.12; 42 Pa. C.S.A. 5945; 42 Pa. C.S.A. 8337; Pol. 207)

Receiving Reports

Upon receipt of a report notification via telephone call, text message and/or email, each Crisis Team member will log in to the Safe2Say Something management program to retrieve the report.

The Crisis Team will communicate with other team members regarding the report through established district processes and communication methods.

The Crisis Team will notify the Safe2Say Something Crisis Center through the Safe2Say Something management program if a report is received identifying a student who is not enrolled in the school district. Information on the student's current enrollment in another school or program will be provided to the Crisis Center, if known by the Crisis Team member responding to the report.

Law Enforcement Coordination

The Crisis Team lead administrator, in coordination with the Superintendent and/or School Safety and Security Coordinator, will schedule and facilitate meetings with the county emergency dispatch center and each local law enforcement agency that has jurisdiction over school property to discuss communication and handling of Life Safety reports from the Safe2Say Something program, and follow-up of Non-Life Safety reports as necessary.

Note: Communication strategies should address how the Safe2Say Something program will be used for communicating and/or sharing information, or if other communication methods will be used based on the needs and resources of the school district, county emergency dispatch center and local law enforcement agency.

The Crisis Team will coordinate with the county emergency dispatch center and local law enforcement agencies on Safe2Say Something reports in accordance with the documented guidelines.

When requested, designated Crisis Team members will provide student directory information, such as full name, address, home phone number, grade level, etc., to the county emergency dispatch center and/or local law enforcement agency with jurisdiction, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. The Crisis Team and/or Superintendent will consult the school solicitor regarding questions on disclosure of student directory information if necessary. (20 U.S.C. 1232g; Pol. 113.4, 216)

The district will ensure that all Crisis Team members designated to receive Safe2Say Something program reports have continual access to the district's electronic student information system

When a local law enforcement agency takes the lead in handling a Life Safety report, the designated Crisis Team member(s) will document this action and coordinate follow-up activities for students and/or staff based on the nature of the report, in accordance with procedures under Response below.

When a report is handled by the district's Crisis Team, and a determination is made to contact the local law enforcement agency to take protective action or report an incident, the district will coordinate with the local law enforcement agency in accordance with documented guidelines, the Memorandum of Understanding, and applicable laws, regulations and Board policies. (24 P.S. 1302.1-A, 1303-A; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

Assessment and Response

Members of the Crisis Team receiving Safe2Say Something reports will identify if the report is a Life Safety or Non-Life Safety report. Crisis Team members will make a determination about whether to anonymously communicate with the reporter, if possible, through the Safe2Say Something management program for additional information based on:

1. The nature of the report and the scope of information provided initially.
2. The recommendation of the county emergency dispatch center and/or local law enforcement agency, when applicable.
3. The training and experience of the Crisis Team member(s).

Reports received initially from the Safe2Say Something Crisis Center will have inappropriate images and attachments blocked, including images that may be considered obscene or pornography; however, Crisis Team members should be aware that images and attachments may be added by the reporter in follow-up responses and communication. If images or other content

that could be considered obscene or pornography are added to the report, Crisis Team members will contact the Superintendent, who will coordinate with the school solicitor and/or local law enforcement agency, in handling such images and attachments that are received, and addressing their disposition in the Safe2Say Something management program. Such images and attachments should not be disseminated or downloaded beyond the reporting system until such coordination occurs and further direction is provided. Under no circumstances should images constituting pornography be downloaded or saved to a school-issued or school-owned electronic device or computer, or printed into a paper or other format.

Pornography includes, but is not limited to:

1. Any visual or audio depiction, including any photograph, digital image, film, video, picture, recording or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct; and
2. Nude pictures or images of the genitalia of any male or female or the breasts of any female, including any photograph, digital image, film, video, picture, or computer or computer-generated image or picture of such.

Obscene includes any material, if:

1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and
3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Coordination With Other School Entities –

The Crisis Team will contact and coordinate with other school entities in assessing and responding to a report if an identified student that is the subject of a report is enrolled in the district and also attends another school, such as a Career and Technical Education program, approved private school placement or intermediate unit program.

Life Safety Reports –

The Crisis Team will coordinate with the county emergency dispatch center and local law enforcement agencies when assessing and responding to Life Safety reports. Coordination may include, but not be limited to:

1. Providing student or staff information for immediate response by law enforcement.
2. Providing required information to the Incident Command Post in an emergency situation. (22 PA Code 10.24)

3. Notification of the school community.
4. Cooperating in joint investigation and response to a report.
5. Providing care, support and/or ongoing monitoring following the resolution of a report.

The Crisis Team, in consultation with the building principal, Superintendent and local law enforcement agency, will determine if the parent(s)/guardians(s) of a student(s) identified in or the subject of a report should be notified concerning a report, based on the nature of the report and the need for ongoing investigation.

Non-Life Safety Reports –

Note: Non-Life Safety reports may be updated to Life Safety status by the Safe2Say Something Crisis Center if additional updates are made by the reporter that indicate the need to revise the status.

The Crisis Team members receiving a report will determine if additional members of the Crisis Team or the entire Crisis Team should meet to assess and respond to a report.

The Crisis Team may reach out to and include other teams and/or staff who are familiar with the student and/or situation in assessing and responding to a report.

The Crisis Team may coordinate with the Superintendent or designee to consult the school solicitor in assessing and responding to a report.

The Crisis Team, in consultation with the building principal and/or Superintendent, will determine if the parent(s)/guardians(s) of a student(s) identified in or the subject of a report should be notified concerning a report, based on the nature of the report and the need for ongoing investigation.

Relation to Board Policies/Administrative Regulations/Procedures –

In assessing and responding to reports, the Crisis Team will make a determination if handling the report should be done under one or more specific Board policies, administrative regulations or district procedures, based on the subject matter of the report. Policies that may address Safe2Say Something report subjects include, but are not limited to:

1. Bullying/Cyberbullying. (Pol. 249)
2. Suicide Awareness, Prevention and Response. (Pol. 819)
3. Child Abuse. (Pol. 806)
4. Student Assistance Program. (Pol. 236)
5. Student Discipline. (Pol. 218)
6. Weapons. (Pol. 218.1)
7. Terroristic Threats. (Pol. 218.2)

8. Controlled Substances/Paraphernalia. (Pol. 227)
9. Tobacco/Nicotine. (Pol. 222, 323, 904)
10. Searches. (Pol. 226)
11. Hazing. (Pol. 247)
12. Nondiscrimination/Discriminatory Harassment. (Pol. 103, 104)
13. Dating Violence. (Pol. 252)
14. Emergency Preparedness. (Pol. 805)
15. Employee Conduct/Disciplinary Procedures and/or Educator Misconduct. (Pol. 317, 317.1)
16. Maintaining Professional Adult Student Boundaries. (Pol. 824)

Assessment –

In assessing Safe2Say Something reports, the Crisis Team will follow a standard practice, which may include, but not be limited to:

1. Interviewing students, staff, parents/guardians or others regarding the subject(s) of the report.
2. Reviewing existing academic, disciplinary and/or personnel records and assignments, as appropriate, regarding the subject(s) of the report.
3. Conducting searches of lockers, storage spaces, and other possessions on school property as applicable, in accordance with applicable law, regulations and Board policy. (Pol. 226)
4. Examining outside resources such as social media sites or coordinating with community agencies that may provide additional information about the subject(s) of the report, in accordance with law, regulations and Board policies.
5. Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Child Study team, Student Assistance Program team, or others. (Pol. 103.1, 113, 113.1, 113.2, 113.3, 236)
6. Adding notes or attachments to the report in the Safe2Say Something management program for communication and coordination among the members of the Crisis Team, in accordance with the Family Educational Rights and Privacy Act, and other applicable law, regulations and Board policies. (20 U.S.C. 1232g; Pol. 113.4, 216)

The Crisis Team will conduct interviews and investigations in accordance with applicable laws, regulations, Board policies and administrative regulations, and will respect the rights and confidentiality of students, staff, parents/guardians and others in assessing and responding to Safe2Say Something reports. (Pol. 103, 104)

Threat Assessment Considerations –

Note: Please review and discuss with school administration, school solicitor and local law enforcement agencies to determine whether this language will be included in your district's procedures, removed, or replaced with other language or references regarding threat assessment.

The Crisis Team will consider the following threat assessment themes from the United States Secret Service and coordinate with the appropriate law enforcement agency in assessing a report of potential violence by an individual:

1. The individual's motives and goals.
2. Concerning, unusual or threatening communications.
3. Inappropriate interest in weapons, school shootings, mass attacks or other types of violence.
4. Access to weapons.
5. Stressful events, such as setbacks, challenges or losses.
6. Impact of emotional, developmental and/or behavioral health issues.
7. Evidence of desperation, hopelessness or suicidal thoughts and gestures.
8. Whether the individual views violence as an option to solve problems.
9. Whether others have expressed concern about the individual's statements or behaviors.
10. Capacity to carry out an attack.
11. Evidence of planning for an attack.
12. Consistency between the individual's statements and actions.
13. Protective factors such as positive or prosocial influences and events.

Response –

Following assessment and coordination with other teams and individuals as necessary, the Crisis Team will recommend and/or implement one or more responses to address the Safe2Say Something report. The timeline for assessment and response, as well as the number and nature of responses, will vary based on the nature and complexity of the report. Responses may include but not be limited to:

1. Counseling – this may include counseling within or outside of the school. (Pol. 112, 146)

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2. Monitoring – monitoring may be done by the Crisis Team, a Child Study team, IEP team, or other appropriate team of individuals within the district.
3. Parental notification, as appropriate.
4. Review of appropriate plan or support – this may include a review of a student’s IEP, Section 504 Service Agreement, Behavior Support Plan, Student Assistance Program, Employee Assistance Program, or other type of plan or system of support. (Pol. 103.1, 113, 113.2, 146, 236)
5. Immediate intervention – this may include an immediate assessment or action through student services, Student Assistance Program, a crisis response team, local law enforcement and/or a community agency.
6. Outside referral – this may include an outside referral to a behavioral health resource, medical provider, community agency, or other outside or contracted service or provider. (Pol. 146, 236)

The district will ensure that memoranda of understanding are developed with outside resources, centers and agencies with whom the district develops cooperative agreements for student or staff referrals.

7. Investigation/School discipline – this may include investigation and/or discipline under a specific Board policy as noted above, such as an investigation of bullying/cyberbullying or hazing, or discipline, up to and including suspension and expulsion, in accordance with law, regulations, Board policy and administrative regulations. (Pol. 218, 233, 247, 249, 317, 317.1)
8. Reporting/Law enforcement action – this may include a referral to local law enforcement in accordance with the Memorandum of Understanding, reporting in accordance with Safe Schools incident reporting, or other types of required reporting to state or federal agencies. (Pol. 103.1, 113.1, 113.2, 218, 218.1, 218.2, 222, 227, 317.1, 323, 351, 805.1, 806, 904)

Interplay with Child Protective Services Law –

The Crisis Team will respond to Safe2Say Something reports involving suspected child abuse in accordance with Board policy and the Child Protective Services Law, and will follow the requirements for making a mandated report, even if the county emergency dispatch center or law enforcement agency has also received the Safe2Say Something report. When a report of suspected child abuse is made by a school employee as a member of the Crisis Team, the district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, is not required to make an additional report. (23 Pa. C.S.A. 6305, 6311, 6313; Pol. 806)

Safe Schools Incident Reporting –

For Safe Schools reporting purposes, the term **incident** will mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and

Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act. (24 P.S. 1303-A; 22 PA Code 10.2; 35 P.S. 780-102)

In accordance with Safe Schools reporting requirements, the Superintendent or designee will immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies. (24 P.S. 1302.1-A, 1303-A; 22 PA Code 10.2, 10.21, 10.22; Pol. 113.1, 218, 805.1)

The Superintendent or designee will notify the parent/guardian of any student directly involved in an incident on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Superintendent or designee will inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian. (22 PA Code 10.2, 10.25; Pol. 805.1)

Students With Disabilities –

When reporting an incident committed by a student with a disability to a law enforcement agency, the district will provide the information required by state and federal laws and regulations and will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district will transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act. (20 U.S.C. 1232g, 1415; Pol. 113.1, 113.4, 216)

For purposes of protection and continuity in handling students with disabilities, the district will provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies will be provided each time the administrative regulations and procedures for behavior support are revised by the district. (22 PA Code 10.23, 14.104; Pol. 113, 113.2, 805.1)

The district will invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program. (22 PA Code 10.23, 14.104, 14.133; Pol. 113, 113.2, 805.1)

Closure and Documentation

Crisis Team members designated to receive Safe2Say Something reports will coordinate and ensure that all reports are officially closed in the Safe2Say Something management program.

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The Crisis Team will coordinate with the county emergency dispatch center and local law enforcement agencies in documenting responses to reports and/or handling student information and records, in accordance with these procedures, the Memorandum of Understanding with local law enforcement, and applicable laws and regulations.

The Superintendent or designee will direct the Crisis Team to submit a report annually to the administration on aggregate data of Safe2Say Something program reports and responses.

Report and response data from the Safe2Say Something program will be included in the annual Board report from the School Safety and Security Coordinator.

The Superintendent or designee will develop reports, databases and/or files for documenting and storing information regarding Safe2Say Something reports, assessments, resolutions and follow-up responses.

Documentation from Safe2Say Something reports that includes specific student information will be handled by the district in accordance with applicable laws, regulations, Board policies, administrative regulations, and procedures. (20 U.S.C. 1232g; Pol. 113.4, 207, 216, 236, 249, 800, 819)

Student Assistance Program documentation and follow-up information will be handled in accordance with Board policy, administrative regulations and program requirements. (Pol. 236)

Resources

Safe2Say Something Program Frequently Asked Questions:

https://www.psba.org/wp-content/uploads/2018/12/S2SS_FAQs_102518_-JN.pdf

Enhancing School Safety Using a Threat Assessment Model – An Operational Guide for Preventing Targeted School Violence: National Threat Assessment Center, U.S. Department of Homeland Security and United States Secret Service, July 2018:

<https://www.dhs.gov/publication/enhancing-school-safety-using-threat-assessment-model>

**Pennsylvania Office of the Attorney General
Safe2Say Something Program Diagram**

