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| Book | Policy Manual |
| Section | 100 Programs |
| Title | Nondiscrimination/Discriminatory Harassment - School and Classroom Practices |
| Code | 103 Vol V 2018. 1.4.19 |
| Status | |

Legal

1. 20 U.S.C. 1681 et seq
2. 22 PA Code 12.1
3. 22 PA Code 12.4
4. 22 PA Code 15.1 et seq
5. 22 PA Code 4.4
6. 24 P.S. 1301
7. 24 P.S. 1310
8. 24 P.S. 1601-C et seq
9. 24 P.S. 5004
10. 29 U.S.C. 794
11. 42 U.S.C. 12101 et seq
12. 42 U.S.C. 1981 et seq
13. 42 U.S.C. 2000d et seq
14. 43 P.S. 951 et seq
15. Pol. 103.1
16. Pol. 218
17. Pol. 247
18. Pol. 249
19. U.S. Const. Amend. XIV, Equal Protection Clause
20. 29 CFR 1604.11
21. 29 CFR 1606.8
22. Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
23. Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
24. 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)
25. Office for Civil Rights - Resources for Addressing Racial Harassment
26. Office for Civil Rights - Revised Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties Title IX (January 2001)
27. Pol. 806
28. 18 Pa. C.S.A. 2709
29. Pol. 815
30. Pol. 216
31. 20 U.S.C. 1232g
32. 34 CFR Part 99
- 28 CFR Part 35
- 28 CFR Part 41
- 34 CFR Part 100
- 34 CFR Part 104

34 CFR Part 106

34 CFR Part 110

Pol. 113

Pol. 122

Pol. 123

Pol. 138

Pol. 701

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 for 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][25][25] [26]

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 Director of Elementary & Secondary Education 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 complainant to the Compliance Officer to carry out these responsibilities.
2. Inform the complainant about this policy including the right to an investigation of both oral and written complaints of discrimination.
3. **Seek to obtain** consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under age eighteen (18). 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, 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 of other students.**

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. **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 this policy, and any other information appropriate to the specific complaint.**
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.[27]

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

The Compliance Officer shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

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 **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 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.[27][28][29]

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 a reasonable period of time from the date of the initial report of alleged discrimination.

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, **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 shall not be notified of the individual remedies offered or provided to the complainant. **[30][31][32]**

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 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 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. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

12/19

Last Modified by Coatesville Policy Staff on January 4, 2019

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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. 20 U.S.C. 1232g
32. 34 CFR Part 99
33. Pol. 218
34. Pol. 233
35. 22 PA Code 10.2
36. 24 P.S. 1303-A
37. 35 P.S. 780-102
38. 22 PA Code 10.21

- 39. 22 PA Code 10.22
- 40. 22 PA Code 10.23
- 41. 22 PA Code 10.25
- 42. 24 P.S. 1302.1-A
- 43. Pol. 113.2
- 44. Pol. 218.1
- 45. Pol. 218.2
- 46. Pol. 222
- 47. Pol. 227
- 48. Pol. 805.1
- 49. 22 PA Code 15.1
- 50. 34 CFR 104.36
- 51. 22 PA Code 14.162
- 52. Pol. 806
- 53. 18 Pa. C.S.A. 2709
- 54. Pol. 815

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 **or preventative** action be taken for substantiated allegations.

Confidentiality

Confidentiality of all parties, **witnesses, the allegations, the filing of a complaint and the investigation** shall be maintained, consistent with the district's legal and investigative obligations.

Retaliation

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 Director of Pupil Services as the district's Section 504 Coordinator.[14]

In addition, each school within the district shall have a Section 504 building administrator which shall be designated as the 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][31][32]

Discipline

When necessary, the district shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.[33][34]

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.[35][36][37]

The building administrator 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 building administrator shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.[11][13][21][29][33][38][39][40][41][42][43][44][45][46][47][48]

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 building administrator shall use the same criteria used for students who do not have a disability.[10][39][48][49]

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][40]

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.[36][48] Each building administrator shall certify in writing to the Superintendent that they have accurately and fully reported all incidents and that the information presented is true and correct.

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][50]

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][51]

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.[52]

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

The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

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 **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 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][52][53][54]

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 Section 504 Coordinator.

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, **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 shall not be notified of the individual remedies offered or provided to the complainant. [29][30][31][32]

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. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

REvised 1/19

103_1Attach-ReportFormComplaints.doc (30 KB)

103_1Attach-District-InitiatedEvalNotice.doc (29 KB)

103_1Attach-Parent_GuardianRequest-PermissionToEvaluate.doc (56 KB)

103_1Attach-ProceduralSafeguards.doc (35 KB)

Last Modified by Coatesville Policy Staff on January 4, 2019

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|---------|--|
| Book | Policy Manual |
| Section | 100 Programs |
| Title | Nondiscrimination/Discriminatory Harassment - Employment Practices |
| Code | 104 Vol V 2018 |
| Status | |
| Legal | <ol style="list-style-type: none"> 1. 20 U.S.C. 1681 et seq 2. 29 U.S.C. 206 3. 29 U.S.C. 621 et seq 4. 29 U.S.C. 794 5. 42 U.S.C. 12101 et seq 6. 42 U.S.C. 1981 et seq 7. 42 U.S.C. 2000e et seq 8. 42 U.S.C. 2000ff et seq 9. 43 P.S. 336.3 10. 43 P.S. 951 et seq 11. U.S. Const. Amend. XIV, Equal Protection Clause 12. Pol. 317 13. Pol. 806 14. Pol. 824 15. 29 CFR 1604.11 16. 29 CFR 1606.8 17. EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993 18. EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999 19. EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990 20. 18 Pa. C.S.A. 2709 21. Pol. 815 16 PA Code 44.1 et seq 28 CFR 35.140 28 CFR Part 41 29 CFR Parts 1600-1691 |

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]

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.[12][13][14]

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 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 shall be responsible to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of nondiscrimination procedures in the following areas:

1. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
2. Training - Provision of training for supervisors and staff to prevent, identify and alleviate problems of employment 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. Complaints - Monitor and provide technical assistance to building principals or designees in processing complaints.

The building principal or supervisor shall be responsible to promptly complete the following duties upon receipt of a report of discrimination or retaliation from employees or third parties:

1. If the building principal or a supervisor is the subject of the complaint, refer the complainant to the Compliance Officer to carry out these responsibilities. If a Board Member is the subject of the complaint, the Compliance Officer shall notify the solicitor to carry out these responsibilities.

2. Inform the employee or third party about this policy including the right to an investigation of both verbal and written complaints of discrimination.
3. 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 and rape crisis programs, and community health resources including counseling resources.
4. Immediately notify the Compliance Officer of the complaint. The Compliance Officer shall assess whether the investigation should be conducted by the building principal, another employee, the Compliance Officer or an attorney and shall promptly assign the investigation to that individual.
5. 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 – 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 or supervisor. Any person with knowledge of conduct which may violate this policy is encouraged to immediately report the matter to the building principal or supervisor. If a Board Member is the subject of the complaint, the matter shall be reported to the Solicitor who shall handle the matter.

If the building principal or supervisor 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, supervisor 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

The Compliance Officer shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

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 **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 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. **[13][20][21]**

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.

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, **for example, whether the investigator believes the allegations to be founded or unfounded**, 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 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. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

12/18

104Attach-ReportFormComplaints.doc (29 KB)

Last Modified by Coatesville Policy Staff on January 4, 2019

| | |
|---------|---|
| Book | Policy Manual |
| Section | 200 Pupils |
| Title | Tobacco/Nicotine |
| Code | 222 Vol V 2018 1419 |
| Status | |
| Legal | <ol style="list-style-type: none">1. 35 P.S. 1223.52. 18 Pa. C.S.A. 63053. 20 U.S.C. 71834. 20 U.S.C. 1400 et seq5. 22 PA Code 10.236. Pol. 103.17. Pol. 113.18. Pol. 113.29. Pol. 805.110. 22 PA Code 10.211. 22 PA Code 10.2512. 24 P.S. 1303-A13. 22 PA Code 10.2214. 24 P.S. 1302.1-A15. 18 Pa. C.S.A. 6306.124 P.S. 51020 U.S.C. 711420 U.S.C. 711820 U.S.C. 7181 et seq34 CFR Part 300 |

Purpose

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.

Definitions

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.**^[1]

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.

Authority

The Board prohibits possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[1][2][3]

The Board **also** prohibits possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students at school-sponsored activities that are held off school property.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[4][5][6][7][8][9]

Delegation of Responsibility

The Director of Elementary and Secondary Education shall notify students, parents/guardians and staff about the **Board's tobacco/nicotine** policy by publishing **information** in student handbooks, parental newsletters, **posters**, and **by** other efficient methods, **such as posted notices, signs and on the district website.[1]** **This shall also be referred to in the Code of Student Conduct.**

Guidelines

Reporting

The building administrators shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco, **nicotine or nicotine delivery products** immediately, as soon as practicable. The building principals 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 building principal shall document attempts made to reach the parent/guardian.[9][10][11]

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students to the Office for Safe Schools on the required form.[9][12] Building Principals shall certify in writing that all information provided to the Superintendent is true and correct.

Additional Provisions - Tobacco Only

The building principal may report incidents of possession, use or sale of tobacco 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 **school police, school resource officer (SRO) or 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.[9][10][12][13][14]

A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars (\$50) plus court costs, or admitted **by the court** to alternative adjudication in lieu of imposition of a fine.[15]

12/19

Last Modified by Coatesville Policy Staff on January 4, 2019

| | |
|---------|--|
| Book | Policy Manual |
| Section | 300 Employees |
| Title | Tobacco/Nicotine |
| Code | 323 Vol V 2018 10419 |
| Status | |
| Legal | <ol style="list-style-type: none"> 1. 35 P.S. 1223.5 2. 20 U.S.C. 7183 3. 24 P.S. 1303-A 4. Pol. 805.1 5. 18 Pa. C.S.A. 6305 6. 22 PA Code 10.2 7. 22 PA Code 10.22 8. 24 P.S. 1302.1-A 20 U.S.C. 7181 et seq |

Purpose

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.

Definitions

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.**^[1]

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.

Authority

The Board prohibits **use of tobacco, nicotine and nicotine delivery products** by administrative, professional and support employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.^{[1][2]} The Board **also** prohibits **use of tobacco, nicotine and nicotine delivery products** by district employees at school-sponsored activities that are held off school property.^[1]

Delegation of Responsibility

The **Director of Elementary & Secondary Education** shall notify employees about the Board's tobacco/**nicotine** policy by **publishing information** in handbooks, newsletters, **posters**, and other efficient methods **such as posted notices, signs and on the district website.**^[1]

Guidelines

This policy does not prohibit the use of a patch, gum or lozenge as a smoking cessation product by any employee who has a written order by a physician.

Reporting

The Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** on school property to the Office for Safe Schools on the required form.^{[3][4]} Building Principals shall certify in writing to the Superintendent that all information is true and correct.

Additional Provisions - Tobacco Only

The building administrators may report incidents involving the sale of tobacco to minors by employees 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 **school police, school resource officer (SRO) or 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.^{[3][4][5][6][7][8]}

1/19

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|---------|--|
| Book | Policy Manual |
| Section | 300 Employees |
| Title | Tobacco/Nicotine |
| Code | 323 Vol V 2018 10419 |
| Status | |
| Legal | <ol style="list-style-type: none"> 1. 35 P.S. 1223.5 2. 20 U.S.C. 7183 3. 24 P.S. 1303-A 4. Pol. 805.1 5. 18 Pa. C.S.A. 6305 6. 22 PA Code 10.2 7. 22 PA Code 10.22 8. 24 P.S. 1302.1-A 20 U.S.C. 7181 et seq |

Purpose

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.

Definitions

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Authority

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Delegation of Responsibility

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Guidelines

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Reporting

The Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** on school property to the Office for Safe Schools on the required form.^{[3][4]} Building Principals shall certify in writing to the Superintendent that all information is true and correct.

Additional Provisions - Tobacco Only

The building administrators may report incidents involving the sale of tobacco to minors by employees 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 **school police, school resource officer (SRO) or 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.^{[3][4][5][6][7][8]}

1/19

Last Modified by Coatesville Policy Staff on January 4, 2019

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|---------|---|
| Book | Policy Manual |
| Section | 700 Property |
| Title | Use of School Facilities |
| Code | 707 Vol V 2018 10419 |
| Status | |
| Legal | 1. 24 P.S. 775 2. 24 P.S. 510.2 3. 24 P.S. 511 4. 10 P.S. 328.101 et seq 5. 61 PA Code 901.701 6. 20 U.S.C. 7182 7. 20 U.S.C. 7183 8. 35 P.S. 1223.5 24 P.S. 779 61 PA Code 901.1 20 U.S.C. 7181 et seq 20 U.S.C. 7905 |

Purpose

The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools.

Authority

The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the school district's mission.
2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public without charge.
3. Polling places for holding primaries, elections and special elections, as permitted or required by state law.
4. Recreation, physical training and athletics, including competitive athletic contests for children and adults.

5. Any Other purpose for which the Board deems appropriate

The Board shall establish a schedule of fees for the use of school facilities by approved groups.
[1]

Delegation of Responsibility

The Director of Elementary and Secondary Education shall ensure that this policy is posted on the district's publicly accessible website.[2]

The Director of Elementary and Secondary Education shall implement administrative regulations or procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Director of Elementary and Secondary Education.

Guidelines

Application Process

An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form at least ten (10) days in advance of the proposed date.

The application must specify the portion of the school facilities requested for use; proposed activities; number of individuals participating; and the date, time and duration of the proposed event.

Along with the completed application, the individual or group must submit the following

1. Evidence of organizational liability to limits required by district guidelines.
2. Documentation evidencing the school district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group.

Application Evaluation

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

1. Conflict with any school-sponsored activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.
5. Undue hardship on the building programming.

Limitations

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

1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form.
2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form
3. Conduct by participants must follow district policy.
4. All activities must terminate and all individuals and community group members must exit the school premises by 11 p.m.
5. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district.
6. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school.

Prohibited Activities

The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities:[3]

1. Possession, use or distribution of illegal drugs and/or alcoholic beverages.
2. Possession of weapons unless the group is a certified and duly authorized law enforcement group.
3. Conduct that would alter, damage or be injurious to any district property, equipment or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or administration.[4][5]
6. Use of tobacco/**nicotine and nicotine delivery** products. **This policy does not prohibit the use of a nicotine patch, gum or lozenge as a smoking cessation product by adults using the school facilities.**[6][7][8]

Violations

The school district reserves the right to remove from school district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures.[3]

In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, that individual or community group forfeits the

right to submit future written requests to use school district property, unless otherwise decided by the Board.

Fee Schedule

Use of school facilities for activities directly related to the educational program or co-curricular program that are authorized by an administrator and supervised by a school district employee to assist school district students shall be without cost to users.

Should there be additional custodial fees because the event is outside the normal custodial hours, the user shall be responsible for extra custodial fees.

1/19

Last Modified by Coatesville Policy Staff on January 4, 2019

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|---------|--|
| Book | Policy Manual |
| Section | 900 Community |
| Title | Public Attendance at School Events |
| Code | 904 Vol V 2018 |
| Status | |
| Legal | <ol style="list-style-type: none"> 1. 35 P.S. 1223.5 2. 24 P.S. 511 3. 24 P.S. 775 4. 24 P.S. 510.2 5. 20 U.S.C. 7183 6. 24 P.S. 1303-A 7. Pol. 805.1 8. 18 Pa. C.S.A. 6305 9. 22 PA Code 10.2 10. 22 PA Code 10.22 11. 24 P.S. 1302.1-A 12. 28 CFR 35.136 13. 43 P.S. 953 14. Pol. 718 20 U.S.C. 7181 et seq 28 CFR Part 35 |

Purpose

The Board welcomes the public at activities and events sponsored by the school district, but the Board also acknowledges its duty to maintain order and preserve school facilities during such events.

Definitions

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.**^[1]

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.

Authority

The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. The Board prohibits gambling and the possession and use of controlled substances, alcoholic beverages and weapons on school premises.[2][3]

Delegation of Responsibility

A schedule of fees for attendance at school events shall be prepared by the building administrators and Director of Elementary and Secondary Education and shall be adopted by the Board.

The Director of Elementary and Secondary Education shall ensure that this policy is posted on the district's publicly accessible website.[4]

Guidelines

Tobacco/Nicotine

The Board prohibits **use of tobacco, nicotine and nicotine delivery products** by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[1][5]

This policy does not prohibit the use of a nicotine patch, gum or lozenge as a smoking cessation product by adult members of the public in attendance at school events.

Reporting -

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco, nicotine and nicotine delivery products by any person on school property to the Office for Safe Schools on the required form.[6][7] Building Administrators shall certify in writing to the Superintendent that the information provided is true and correct.

Additional Reports – Tobacco Only -

The Building Administrator may report incidents involving the sale of tobacco to minors by any person 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 **school police, school resource officer (SRO), or 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.[6][7][8][9][10][11]

Free Admittance

Senior citizens who are district residents and are 65 years of age or older shall be admitted without charge to all school district events. This is not inclusive of PIAA run and sponsored events which require admittance fees.

District personnel will be admitted to all school events at no charge.

Free passes to school events will be available to each Board member and a guest.

The Board will honor athletic passes from all districts that are members of conferences in which teams of this district compete and honor the passes of this district.

The Board Authorizes the administration to provide complimentary admittance tickets to events at their discretion.

Service Animals

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.[12][13][14]

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904 ATT - PubBehaviorSchEvents.doc (35 KB)

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|---------|--|
| Book | Policy Manual |
| Section | 200 Pupils |
| Title | Hazing |
| Code | 247 Vol V 2018 |
| Status | |
| Legal | <ol style="list-style-type: none">1. 18 Pa. C.S.A. 28022. 18 Pa. C.S.A. 28033. 18 Pa. C.S.A. 28044. 18 Pa. C.S.A. 28085. 18 Pa. C.S.A. 28066. 18 Pa. C.S.A. 28017. 24 P.S. 5118. 18 Pa. C.S.A. 23019. Pol. 12210. Pol. 12311. Pol. 10312. Pol. 103.113. 18 Pa. C.S.A. 281014. 22 PA Code 10.215. 24 P.S. 1303-A16. 35 P.S. 780-10217. 22 PA Code 10.2118. 22 PA Code 10.2219. 24 P.S. 1302.1-A20. Pol. 805.121. 22 PA Code 10.2522. Pol. 21823. Pol. 23324. Pol. 31718 Pa. C.S.A. 2801 et seq22 PA Code 10.23Pol. 113.1Pol. 916 |

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 administrator.

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 administrator.

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] publication in handbooks and 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 Director of Elementary and Secondary Education, 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 Building Administrator 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 Building Administrator 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 Building Administrator 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 fifty dollars (\$150) 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]

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| Book | Policy Manual |
| Section | 200 Pupils |
| Title | Bullying/Cyberbullying |
| Code | 249 Vol V 2018 |
| Status | |
| 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 |

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 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 Director of Elementary and Secondary Education shall ensure that this policy and administrative regulations are reviewed annually with building principals who shall review the policy with teachers who shall review the policy with students.[1]

The Director of Elementary and Secondary Education, 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 to classrooms electronically via the website. The policy shall be posted in a prominent location within each school building and on the district website.

Education

The district may 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 at the parent expense
10. Referral to law enforcement officials.

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