

Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in School and Classroom Practices
Number	103 Vol IV 2017
Status	From PSBA
Legal	<p><a href="#">1. 22 PA Code 12.1</a></p> <p><a href="#">2. 22 PA Code 12.4</a></p> <p><a href="#">3. 22 PA Code 15.1 et seq</a></p> <p><a href="#">4. 22 PA Code 4.4</a></p> <p><a href="#">5. 24 P.S. 1301-A</a></p> <p><a href="#">6. 24 P.S. 1310</a></p> <p><a href="#">7. 24 P.S. 1601-C et seq</a></p> <p><a href="#">8. 24 P.S. 5004</a></p> <p><a href="#">9. 20 U.S.C. 1681 et seq</a></p> <p><a href="#">10. 29 U.S.C. 794</a></p> <p><a href="#">11. 42 U.S.C. 12101 et seq</a></p> <p><a href="#">12. 42 U.S.C. 1981 et seq</a></p> <p><a href="#">13. 42 U.S.C. 2000d et seq</a></p> <p><a href="#">14. 43 P.S. 951 et seq</a></p> <p>15. Pol. 103.1</p> <p>16. Pol. 218</p> <p>17. Pol. 247</p> <p>18. Pol. 249</p> <p><a href="#">19. U.S. Const. Amend. XIV, Equal Protection Clause</a></p> <p><a href="#">20. 29 CFR 1604.11</a></p> <p><a href="#">21. 29 CFR 1606.8</a></p> <p>22. Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)</p> <p>23. Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)</p> <p><a href="#">24. Office for Civil Rights – Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties (January 2001)</a></p> <p><a href="#">25. Office for Civil Rights - Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability (Oct. 26, 2010)</a></p> <p>26. Pol. 806</p> <p><a href="#">27. 18 Pa. C.S.A. 2709</a></p> <p>28. Pol. 815</p> <p><a href="#">28 CFR Part 35</a></p> <p><a href="#">28 CFR Part 41</a></p> <p><a href="#">34 CFR Part 100</a></p> <p><a href="#">34 CFR Part 104</a></p> <p><a href="#">34 CFR Part 106</a></p> <p><a href="#">34 CFR Part 110</a></p> <p>Pol. 122</p> <p>Pol. 123</p> <p>Pol. 701</p>

### **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 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.**[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

**The district strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the district and is prohibited on**

**school grounds, at school-sponsored activities and on any conveyance providing transportation to or from a school entity or school-sponsored activity.**

The district shall provide to all students, without discrimination, course offerings, counseling, assistance, **services**, employment, athletics and extracurricular activities. The district shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

The Board encourages students and third parties who **believe they or others** have been subject to discrimination to promptly report such incidents to designated employees, **even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.**

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

### **Confidentiality**

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

### **Retaliation**

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

### **Definitions**

#### **Discriminatory Harassment**

Harassment by students, employees or third parties on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, handicap/disability or for participation in reports or investigations of alleged discrimination is a form of discrimination and is subject to this policy. A person who is not necessarily an intended victim or target of such harassment but is adversely affected by the offensive conduct may file a report of discrimination on his/her own behalf.[20][21][22][23][24][25]

For purposes of this policy, harassment shall consist 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 and which relates to an individual's or group's race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability 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.

#### **Sexual Harassment**

Sexual harassment is a form of discrimination on the basis of sex and is subject to this policy. For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's status in any educational or other programs offered by a school; or
2. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting a student; or
3. Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or
4. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant's access to or participation in school or school-related programs.

Federal law declares sexual violence a form of sexual harassment. Sexual violence means physical or sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Sexual violence includes but is not limited to rape, sexual assault, sexual battery and sexual coercion.

## 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

~~( ) Human Resources Director~~

Other Business Manager or designee

as the district's Compliance Officer. **All nondiscrimination notices or information shall include the position, office address, telephone number and email address of the Compliance Officer.**

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public **to notify them of where and how to initiate complaints under this policy.**

The Compliance Officer is responsible **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:**

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to prevent, identify and alleviate problems of discrimination.
3. **Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school 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.**
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 - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas.
6. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. **Complaints - Monitor and provide technical assistance to building principals or designee in processing complaints.**

The building principal or designee shall be responsible to **promptly** complete the following duties upon receipt of a report of discrimination or retaliation from a student, employee or third party:

1. **If the building principal is the subject of the complaint, refer the student to the Compliance Officer to carry out these responsibilities.**
2. Inform the student or third party **about this policy including the right to an investigation of both oral and written complaints of discrimination.**
3. **Obtain consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under age eighteen (18). Inform parents/guardians and students who are complainants or accused of violating this policy that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.**
4. **Provide relevant information on resources available in addition to the school 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.**
5. **Immediately notify the Compliance Officer of the complaint. 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.**
6. **After consideration of the allegations and in consultation with the Compliance Officer and other appropriate individuals, promptly implement interim measures as appropriate to protect the complainant and others as necessary from violation of this policy during the course of the investigation.**

## Guidelines

### Complaint Procedure – Student/Third Party

#### **Step 1 – Reporting**

A student or third party who believes s/he has been subject to conduct **by any student, employee or third party** that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal. **Any 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.**[26]

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

## **Step 2 – Investigation**

**Where an attorney is not used to conduct an investigation into a discrimination complaint, only individuals who have received basic training on the applicable law, this policy and how to conduct a proper investigation shall be authorized to conduct an investigation of a complaint made pursuant to this policy.**

**The investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.**

**The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.**

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

**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.** [26][27][28]

**The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the incident is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short 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.**

## **Step 3 – Investigative Report**

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

**The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discriminatory harassment or sexual harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this 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 accused shall be informed of the outcome of the investigation, including the recommended disposition within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.**

## **Step 4 – District Action**

**If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that**

no retaliation occurs. The district shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. **The 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 this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.**

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and <sup>delete</sup>~~administrative~~ regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.

#### Appeal Procedure

1. If the complainant **or the accused** is not satisfied with a finding **made pursuant to** the policy or with recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days. **If the Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.**
2. 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.**
3. The **person handling the appeal** shall prepare a written response to the appeal within **twenty (20)** days. Copies of the response shall be provided to the complainant, the accused and the **investigator** who conducted the initial investigation.

**PSBA Revision 9/17 © 2017 PSBA**

103-Attach.doc (28 KB)

Last Modified by Michele Bloch on October 3, 2017

Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination - Qualified Students With Disabilities
Number	103.1 Vol IV 2017
Status	From 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. 28 CFR Part 35
  6. 28 CFR Part 36
  7. 29 U.S.C. 794
  8. 34 CFR Part 104
  9. 42 U.S.C. 12101 et seq
  10. Pol. 103
  11. 22 PA Code 15.2
  12. 42 U.S.C. 12102
  13. 22 PA Code 15.7
  14. 34 CFR 104.7
  15. 22 PA Code 15.4
  16. 34 CFR 104.32
  17. Pol. 113
  18. 22 PA Code 15.5
  19. 22 PA Code 15.6
  20. 34 CFR 104.35
  21. 22 PA Code 15.3
  22. 34 CFR 104.34
  23. 34 CFR 104.37
  24. Pol. 112
  25. Pol. 122
  26. Pol. 123
  27. Pol. 810
  28. 22 PA Code 15.8
  29. 22 PA Code 15.9
  30. Pol. 216
  31. Pol. 218
  32. Pol. 233
  33. 22 PA Code 10.2
  34. 24 P.S. 1303-A
  35. 35 P.S. 780-102
  36. 22 PA Code 10.21
  37. 22 PA Code 10.22
  38. 22 PA Code 10.23
  39. 22 PA Code 10.25
  40. 24 P.S. 1302.1-A
  41. Pol. 113.2
  42. Pol. 218.1
  43. Pol. 218.2
  44. Pol. 222
  45. Pol. 227
  46. Pol. 805.1
  47. 22 PA Code 15.1
  48. 34 CFR 104.36
  49. 22 PA Code 14.162
  50. Pol. 806
  51. 18 Pa. C.S.A. 2709
  52. Pol. 815
- 20 U.S.C. 1232g → 20 U.S.C. 1232g and 34 CFR Part 99

## **Authority**

The Board declares it to be the policy of this district to ensure that all district programs and practices are free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.[1][2][3][4][5][6][7][8][9][10]

The district shall provide to each qualified student with a disability enrolled in the district, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.

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

The district shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.

## **Definitions**

**Qualified student with a disability** - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities.[11][12]

**Section 504 Team** - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians.[3][8]

**Section 504 Service Agreement (Service Agreement)** - an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities.[13]

**Disability harassment** - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the school's educational programs, nonacademic services, or extracurricular activities.[10]

## **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the

~~( ) Superintendent~~

~~( ) Assistant Superintendent~~

Other Director of Special Education

as the district's Section 504 Coordinator.[14]

In addition, each school within the district shall have a Section 504 building administrator.

The district shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the district's website, if available, and in the student handbook. The district shall notify parents/guardians of students residing in the district of the district's responsibilities under applicable law and regulations, and that the district does not discriminate against qualified individuals with disabilities.[15][16]

## **Guidelines**

### **Identification and Evaluation**

The district shall conduct an annual child find campaign to locate and identify every district student with a disability thought to be eligible for Section 504 services and protections. The district may combine this search with the district's IDEA child find efforts, in order to not duplicate efforts.[16][17]

If a parent/guardian or the district has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the district shall provide the other party with written notice.[18][19][20]



The district shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.[20]

The district shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[20]

The district shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured).

#### Service Agreement

If a student is determined to be a qualified student with a disability, the district shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.[13]

The district shall not implement a Service Agreement until the written agreement is executed by a representative of the district and a parent/guardian.[13]

The district shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[18]

#### Educational Programs/Nonacademic Services/Extracurricular Activities

The district shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the district determines that educating the student in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home.[21][22]

The district shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities. [21][22][23][24][25][26][27]

#### Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.[13][19][20][28]

#### Confidentiality of Student Records

All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations, and Board policy.[29][30]

#### Discipline

When necessary, the district shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.[31][32]

#### Referral to Law Enforcement and Reporting Requirements

For reporting purposes, 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.[33][34][35]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.[11][13][21][29][31][33][36][37][38][39][40][41][42][43][44][45][46]

In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or designee shall use the

same criteria used for students who do not have a disability.[10][37][46][47]

For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.  
[13][38]

In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by qualified students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.[34][46]

## PROCEDURAL SAFEGUARDS

The district shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student's parent/guardian, and a review procedure.  
[28][48]

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.[19]

### Parental Request for Assistance

Parents/Guardians may file a written request for assistance with the Pennsylvania Department of Education (PDE) if one (1) or both of the following apply:[28]

1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.
2. The district has failed to comply with the procedures and state regulations.

PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and district a written response to the request. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.[28]

### Informal Conference

At any time, parents/guardians may file a written request with the district for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services or accommodations. Within ten (10) school days of receipt of the request, the district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[28]

### Formal Due Process Hearing

If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[28][49]

### Judicial Appeals

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[28]

## COMPLAINT PROCEDURE

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[10]

### Step 1 – Reporting

A student or parent/guardian who believes s/he has been subject to conduct **by any student, employee or third party** that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator. **Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.**

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 Section 504 building administrator, **as well as properly making any mandatory police or child protective services reports required by law.**[50]

If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district's Section 504 Coordinator.

The complainant or reporting employee **may be encouraged to use the district's report form, available from the Section 504 building administrator or Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the verbal or written**

**complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.**

#### Step 2 – Investigation

**Where an attorney is not used to conduct an investigation into a discrimination complaint, only individuals who have received basic training on the applicable law, this policy and how to conduct a proper investigation shall be authorized to conduct an investigation of a complaint made pursuant to this policy.**

**The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.**

**The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.**

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

**If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Section 504 Coordinator, who shall promptly inform law enforcement authorities about the allegations.**[10][50][51][52]

**The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the incident is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short 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.**

#### Step 3 – Investigative Report

**The investigator shall prepare and submit a written report to the Section 504 Coordinator within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation and the availability of witnesses requires the investigator and the Section 504 Coordinator to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.**

**The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this 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 accused shall be informed of the outcome of the investigation, including the recommended disposition, within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.**

#### Step 4 – District Action

**If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.**

**If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.**

**Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district**

procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant **or the accused** is not satisfied with a finding **made pursuant to** the policy or with recommended corrective action, s/he may submit a written appeal to the district's Section 504 Coordinator within fifteen (15) days.
2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable **supplemental investigation to assess the sufficiency and propriety of the prior investigation.**
3. The Section 504 Coordinator shall prepare a written response to the appeal within **twenty (20) days**. Copies of the response shall be provided to the complainant, the accused and the **investigator** who conducted the initial investigation.

**PSBA Revision 9/17 © 2017 PSBA**

[103\\_1-Attach 1.doc \(28 KB\)](#)

[103\\_1-Attach 2.doc \(34 KB\)](#)

[103\\_1-Attach 3.doc \(28 KB\)](#)

[103\\_1-Attach 4.doc \(55 KB\)](#)

Last Modified by Michele Bloch on October 3, 2017

Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in Employment Practices
Number	104 Vol IV 2017
Status	From PSBA
Legal	<u>1. 20 U.S.C. 1681 et seq</u> <u>2. 29 U.S.C. 206</u> <u>3. 29 U.S.C. 621 et seq</u> <u>4. 29 U.S.C. 794</u> <u>5. 42 U.S.C. 12101 et seq</u> <u>6. 42 U.S.C. 1981 et seq</u> <u>7. 42 U.S.C. 2000e et seq</u> <u>8. 42 U.S.C. 2000ff et seq</u> <u>9. 43 P.S. 336.3</u> <u>10. 43 P.S. 951 et seq</u> <u>11. U.S. Const. Amend. XIV, Equal Protection Clause</u> 12. Pol. 317 13. Pol. 806 14. Pol. 824 <u>15. 29 CFR 1604.11</u> <u>16. 29 CFR 1606.8</u> <u>17. EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993</u> <u>18. EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999</u> <u>19. EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990</u> <u>16 PA Code 44.1 et seq</u> <u>28 CFR 35.140</u> <u>28 CFR Part 41</u> <u>29 CFR Parts 1600-1691</u>

### **Authority**

The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, **marital status**, genetic information, **pregnancy** or handicap/disability. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations. [1][2][3][4][5][6][7][8][9][10][11][12][13][14]

The Board encourages employees and third parties who **believe they or others** have been subject to discrimination to promptly report such incidents to designated employees.

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

### **Confidentiality**

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

### **Retaliation**

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

### **Definitions**

#### **Discriminatory Harassment**

Harassment by students, employees or third parties on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability is a form of discrimination and is subject to this policy. A person who is not necessarily an intended victim or target of such harassment but is adversely affected by the offensive conduct may file a report of discrimination on his/her own behalf. [8][15][16][17][18][19]

For purposes of this policy, harassment shall consist 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 work performance and which relates to an individual's or group's race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability 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 work 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.

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

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or
2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

#### 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

~~( ) Human Resources Director~~

Other Business Manager or designee

as the district's Compliance Officer. All nondiscrimination notices or information shall include the position, office address, telephone number and email address of the Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public to notify them of where and how to initiate complaints under this policy.

#### Guidelines

##### Complaint Procedure – Employee/Third Party

##### **Step 1 – Reporting**

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

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

##### **Step 2 – Investigation**

Where an attorney is not used to conduct an investigation into a discrimination complaint, only individuals who have received basic training on the applicable law, this policy and how to conduct a discrimination investigation shall be authorized to conduct an investigation of a complaint made pursuant to this policy.

The investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place outside of school or school-sponsored activities, 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 accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person reporting the alleged discrimination, 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 short 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.

### Step 3 – Investigative Report

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

The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and any other violation of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discriminatory harassment or sexual harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this 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 accused shall be informed of the outcome of the investigation, including the recommended disposition within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.

### Step 4 – District Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The 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 law or Board policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

Disciplinary actions shall be consistent with Board policies and ~~administrative~~<sup>delete</sup> regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.

### Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days. If the Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.
2. 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.**

- 3. The person handling the appeal** shall prepare a written response to the appeal within **twenty (20) days**. Copies of the response shall be provided to the complainant, the accused **and the investigator** who conducted the initial investigation.

**PSBA Revision 9/17 © 2017 PSBA**

104-Attach.doc (28 KB)

Last Modified by Michele Bloch on October 3, 2017



Book	Policy Manual
Section	100 Programs
Title	Title I - Comparability of Services
Number	150 Vol IV 2017
Status	From PSBA
Legal	<u>1. 20 U.S.C. 6321</u> 2. Pol. 138 3. Pol. 103.1 4. Pol. 113 5. Pol. 114 6. Pol. 906

**Purpose**

The equivalent distribution of district resources is one means the district shall use to ensure all students receive a quality education. This policy demonstrates the district’s commitment to ensure that no discrimination occurs in the distribution of resources funded by state and local sources, regardless of the receipt of federal funds.

**Authority**

The Board directs that each district school receiving Title I funds must use state and local funds to provide services that, taken as a whole, are at least comparable to services in those schools in the district that do not receive Title I funds.[1]

If all schools in the district receive Title I funds, the Board directs that state and local funds shall be used to provide services that, taken as a whole, are substantially comparable in each school.[1]

The Board acknowledges that comparability may be measured on a grade-span by grade-span basis or a school-by-school basis.

**Definition**

For purposes of this policy, **grade span** is defined as a similar two-grade span difference or less. For example, a grade span of K-2 to K-4, not a grade span of K-2 to K-5.

**Delegation of Responsibility**

If the district has more than one (1) building per grade span, the

- { } Superintendent
- {} Federal Programs Coordinator
- { } Business Manager

shall complete a Detailed School Data Sheet.

Regardless of buildings per grade span, the

- {} Superintendent
- {} Federal Programs Coordinator
- { } Business Manager

shall annually complete a Comparability Assurance Form to provide written assurance of equivalence among schools, including the provision of curriculum materials; instructional supplies; and teachers, administrators and other staff.

**Guidelines**

For the purposes of determining comparability, the district may exclude:

1. State and local funds expended for language instruction education programs.[2]
2. Excess costs associated with providing services to students with disabilities.[3][4][5]
3. Unexpected changes in enrollment or personnel assignments occurring after the beginning of the school year.
4. Other expenditures from supplemental state or local funds consistent with the intent of Title I.

Complaints by individuals and organizations regarding implementation of equivalence between schools shall be processed in accordance with Board policy.[6]

**PSBA New 9/17 © 2017 PSBA**

Last Modified by Michele Bloch on October 3, 2017

Book	Policy Manual
Section	800 Operations
Title	Suicide Awareness, Prevention and Response
Number	819 Vol IV 2017
Status	From PSBA
Legal	<u>1. 24 P.S. 1526</u> 2. Pol. 103 3. Pol. 103.1 4. Pol. 249 5. Pol. 806 6. Pol. 333 <u>7. 22 PA Code 12.12</u> 8. Pol. 207 9. Pol. 216 10. Pol. 236 11. Pol. 113 12. Pol. 113.2 13. Pol. 113.3 14. Pol. 114 15. Pol. 117 16. Pol. 204 Pol. 146 Pol. 805 Pol. 911

**Purpose**

The Board is committed to protecting the health, safety and welfare of its students and the school community. This policy supports **the provision of a comprehensive district program designed to promote behavioral health and prevent suicide.**[1][2][3][4][5]

**Authority**

**The Board directs the district to provide education on youth suicide awareness and prevention; to establish methods of prevention, intervention, and response to suicide attempt or suicide death; and to promote access to suicide awareness and prevention resources.**[1][2][3][4][5]

**The district shall notify employees, students and parents/guardians of this policy and shall post the policy on the district’s website.**[1]

**Definition**

**Behavioral health – the promotion of emotional health; the prevention of mental illnesses and substance use disorders; and treatment and services for substance abuse, addiction, substance use disorders, mental illnesses and/or mental disorders.**

**Guidelines**

The district shall utilize a multifaceted approach to suicide prevention which integrates school and community-based supports.

**SUICIDE AWARENESS AND PREVENTION EDUCATION [1]**

**Protocols for Administration of Student Education**

Students shall receive age-appropriate education on the importance of safe and healthy choices, coping strategies, how to recognize risk factors and warning signs, as well as help-seeking strategies for self or others including how to engage school resources.

Lessons shall:

1. Contain information on comprehensive health and wellness, including emotional, behavioral and social skills development.

- ~~2. { } Inform students about broader behavioral health issues such as depression and substance abuse, as well as specific risk factors, protective factors and warning signs for suicide.~~
- ~~3. { } Encourage students to seek help for themselves or their peers, including when concerns arise via social media or other online forum, and to avoid making promises of confidence when they are concerned about the safety of a peer.~~
- ~~4. { } Adhere to safe and effective messaging guidelines, avoid graphic testimonials, and include reputable suicide prevention resources.~~
- ~~5. { } Promote a healthy school climate where students feel connected to and can identify trusted adults in the building.~~
- ~~6. { } Be conducted in the classroom, not as a large group assembly.~~

#### Protocols for Administration of Employee Education

All district employees, including but not limited to **administrators, teachers, paraprofessionals**, secretaries, coaches, bus drivers, custodians and cafeteria workers, shall receive information **about** risk factors, warning signs, response procedures, referrals, and resources regarding youth suicide **awareness and prevention**.

As part of the district's professional development plan, professional educators in school buildings serving students in grades six (6) through twelve (12) shall participate in a **minimum of four (4) hours** of youth suicide awareness and prevention training every five (5) years.[1][6]

~~{ } The district's professional development plan also includes similar training for professional educators in grades K-5 delete~~

Additional professional development in **suicide risk screening and/or** assessment and crisis intervention shall be provided to **specialized staff and school behavioral health professionals such as school crisis response/intervention team members, designated administrators, school counselors, school psychologists, school social workers and school nurses**.

#### Resources for Parents/Guardians

The district may provide parents/guardians with resources including, but not limited to, health promotion and suicide risk, including characteristics and warning signs; and information about local **behavioral health resources**.

#### **METHODS OF PREVENTION [1]**

The methods of prevention utilized by the district include, but are not limited to, early identification and support for students at risk; education for students, staff and parents/guardians; and delegation of responsibility for planning and coordination of suicide prevention efforts.

**In support of the district's suicide prevention mission, information received in confidence from a student may be revealed to the student's parents/guardians, the building principal or other appropriate authority when the health, welfare or safety of the student or any other person is clearly in jeopardy.[7][8][9][10]**

#### Suicide Prevention Coordinators

##### *District-Wide -*

A district-wide suicide prevention coordinator shall be designated by the Superintendent. This may be an existing district employee. The district suicide prevention coordinator shall be responsible for planning and coordinating implementation of this policy.

##### *Building Level -*

Each building principal shall designate a school suicide prevention coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. This may be an existing district employee.

#### Early Identification Procedures

Early identification of individuals with **suicide** risk factors or warning signs is crucial to the district's suicide prevention efforts. To promote awareness, district employees, students and parents/guardians should be educated about **suicide** risk factors and warning signs.

**Suicide risk factors** refer to personal or environmental characteristics that are associated with suicide.

**Warning signs** are **evidence-based indicators** that someone may be in danger of suicide, either immediately or in the near future.

#### Referral Procedures

Any district employee who **observes a student exhibiting a warning sign for suicide** or has **another** indication that a student may be contemplating suicide, shall refer the student for **suicide risk screening and/or** assessment and intervention in

accordance with district procedures.

In the absence of a warning sign for suicide, students demonstrating suicide risk factors that appear to be adversely impacting the student should be referred to the

~~X~~ school counselor

~~( ) district behavioral health professional~~ delete

~~( ) Student Assistance Program~~ delete

~~X~~ Social Worker

for support and follow-up.

#### Documentation

The district shall document the reasons for referral, including specific warning signs and **suicide** risk factors identified as indications that the student may be at risk.

### **METHODS OF INTERVENTION [1]**

The methods of intervention utilized by the district include, but are not limited to, responding to suicide threats, suicide attempts in school, suicide attempts outside of school, and suicide **death**. Suicide intervention procedures shall address the development of a safety plan for students identified as being at increased risk of suicide.

#### Procedures for Students at Risk

A district-approved **suicide risk screening or assessment tool** may be used by trained **behavioral** health staff such as counselors, psychologists and social workers.

Parents/Guardians of a student identified as being at risk of suicide shall be notified by the school **and informed of crisis and community resources**. If the school suspects that the student's risk status is the result of abuse or neglect, school staff shall immediately notify Children and Youth Services.[5]

The district shall identify **behavioral** health service providers to whom students can be referred for further **suicide risk screening and/or** assessment and assistance.

**Behavioral health service providers** – may include, but not be limited to, hospital emergency departments, psychiatric hospitals, community **behavioral** health centers, psychiatrists, psychologists, social workers and primary care providers.

**If the student is identified as being at increased risk of suicide**, the district shall create a **new, or update a previous, safety plan** to support the student and the student's family. **The safety plan should be developed collaboratively with input from the student and reviewed with the student's family.**

#### Students With Disabilities

For students with disabilities who are identified as being at risk for suicide or who attempt suicide, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.[3][11][12][13][14]

If a student is identified as being at risk for suicide or attempts suicide and the student may require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy.[3][11][12][13][14]

#### Documentation

The district shall document observations, recommendations and actions conducted throughout the course of intervention, **suicide risk screening and/or assessment and follow-up**, including verbal and written communications with students, parents/guardians and **behavioral** health service providers.

The Superintendent or designee shall develop administrative regulations providing recommended guidelines for responding to a suicide threat.

### **METHODS OF RESPONSE TO SUICIDE ATTEMPT OR SUICIDE DEATH [1]**

The district shall maintain a **trained school crisis response/crisis intervention team**. **Team members shall include, but not be limited to, designated administrators, school counselors, school nurse, school psychologist, social worker, School Resource Officers, members of the Student Assistance Program Team, and others as designated by the district such as community behavioral health agency resources.**

#### **Response to Suicide Attempt**

**Methods** of response to a suicide attempt utilized by the district include, but are not limited to:

1. Determining the roles and responsibilities of each crisis response team member.

2. Notifying students, employees and parents/guardians.
3. Working with families.
4. Responding appropriately to the media.
5. Collaborating with community providers.

The Superintendent or designee shall develop administrative regulations with recommended guidelines for responding to a **suicide** attempt on school grounds or during a school-sponsored event.

#### Re-Entry Procedures

A student's excusal from school attendance after a **behavioral** health crisis and the student's return to school shall be consistent with state and federal laws and regulations.[3][11][12][13][15][16]

**Prior to a student returning to school after a behavioral health crisis, a district-employed behavioral health professional, the building principal or suicide prevention coordinator shall meet with the parents/guardians of the student and, if appropriate, meet with the student to ensure the student's readiness to return to school and to create an individual re-entry plan.**

When authorized by the student's parent/guardian, the designated district employee shall coordinate with the appropriate outside **behavioral** health care providers, **request written documentation from the treating facility and encourage their involvement in the re-entry meeting.**

The designated district employee will periodically check in, as needed, with the student to **monitor the student's progress**, facilitate the transition back into the school community and address any concerns.

**Re-entry of a student with a disability requires coordination with the appropriate team to address the student's needs in accordance with applicable law, regulations and Board policy.**[3][11][12][13][14]

#### Response to Suicide (Postvention)

**Upon confirmation of a suicide death, the district shall immediately implement established postvention procedures which shall include methods for informing the school community; identifying and monitoring at risk youth; and providing resources and supports for students, staff and families. The district will review any requests for memorials in accordance with district procedures.**

**The Superintendent or designee shall develop administrative regulations with recommended guidelines for responding to a suicide death.**

### **REPORT PROCEDURES [1]**

Effective documentation assists in preserving the safety of the student and ensuring communication among school staff, parents/guardians and **behavioral** health service providers.

When a district employee takes notes on any conversations or situations involving or relating to an at risk student, the notes should contain only factual or directly observed information, not opinions or hearsay.

As stated in this policy, district employees shall be responsible for effective documentation of incidents involving suicide prevention, intervention and response.

The suicide prevention coordinator shall provide the Superintendent with a copy of all reports and documentation regarding the at risk student. Information and reports shall be provided, as appropriate, to guidance counselors, district **behavioral** health professionals and school nurses.

### **SUICIDE AWARENESS AND PREVENTION RESOURCES [1]**

#### **National:**

- National Suicide Prevention Lifeline: **1-800-273-TALK (8255)** or visit <http://www.suicidepreventionlifeline.org/>
- Crisis Text Line: **TEXT 741-741** or visit <http://www.crisistextline.org/>
- Substance Abuse and Mental Health Services Administration (SAMHSA) Preventing Suicide: A Toolkit for High Schools <https://store.samhsa.gov/product/Preventing-Suicide-A-Toolkit-for-High-Schools/SMA12-4669>

#### **Pennsylvania:**

- [List of Crisis Intervention contact information by county](#)
- [List of County CASSP and Children's Behavioral Health Contact Persons](#)
- [County Task Force Resources](#): By county, available contact information is provided for crisis, the Suicide Prevention Task Force, local chapter of AFSP, and other local mental health/suicide prevention resources

#### **National and State Organizations**

#### **National:**

- American Association of Suicidology (AAS): <http://www.suicidology.org/>
- American Foundation for Suicide Prevention (AFSP): <https://www.afsp.org/>
- Suicide Prevention Resource Center (SPRC): <http://www.sprc.org/>

***Pennsylvania:***

- Prevent Suicide PA: <http://www.preventsuicidepa.org/>
- Jana Marie Foundation: <http://www.janamariefoundation.org/>
- Aavidum: <http://aavidum.com/cms/>
- Services for Teens at Risk (STAR-Center)  
<https://www.starcenter.pitt.edu/STAR-Center-Home/1/Default.aspx>
- Pennsylvania Department of Education [www.education.state.pa.us](http://www.education.state.pa.us)

**PSBA Revision 9/17 © 2017 PSBA**

Last Modified by Michele Bloch on October 3, 2017