General Exhibits

October 12, 2022

Part 1

Book

Policy Manual

Section

200 Pupils

Title

Student Discipline

Code

218 Vol I 2022

Status

First Reading

EXHIBIT - G

Legal

- 1. 22 PA Code 12.3
- 2. 22 PA Code 12.4
- 3. 24 P.S. 510
- 4. Pol. 103
- 5. Pol. 103.1
- 6. 22 PA Code 12.2
- 7. Pol. 113.1
- 8. Pol. 235
- 9. Pol. 832
- 10. Pol. 146.1
- 11. 22 PA Code 12.5
- 12. Pol. 233
- 13. 22 PA Code 10.23
- 14. 20 U.S.C. 1400 et seq
- 15. Pol. 113.2
- 16. Pol. 805.1
- 17. 24 P.S. 1317
- 18. 24 P.S. 1318
- 19. 22 PA Code 10.2
- 20. 24 P.S. 1303-A
- 21. 35 P.S. 780-102
- 22. 22 PA Code 10.21
- 23. 22 PA Code 10.22
- 24. 24 P.S. 1302.1-A
- 25. 22 PA Code 10.25
- 26. Pol. 218.1
- 27. Pol. 218.2
- 28. Pol. 222
- 29. Pol. 227
- 30. 24 P.S. 1302-E
- 31. Pol. 236.1
- 20 U.S.C. 7114
- 22 PA Code 12.1 et seq
- 22 PA Code 403.1
- 34 CFR Part 300

Mahanoy Area School District v. B.L., 594 U.S. _____ (2021)

- Pol. 122
- Pol. 123
- Pol. 805

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Purpose

The Board **recognizes** that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the district. [1][2][3][4][5]

The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.[1][2][4][5][6][7][8][9]

{X} The Board shall approve the inclusion of restorative practices in the Code of Student Conduct to address violations where applicable.[9][10]

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, **the Code of Student Conduct** and district rules and regulations.[11]

Any student disciplined by a district employee shall have the right to **be informed of the nature** of the infraction **and the applicable rule or rules violated**.[12]

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy.[7][12]

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.[5][7][13][14][15][16]

On and Off-Campus Activities

This policy and the Code of Student Conduct apply to the behavior of students at all times during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities or at other times while riding in school-provided means of transportation ("on-campus"). This policy and the Code of Student Conduct also apply to student behavior that occurs at other times and places ("off-campus") when:[3]

- 1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;
- 2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
- 3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;
- 4. The conduct involves the theft or vandalism of school property; or

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5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community, or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

Delegation of Responsibility

The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Superintendent or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct shall be available in each school library and school office and may be **included** in student handbooks **and on the district website**. [1][8]

The building principal shall have the authority to assign discipline to students, subject to **Board** policies, **administrative** regulations, **the Code of Student Conduct and school** rules, and to the student's due process right to notice, hearing, and appeal.[7][12][18]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative regulations, the Code of Student Conduct and school rules.[17]

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.[11]

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.[19][20][21]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[16][19][20][22][23][24]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[16][19][25]

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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.[16][20][26][27][28][29]

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[30][31]

The Superintendent shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

NOTES:

Act 116 of 2002 defines graffiti as it relates to criminal mischief offenses and defines defiant trespassers – Title 18, Sec. 3304 (3503)

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Book

Policy Manual

Section

200 Pupils

Title

Student Expression/Dissemination of Materials

Code

220 Vol I 2022

Status

First Reading

Legal

1. 22 PA Code 12.9

2. 22 PA Code 12.2

3. 24 P.S. 510

4. 24 P.S. 511

5. Pol. 219

6. Pol. 113.1

7. Pol. 218

Pol. 816

Mahanoy Area School District v. B.L., 594 U.S. ____ (2021)

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to **disseminate nonschool** materials **to others** as a part of that expression. The Board also recognizes that the exercise of that right **is not unlimited and** must be **balanced with** the district's responsibility to maintain a safe and orderly school environment and to protect the rights of all members of the school community.[1]

This policy addresses student expression in general **as well as dissemination** of **expressive** materials that are not part of district-sponsored activities (**nonschool materials**).

This policy does not apply to materials sought to be **disseminated** as part of the curricular or extracurricular programs of the district, **which** shall be regulated **separately** as part of the school district's educational program.

Definitions

For the purposes of this policy, dissemination shall mean students distributing or publicly displaying nonschool materials to others:

- On school property or during school-sponsored activities by placing such materials upon desks, tables, on or in lockers, walls, doors, bulletin boards, or easels; by handing out such materials to other persons; or by any other manner of delivery to others; or
- 2. At any time or location when creating or sending information using email, websites, online platforms, social media channels or other technological means that are owned, provided or sponsored by the school district.

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Expression means verbal, written, technological or symbolic representation or communication.

Nonschool materials means any printed, technological or written materials, **regardless of form**, **source or authorship**, that are not prepared as part of the curricular or approved extracurricular programs of the district. This includes, but is not limited to, fliers, invitations, announcements, pamphlets, posters, **online discussion areas and digital** bulletin boards, personal websites and the like.

Authority

<u>Limitations on Student Expression</u>

Students have the right to express themselves unless such expression is likely to or does materially **and** substantially **disrupt or** interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights. **Student** expression **is prohibited to the extent that** it:[1]

- 1. Violates federal, state or local laws, Board policy or district rules or procedures;
- 2. Is defamatory, obscene, lewd, vulgar or profane;[2]
- 3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/vaping products, alcohol or illegal drugs;
- 4. Incites violence, advocates use of force or threatens serious harm to the school or community;
- 5. Materially **and** substantially **disrupts or** interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
- 6. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs; **or**
- 7. Violates written district procedures on time, place and manner for **dissemination** of otherwise protected expression.

Student expression that occurs on school property or at school-sponsored events, or occurs at any time or place when created or communicated using district-provided equipment, email, websites or other technological resources, is subject to this policy. The limitations, prohibitions and requirements of this policy shall apply to expression that occurs outside the foregoing circumstances only when and to the extent that the out-of-school expression: [1][2][3][4]

- 1. Incites violence, advocates use of force or otherwise threatens serious harm directed at students, staff or the school environment;
- 2. Materially and substantially disrupts or interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions; or
- 3. Interferes with, or advocates interference with, the rights of any individual or the

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safe and orderly operation of the schools and their programs.

Dissemination of Nonschool Materials

The Board requires that **dissemination** of nonschool materials shall occur only at the places and during the times set forth in written procedures. Such procedures shall be written to permit the safe and orderly operation of schools, while recognizing the rights of students to engage in protected expression.[1][3]

The Board requires that students who wish to **disseminate** nonschool materials on school property shall **obtain approval by submitting** them at least one (1) school day in advance to the building principal or designee, who shall forward a copy to the Superintendent.[1]

If the nonschool materials **include matters prohibited by** this policy, the building principal or designee shall **promptly** notify the students **of the nature of the violation and** that they may not **disseminate** the materials **until the** violation **is corrected and the materials are resubmitted for approval.**

If notice of disapproval is not given during the period between submission and the time for the planned dissemination, students may consider the request approved and proceed with dissemination as requested, subject to all other established procedures and requirements relating to time, place and manner of dissemination. Students may nonetheless be directed to cease or suspend dissemination if it is later determined that the materials or the dissemination of them are in violation of this policy or implementing rules and procedures.

Students who **disseminate** printed **nonschool** materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Printed nonschool materials **displayed in a fixed location of a school building** shall **bear the date when placed in each location**. The district may remove the materials within ten (10) days of the posting or other reasonable time as stated in **applicable** procedures.

Review of Student Expression

Review of nonschool materials proposed for dissemination shall be conducted promptly so as to avoid unreasonable delay in dissemination.

School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student-initiated religious expression is permissible, **and apart from regarding** time, place and manner, shall not be **restricted unless** the expression violates some other **aspect** of this policy, e.g., because it is independently determined to be **in violation** of this policy **for reasons other than the religious nature of the content**.

Appeal of the reviewer's decision may be made to the Superintendent and then to the Board, in accordance with Board policy and district procedures.[5]

Delegation of Responsibility

The Superintendent shall assist the building principal in determining the designation of the places and times nonschool materials may be **disseminated** in each school building. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit

dissemination of nonschool materials to noninstructional times.

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When student dissemination of nonschool materials or other student expression violates this policy, the building principal may determine what if any disciplinary or other consequences should be imposed. Disciplinary actions shall be in accordance with applicable Board policy and the Code of Student Conduct.[6][7]

The Superintendent shall ensure that building principals and other staff involved in reviewing nonschool materials proposed for dissemination and evaluating whether violations of this policy have occurred receive training regarding applicable standards and procedures. Special emphasis shall be given to understanding the limitations on school officials' authority to regulate off-campus student expression, as well as the need to articulate in detail the nature and extent of disruption to or interference with the school environment thought to be caused by on or off-campus student expression and the specific manner by which the student expression involved is thought to have caused it.

This Board policy and any procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

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STUDENT EXPRESSION/DISSEMINATION OF MATERIALS

These procedures address the **dissemination by students** of nonschool materials that are not part of the curricular or extracurricular program of the district. Materials sought to be **disseminated** as part of the curricular or extracurricular program of the district will be regulated as part of the district's educational program and are not subject to the time, place and manner provisions set forth herein.

Students may disseminate nonschool materials, provided that the form of expression and/or the use of public school facilities and equipment is/are in accordance with Board Policy 220 (Student Expression/Dissemination of Materials), the Code of Student Conduct, these procedures and the school dress code, if applicable. It is the responsibility of students intending to disseminate nonschool materials to become familiar with the provisions of Board Policy 220 and pertinent provisions of the Code of Student Conduct.

The district has no responsibility to assist students in or to provide facilities for the **dissemination** of nonschool materials.

Dissemination of Nonschool Materials

The **dissemination** by students of all nonschool materials will be governed by the following procedures:

1. All nonschool materials, together with a copy of the plan of **dissemination**, must be submitted to the building principal no later than

{X} 10 a.m.	
{ }	(Other)

on the school day prior to the requested dissemination. The building principal will forward such information to the Superintendent or designee for approval. The plan will set forth in detail the desired time, place and manner of dissemination, as well as the individuals involved.

- 2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to **disseminate** such material must provide in writing **their** name, address, telephone number and organization, if any. This information will be filed in the building principal's office.
- 3. The Superintendent or designee will review the material, determine if it constitutes expression that is prohibited by Board policy, and inform the building principal or designee of the decision. The building principal or designee will notify the student(s) planning to disseminate nonschool materials of the decision to grant or deny permission. If the decision is to not permit the dissemination, the building principal or designee will specify the reasons for the decision as well as the changes in the content of the material or in the plan of dissemination which must be made, if any, in order to secure such permission. If

STUDENT EXPRESSION/DISSEMINATION OF MATERIALS - Pg. 2 EXHIBIT - G

the student(s) desiring to **disseminate** such material make(s) such changes in a manner satisfactory to the Superintendent or designee prior to the planned **dissemination**, the building principal or designee may then grant permission to **disseminate**.

Time -

When permission has been granted, students may disseminate approved nonschool materials only at the following times [option(s) selected should align with language in policy]:
{ } minutes before the official start of school;
{X} during regularly scheduled lunch periods;
{ } minutes after the official end of school;
{X} at school-sponsored activities;
{ }(Other).
Place - [option(s) selected should align with language in policy]
 {X} Dissemination of approved nonschool materials on school property will be permitted only in locations that allow for the normal flow of traffic within the school and its exterior doors, including on sidewalks located on school property paralleling school driveways. Building entrance walkways and building lobbies will not be utilized for such dissemination. { } Dissemination of approved nonschool materials will be permitted in the following locations:
{ } Nonschool materials may not be disseminated during any regularly scheduled class unless specifically authorized by the Superintendent or designee.
{ } Dissemination of approved nonschool materials will be permitted on the following district-owned technology sites or platforms:
Manner - [option(s) selected should align with language in policy]
{X} Materials approved to be disseminated may be required to display the appropriate district

disclaimer, as directed by the building principal or designee.

STUDENT EXPRESSION/DISSEMINATION OF MATERIALS - Pg. 3

{ X} All nonschool materials must bear the district disclaimer.

DISCLAIMER: THE HANOVER AREA SCHOOL DISTRICT IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT, SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE DISTRICT'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

{X} All approved nonschool materials displayed in a fixed location shall be officially dated and the district shall remove the materials within

{X }	} ten	(10)	school	days.
{ }	}		_	(Other).

Any student who disseminates materials will be responsible for cleaning any resulting litter, including any discarded pamphlets, fliers or other documents.

No student will harass or otherwise interfere with the **dissemination** of approved nonschool materials by student(s), nor may a student in any way compel or coerce a student to accept any materials.

Disciplinary Consequences

Any student who violates any provision of Board Policy 220 or these procedures will be subject to disciplinary action, in accordance with Board policy and the Code of Student Conduct, which may in appropriate cases include suspension and/or expulsion from school.

Student Handbook

A copy of this procedure will be published in student handbooks.

Book

Policy Manual

Section

200 Pupils

Title

Controlled Substances/Paraphernalia

Code

227 Vol I 2022

Status

First Reading

EXHIBIT - G

Legal

- 1. 35 P.S. 780-102
- 2. 21 U.S.C. 812
- 3. Pol. 210
- 4. Pol. 210.1
- 5. 24 P.S. 510
- 6. 24 P.S. 511
- 7. 22 PA Code 12.3
- 8. 20 U.S.C. 1400 et seq
- 9. 22 PA Code 10.23
- 10. Pol. 103.1
- 11. Pol. 113.1
- 12. Pol. 113.2
- 13. Pol. 805.1
- 14. Pol. 218
- 15. 24 P.S. 1302.1-A
- 16. 24 P.S. 1303-A
- 17. 42 Pa. C.S.A. 8337
- 18. Pol. 233
- 19. Pol. 236
- 20. 22 PA Code 10.2
- 21. 22 PA Code 10.21
- 22. 22 PA Code 10.22
- 23. 22 PA Code 10.25
- 24. 35 P.S. 807.1
- 25. 35 P.S. 807.2
- 22 PA Code 403.1
- 35 P.S. 780-101 et seq
- 35 P.S. 807.1 et seq
- 20 U.S.C. 7114
- 20 U.S.C. 7118
- 21 U.S.C. 801 et seq
- 34 CFR Part 300
- Pol. 122
- Pol. 805

Purpose

The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the

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schools shall strive to prevent abuse of controlled substances.

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Definitions

For purposes of this policy, **controlled substances** shall include all:[1][2]

- 1. Controlled substances prohibited by federal and state laws.
- Look-alike drugs.
- 3. Alcoholic beverages.
- 4. Anabolic steroids.
- 5. Drug paraphernalia.
- 6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
- 7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law.
- 8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy.[3][4]

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.

For purposes of this policy, **look-alike drug** shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.

Authority

The Board prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities.[5][6][7]

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy.

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. [8][9][10][11][12][13]

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property or during nonschool hours to the same extent as provided in Board policy on student discipline.[14]

Delegation of Responsibility

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The Superintendent or designee shall develop administrative regulations to identify and control substance abuse in the schools which:

- 1. Establish procedures to appropriately manage situations involving students suspected of using, possessing, being under the influence, or distributing controlled substances.[15][16][17]
- 2. Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student use of controlled substances.
- 3. { } Provide education concerning the dangers of abusing controlled substances.
- 4. { } Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

Guidelines

Violations of this policy may result in disciplinary action up to and including expulsion and referral for prosecution.[14][18][19]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents involving possession, use or sale of controlled substances 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.[13][15][16][20][21][22]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[13][20][23]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of controlled substances to the Office for Safe Schools.[13][16]

In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized.

{X} No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/quardian.

Anabolic Steroids

The Board prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid.[24]

Students shall be made aware of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their use, unauthorized possession, purchase, or sale could subject

students to suspension, expulsion and/or criminal prosecution.[18][25]

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Reasonable Suspicion/Testing

If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva, or the administration of a Breathalyzer test.

NOTES:

Off-Campus Activities - Content related to off-campus conduct is now located in Policy 218 Student Discipline.

Maintenance – make sure any drug testing policy has been reviewed by district solicitor. See Andrews & Price memo for guidance.

PSBA Revision 3/22 © 2022 PSBA

DI	D. P. Marrier I	
Book	Policy Manual	EXHIBIT - G
Section	200 Pupils	
Title	Electronic Devices	
Code	237 Vol I 2022	
Status	First Reading	
Legal	1. 24 P.S. 510	
	2. Pol. 103.1	
	3. Pol. 113	
	4. Pol. 218	
	5. Pol. 815	
	6. Pol. 235	
	7. Pol. 226	
	8. Pol. 233	

Purpose

The Board adopts this policy in order to **support** an educational environment that is **orderly**, safe and secure for district students and employees.

{ } , while also recognizing that electronic devices may provide a positive contribution when used for educational purposes.

Definition

Electronic devices shall include all devices that can take photographs; record, **play or edit** audio or video data; store, transmit or receive **calls**, messages, **text**, **data** or images; **operate online applications**; or provide a wireless, unfiltered connection to the Internet.

Authority

[Select this section for general prohibitions of electronic devices and remove italicized section below.]

The Board prohibits use of electronic devices by students during the school day in district buildings; on district property; on district buses and vehicles; **and** during the time students are under the supervision of the district.[1]

The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

Exceptions

The building **principal** may grant approval for possession and use of an electronic device by a student for the following reasons:

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- 1. Health, safety or emergency reasons.
- 2. An Individualized Education Program (IEP) or Section 504 Service Agreement.[2][3]
- 3. Classroom or instructional-related activities, under the supervision of the classroom teacher.
- 4. Other reasons determined appropriate by the building principal.

[Select this italicized section for general authorized use of electronic devices with specific prohibitions and select/modify appropriate option(s) based on rules established by the district; remove section above.]

{ } Authorized Use of Electronic Devices

- {X} The Board authorizes use of electronic devices in the classroom, in education-related activities and in approved locations under the supervision of the classroom teacher or staff for educational purposes. All use shall be in compliance with the Code of Student Conduct and Board policy, or as designated in an Individualized Education Program (IEP) or Section 504 Service Agreement.[2][3][4][5]
- { } The Board authorizes silent use of electronic devices by district students during the school day in district buildings, on district property, while students are attending school-sponsored activities and during the times students are under the supervision of the district, when they are in compliance with this policy, other Board policies, administrative regulations and rules, so long as such use does not interfere with the students' educational requirements, responsibilities, duties, performance, the rights and education of others, and the operation and services of the district.[4][5][6]
- { } Students may use their personal electronic devices, in accordance with Board policy, only with written parental consent on a form provided by the district.
- {X} Building principals, in consultation with the Superintendent and in compliance with Board policy, administrative regulations and rules, are authorized to determine the extent of the use of electronic devices within their buildings and programs, on district property, and/or while students are attending school-sponsored activities. Use of electronic devices at the elementary level may be different than at the middle school and/or high school levels or may be different between programs. Building principals shall establish rules and notify students, staff and parents/guardians of all applicable rules for use of electronic devices within their buildings and programs.
- { } The Board directs that electronic devices may be used in authorized areas or as determined by the building principal as follows:
 - 1. For educational or instructional purposes, as determined and supervised by the classroom teacher.
 - 2. Before and after school, in the cafeteria at lunchtime, in the hallways during the passing of classes, on the bus or other vehicles if authorized by the driver, and in the library and study hall if authorized by the classroom teacher.
 - 3. When the educational, safety, emergency, medical or security use of the electronic device is approved by the building principal or designee, or the student's Individualized Education Program (IEP) or Section 504 team. In such cases, the student's use must be supervised by a classroom teacher or district staff.[2][3]

EXHIBIT - G

The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

The district shall not be liable for the loss, damage or misuse of any electronic device.

Electronic Images and Photographs

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Because such violations may constitute a crime under state and/or federal law, the district may report such conduct to state and/or federal law enforcement agencies.

Delegation of Responsibility

The Superintendent or designee shall annually notify students, parents/guardians and employees about the Board's electronic device policy.

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

Guidelines

Violations of this policy by a student shall result in disciplinary action and

{} may

{X} shall

result in confiscation of the electronic device.[4][7][8]

{X} The confiscated item shall not be returned until a conference has been held with a parent/guardian.

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EXHIBIT - G |

Book Policy Manual

Section 800 Operations

Title School Bus Drivers and School Commercial Motor Vehicle Drivers

Code 810.1 Vol I 2021

Status First Reading

9/28/22, 10:23 AM

Legal

- 1. 49 CFR 382.107
- 2. 49 CFR 392.80
- 3. 75 Pa. C.S.A. 1621
- 4. 75 Pa. C.S.A. 1622
- 5. 75 Pa. C.S.A. 102
- 6. 49 CFR Part 382
- 7. 49 CFR Part 40
- 8. 49 U.S.C. 31306
- 9. 67 PA Code 229.14
- 10. Pol. 818
- 11. 49 CFR 392.82
- 12. 75 Pa. C.S.A. 3316
- 13. 49 CFR 40.15
- 14. 49 CFR 382.105
- 15. 49 CFR 382.701
- 16. 49 CFR 40.3
- 17. 49 CFR 382.401
- 18. 49 CFR 382.601
- 19. 23 Pa. C.S.A. 6344
- 20. 23 Pa. C.S.A. 6344.3
- 21. 24 P.S. 111
- 22. 24 P.S. 111.1
- 23. Pol. 304
- 24. 49 CFR 382.413
- 25. 49 CFR 382.703
- 26. 49 CFR 40.25
- 27. 49 U.S.C. 31303
- 28. 75 Pa. C.S.A. 1604
- 29. 75 Pa. C.S.A. 1606
- 30. 67 PA Code 71.3
- 31. 49 CFR 391.25
- 32. 49 U.S.C. 31304
- 33. 49 CFR 391.41
- 34. Pol. 317
- 35. 49 CFR 382.213
- 36. 75 Pa. C.S.A. 1613
- 37. 49 CFR 382.205
- 38. 75 Pa. C.S.A. 1612
- 39. 75 Pa. C.S.A. 1603

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40. 75 Pa. C.S.A. 3802

41. 49 CFR 382.207

42. 49 CFR 382.209

43. 49 CFR 382.211

44. 49 CFR 40.191

45. 49 CFR 382.215

46. 49 CFR 40.23

47. 49 CFR 382.201

48. 49 CFR 382.505

49. 49 CFR 40.289

50. 49 CFR 382.705

51. 49 CFR 40.333

52. Pol. 800

53. 49 CFR 382.405

54. 49 CFR 382.723

55. 49 CFR 40.321

56. 49 CFR 382.403

57. 24 P.S. 1517

58. 49 CFR 382.603

24 P.S. 510

75 Pa. C.S.A. 1601 et seq

Pol. 351

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Note: This policy refers to school bus and commercial motor vehicle drivers only. Policy 810.3 applies to drivers of school vehicles used to transport students which do not qualify as a school bus or commercial motor vehicle.

<u>Purpose</u>

The Board recognizes that an employee must be fit to operate a school bus and commercial motor vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

A **covered driver** shall include any district employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial motor vehicle owned, leased or operated by the school district. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus or commercial motor vehicle owned or leased by the district.[1]

EXHIBIT - G

Commercial motor vehicle - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle: [1]

- 1. Has a gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, inclusive of towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater;
- 2. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds, whichever is greater;
- 3. Is designed to transport sixteen (16) or more passengers, including the driver; or
- 4. Is transporting hazardous materials and is required to be placarded.

Driving - operating a commercial motor vehicle or motor carrier vehicle on a highway, with the motor running, including while the commercial motor vehicle or motor carrier vehicle is temporarily stationary because of traffic, a traffic control device or other momentary delay. The term does not include operating a commercial motor vehicle or motor carrier vehicle with or without the motor running if the driver moved the vehicle to the side of or off of a highway and halted in a location where the vehicle can safely remain stationary. [2][3][4]

Electronic device - an electronic device includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer or any other device used to input, write, send, receive or read text.[3]

Mobile telephone - a mobile communication device which uses a commercial mobile radio service. [4]

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until **the driver** is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing other requirements related to accidents.[1]

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[5]

Texting - manually entering alphanumeric text into or reading text from an electronic device. The following shall apply: [3]

- The term includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access an Internet web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone or engaging in any other form of electronic text retrieval or entry, for present or future communication.
- 2. The term does <u>not</u> include:
 - a. Inputting, selecting or reading information on a global positioning system or navigation system.
 - b. Pressing a single button to initiate or terminate a voice communication using a mobile telephone.
 - c. Using a device capable of performing multiple functions, including, but not limited to, fleet management systems, dispatching devices, citizens band radios and music players, for a

purpose that is not prohibited by law.

EXHIBIT - G [

Use a handheld mobile telephone or other electronic device $-[\underline{4}]$

- 1. Using at least one (1) hand to hold a mobile telephone to conduct a voice communication.
- 2. Dialing or answering a mobile telephone by pressing more than a single button.
- 3. Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, restrained by a seat belt.

<u>Authority</u>

The Board shall implement a drug use and alcohol misuse prevention program for employees who are required to hold a commercial driver's license and who perform safety-sensitive functions in accordance with federal and state laws and regulations.[6][7][8][9]

All contracted transportation providers shall implement a drug use and alcohol misuse prevention program in accordance with federal law and regulations.[10]

Covered drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school bus and commercial motor vehicle operation.

The Board prohibits covered drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school bus or commercial motor vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.[2][3][11][12]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which include the following components:

- Selecting and contracting with a qualified medical review officer, substance abuse professional, a certified laboratory and other service agents as necessary.[13]
- 2. Establishment of procedures for required testing of covered drivers.[14]
- 3. Maintenance of the confidentiality of all aspects of the testing process.[8]
- 4. Delegation of responsibility for monitoring employee compliance with the provisions of Board policy and administrative regulations, including, but not limited to, an annual query of the Federal Motor Carrier Safety Administration's Commercial Driver's License Drug and Alcohol Clearinghouse.[15]
- 5. Designation of an employee responsible for receiving and handling results of drug and alcohol tests.[16]
- 6. Implementation of procedures for the query, preparation, maintenance, reporting, retention and disclosure of records, as required by law.[15][17]
- 7. Distribution to affected employees of information and materials relevant to Board policies and administrative regulations regarding drug and alcohol testing.[18]
- 8. Distribution to affected employees of information and materials relevant to individuals or organizations that can provide counseling and treatment for drug and/or alcohol problems.

The Superintendent or designee shall provide each driver, upon hire or transfer, with:

1. This policy and its accompanying administrative regulations; and $[\underline{18}]$

2. Educational materials that explain the state and federal requirements related to misuse of alcohol and use of controlled substances.[18]

The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.[18]

The Board designates the	
{X} Superintendent	
{ } Assistant Superintendent	
{ } Director of Transportation	
{ } Director of Human Resources	
{ } Other	

to be the contact person for questions about the drug use and alcohol misuse program. $[\underline{18}]$

Guidelines

Employment Requirements

All covered drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor.[10][19][20][21][22][23]

Prior to employment by the district as a covered driver or transfer to a covered driver position, the district shall obtain the following information in accordance with federal and state laws and regulations:

- 1. Alcohol and drug testing information from previous U.S. Department of Transportation-regulated employers during the past three (3) years with the covered driver's written consent. [15][24][25][26]
- 2. Commercial motor vehicle employment information for the past ten (10) years.[27][28] Additional Documentation -

Prior to employment by the district as a covered driver or transfer to a covered driver position, and at least once each school year, the Superintendent or designee shall:

- 1. Obtain a copy of a valid commercial driver's license indicating the appropriate endorsements from the covered driver, or authorize the applicable legal exemption in cases of emergency;[29]
- 2. Obtain a copy of a Commonwealth of Pennsylvania School Bus Driver's Physical Examination Form from the covered school bus driver;[30]
- 3. Obtain a copy of a current Pennsylvania School Bus Endorsement card from the covered school bus driver;[30]
- 4. Review each covered driver's driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a commercial motor vehicle.[31][32]

Prior to employment by the district as a covered driver or transfer to a covered driver position, and

every two (2) years, the Superintendent or designee shall obtain a valid Medical Examiner's Certificate, if applicable.[33]

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Reporting Requirements -

Covered drivers shall report misconduct in accordance with Board policy 317 for drivers employed by the district and Board policy 818 for drivers employed by an independent contractor. [10][20][21][34]

Covered drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school bus or commercial motor vehicle.[35]

Covered drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery." [35]

A covered driver **arrested**, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee

{X} and the contract carrier

in writing

- { } before the end of the next business day
- {X} within seventy-two (72) hours
- { } within thirty (30) days

following the driver's arrest, charge or receipt of citation. Notice is required no matter what type of vehicle the driver was driving. [28]

An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the district

{X} or contract carrier

based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge. [10][28][34]

A covered driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee

{ } and the contract carrier

in writing of the conviction within **fifteen (15)** days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.[27][28]

Any covered driver whose operating privilege is suspended, revoked or canceled by any state, who loses the privilege to drive a school bus or commercial motor vehicle in any state for any period, or who is disqualified from driving a school bus or commercial motor vehicle for any period, shall notify the Superintendent or designee

{X} and the contract carrier

immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.[27][28]

Failure to comply with the reporting requirements may result in disciplinary action, up to and including termination, in accordance with applicable law, regulations and Board policy. [10][34]

Controlled Substances and Alcohol

Drug and Alcohol Testing -

The district shall require covered drivers to submit to the following drug and alcohol tests in accordance with state and federal laws and regulations: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.[6][7][8][14][36]

Prohibited Conduct -

Covered drivers shall not use medical marijuana products.

Covered drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A covered driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school bus or commercial motor vehicle under the following circumstances:

- 1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.[30][37][38]
- 2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.[35][39][40]
- 3. After consuming alcohol or a controlled substance within the previous eight (8) hours for school bus drivers and within the previous four (4) hours for commercial motor vehicle drivers.

 [30][41]

An exception shall be made for therapeutic use of prescribed controlled substances used by a covered driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school bus or commercial motor vehicle.[35]

A covered driver required to take a post-accident test shall not use alcohol for eight (8) hours following the accident, or until **the driver** undergoes a post-accident test, whichever occurs first.[42]

A covered driver shall not refuse to submit to a required test for drugs or alcohol. [1][36][43][44]

Consequences/Discipline -

- 1. A verified positive drug test result; [45][46]
- 2. A verified adulterated or substituted drug test result; [45][46]
- 3. An alcohol test result of 0.04 or higher; or [46][47]
- 4. A refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test.[43]

The district shall place a school bus driver who drives, operates or is in physical control of a school bus out of service for thirty (30) days if the school bus driver has any detectable amount of alcohol in **their** system.[36][38]

The district shall remove a commercial motor vehicle driver who is tested and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 until the start of the driver's next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.[48]

A covered driver employed by the district who violates Board policy or administrative regulations and tests positive for drugs or alcohol shall be subject to disciplinary action, up to and including termination, and shall be provided with a list of qualified substance abuse professionals.

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a covered driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.

If the district permits a covered driver who has been removed from performing safety-sensitive functions to return to a safety-sensitive function, the district shall ensure that the covered driver has been evaluated by a qualified substance abuse professional and has successfully completed the return-to-duty process before returning to a safety-sensitive function. [46][49]

Maintenance of Records

The district shall maintain records of its drug use and alcohol misuse prevention program in compliance with federal regulations, and in accordance with the district's records retention schedule. [15][17][50][51][52]

Drug and alcohol records shall be confidential and shall only be released in accordance with applicable law. [53][54][55]

Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations. [53][56]

Acknowledgment of Receipt

Each covered driver shall sign a statement certifying that **they have** has received a copy of this policy and its accompanying administrative regulations.[18]

The district shall keep the original signed statement in the personnel file of the covered driver employed by the district and provide a copy to the driver.[18]

Training

Covered drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which covered drivers should also receive that training.[57]

EXHIBIT - G

The district shall ensure that employees who supervise covered drivers receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. Such training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.[58]

NOTES:

The Department of Transportation's Drug and Alcohol Testing Regulation – 49 CFR Part 40, at 40.151(e) – does not authorize "medical marijuana" under a state law to be a valid medical explanation for a transportation employee's positive drug test result.

Qualifications of bus drivers - 1361, 1365, Title 67 Sec. 71.1 et seq.

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9/28/22, 10:23 AM



COMMONWEALTH OF PENNSYLVANIA

STATE ETHICS COMMISSION

Finance Building 613 North Street, Room 309 Harrisburg, PA 17120-0400 (717) 783-1610 or Toll Free 1-800-932-0936 www.ethics.pa.gov



STATE ETHICS COMMISSION STATEMENT OF FINANCIAL INTERESTS

THE FORM IS CONSIDERED DEFICIENT IF ANY BLOCK IS NOT COMPLETED OR IF SIGNATURE OR DATE IS MISSING.

SIGN THE FORM USING THE CURRENT DATE. DO NOT BACK DATE SIGNATURE.

THOSE INDIVIDUALS WHO HOLD MORE THAN ONE OFFICE AND/OR POSITION MUST FILE A COPY OF THEIR FORM AT EACH FILING LOCATION.

FILERS MAY USE THE ONLINE FILING SYSTEM AT THE STATE ETHICS COMMISSION'S WEBSITE: WWW.ETHICS.PA.GOV. A PAPER COPY MAY STILL BE REQUIRED TO BE SUBMITTED TO YOUR FILING LOCATION. FILERS SHOULD CHECK WITH THEIR FILING LOCATION FOR REQUIREMENTS.

THE FORM MUST BE COMPLETED AND FILED BY:

- A <u>Candidates</u> Persons seeking elected state, county and local public offices, including first-time candidates, incumbents seeking re-election, and write-in candidates who do not decline nomination/election within 30 days of official certification of same.
- B Nominees Persons nominated for public office subject to confirmation.
- C <u>Public Officials</u> Persons serving as current state/county/local public officials (elected or appointed). The term includes persons serving as alternates/designees. The term excludes members of purely advisory boards.
- Public Employees Individuals employed by the Commonwealth or a political subdivision who are responsible for taking or recommending official action of a non-ministerial nature with regard to: contracting or procurement; administering or monitoring grants or subsidies; planning or zoning; inspecting, licensing, regulating or auditing any person; or any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person. The term does not include individuals whose activities are limited to teaching.

A former public official or former public employee must file the year after termination of service with the governmental body.

E Solicitors - Persons elected or appointed to the office of solicitor for political subdivision(s).

IMPORTANT: Please read all instructions carefully prior to completion of form. Also, **review the filing chart for proper filing location.** Any questions may be directed to the State Ethics Commission at (717) 783-1610 or Toll Free at 1-800-932-0936.

This Form is required to be filed pursuant to the provisions of the Public Official and Employee Ethics Act "Ethics Act," 65 Pa C.S. § 1101 et. seq.

STATEMENT OF FINANCIAL INTERESTS INSTRUCTIONS HIRIT - G 2

Please print neatly in capital letters. If you require more space than has been provided, please attach an 8 1/2" x 11" piece of paper to the form. Blocks 01 through 06 are for current information.

- Please fill in your last name, first name, middle initial and suffix (if applicable) in the spaces provided. Public office candidates should use the exact name used on official nomination petition or papers.
- Block 02 List an office (business or governmental) or home address and daytime telephone number.
- Block 03 Please check the box or boxes to indicate your status. See definitions on page 1. If you are correcting a prior filing, please check the box designating an amended form.
- Please check the appropriate box (seeking, hold, held) for each position you list in the blocks below. List all public position(s) which you are seeking, currently hold, or have held in the <u>prior</u> calendar year. Please be sure to include job titles and official titles such as "member" or "commissioner" (even if serving as an alternate/designee).
- Please list all political subdivision(s) agency(ies) as to which you: (1) are presently seeking a public position or public office as a candidate (incumbent or non-incumbent) or nominee; (2) presently hold a public position or public office; and/or (3) previously held a public position or public office during all or any portion of the calendar year listed in block 07. (The term "political subdivision" includes a county, city, borough, incorporated town, township, school district, vocational school, county institution, district, and any authority, entity or body organized by the aforementioned).
- Block 06 Please list your current occupation or profession. This information may be the same as stated in block 04.
- List the calendar year for which you are filing this form. Like tax returns, these forms disclose financial information for a <u>prior</u> calendar year. For example, for the form due May 1, 2022, block 07 would read "2021." The information in blocks 08 through 15 should represent financial interests for the calendar year listed.
- Block 08

 REAL ESTATE INTERESTS: This block contains the address of any property which was involved in transactions (leasing, purchasing, or condemnation proceedings of real estate interests) with the Commonwealth or any other governmental body within the Commonwealth. If you have no direct or indirect interests in such a property, then check "NONE."
- CREDITORS: This block contains the name and address of any creditor and the interest rate of any debt over \$6,500 regardless of whether such debt is held solely by you or jointly by you and any other individual, including your spouse, where each obligor is fully responsible for the obligation. A joint obligation with other persons for which the filer is responsible only for a proportional share that is less than the reporting threshold, is not required to be reported. Do not report a mortgage or equity loan on your home (or secondary home), or loans or credit between you and your spouse, child, parent or sibling. Car loans, credit cards, personal loans and lines of credit must be listed on the form if the balance owed was in excess of \$6,500 at any time during the calendar year. If you do not have any reportable creditor, then check "NONE."
- DIRECT OR INDIRECT SOURCES OF INCOME: List the name and address of each source of \$1,300 or more of gross income - including but not limited to gross income from the public position - regardless of whether such income is received solely by you or jointly by you and another individual, such as a spouse. "Income" includes any money or thing of value received or to be received as a claim on future services or in recognition of services rendered in the past, whether in the form of a payment, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, reward, severance payment, proceeds from the sale of a financial interest in a corporation, professional corporation, partnership or other entity resulting from termination/withdrawal therefrom upon assumption of public office or employment or any other form of recompense or combination thereof. The term refers to gross income and includes prize winnings and tax-exempt income but does not include gifts, governmentally-mandated payments or benefits, retirement, pension or annuity payments funded totally by contributions of the public official or employee, or miscellaneous incidental income of minor dependent children. If you do not have ANY reportable source of income, then check "NONE."
- *GIFTS: For each source of gifts(s) valued at \$250 or more in the aggregate, list the following information: the name and address of the source; the circumstances, including a description of each gift; and the value of the gift(s). Do not report political contributions otherwise reportable as required by law, gift(s) from friends or family members (the term "friend" does not include a registered lobbyist or employee of a registered lobbyist), or any commercially-reasonable toan made in the ordinary course of business. The Commission has held that a person cannot be deemed a "friend" if that person and/or a business with which that person is associated is regulated by or has contracts with the public official's governmental body. If you did not receive any reportable gift, then check "NONE."
- *TRANSPORTATION. LODGING OR HOSPITALITY EXPENSES: List the name and address of each source and the amount of each payment/reimbursement by the source for transportation, lodging or hospitality that you received in connection with your public position if the aggregate amount of such payments/reimbursements by the source exceeds \$650 for the calendar year for which you are reporting. Do not report reimbursements made by a governmental body or by an organization/association of public officials/employees of political subdivisions that you serve in an official capacity. If you do not have any reportable expense payments/reimbursements, then check "NONE."
- OFFICE. DIRECTORSHIP OR EMPLOYMENT IN ANY BUSINESS ENTITY: List both the name and address of the business entity for any office that you hold (Example: President, Vice President, Secretary, Treasurer), any directorship that you hold (through service on a governing board such as a board of directors), and any employment that you have in any capacity whatsoever as to any business entity. This block focuses solely on your status as an officer, director or employee, regardless of income. If you do not have any office, directorship or employment in any business entity to report, then check "NONE."
- Block 14 FINANCIAL INTERESTS: List the name and address and interest held in any business for profit of which you own more than 5% of the equity or more than 5% of the assets of economic interest in indebtedness. If you do not have any such financial interest to report, then check "NONE."
- Block 15

 TRANSFERRED BUSINESS INTERESTS: List the name and address of any business in which you transferred a financial interest (as defined in block 14 above) to a member of your immediate family (parent, spouse, child, brother or sister), as well as the interest held, relationship to the individual, and date of transfer. If you did not transfer any such business interest, then check "NONE."
- Signature Please sign the form and enter the current date. Back dating the form is a violation of law and could result in the initiation of civil, administrative and/or criminal penalties.

*Please note the Commission has long held that the receipt of things of value, such as gifts, transportation, lodging and hospitality from vendors, those regulated, and others, may form the basis for a conflict of interest under Section 1103(a) of the Ethics Act.

COMMONWEALTH OF PENNSYLVANIA SEC-1 (Rev. 01/22)

STATEMENT OF FINANCIAL INTERESTS

PENNSYLVANIA STATE ETHICS COMMISSION (7177 183-1610 TO LIFREE 1-800-992-0936

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WHO MUST FILE, WHERE TO FILE, AND WHEN TO FILE

EXHIBIT - G 2

	WHO MUST FILE	ORIGINAL COPY	ADDITIONAL FILINGS*	WHEN TO FILE				
Α.	STATUS BLOCK A - CANDIDATES Statewide State Senate State House Supreme Court Superior Court Common Pleas Court Traffic Court Municipal Court Commonwealth Court	State Ethics Commission	Append to nomination petition when filed with the State Bureau of Elections 210 North Offlice Building Harrisburg, PA 17120-0029	ON OR BEFORE THE LAST DAY				
	Constables / Deputy Constables	State Ethics Commission	FOR FILING					
	Countywide City Borough Township Municipality (home rule charter)	File with the Clerk/ Secretary in the Municipality in which you are a candidate	Append to nomination petition when filed	A PETITION TO APPEAR ON THE BALLOT FOR ELECTION				
	Magisterial District Judges	File with the County in which the Magisterial District is located	with County Board of Elections					
	School Director	rector File in the School District where you are a candidate						
	Announced Write-in	For state office file with		Within 30 days of official certification of having been nominated or elected				
	Unannounced Write-in Winners of Nominations	State Ethics Commission. For county or local office file with governing authority	No additional copy required	unless such person declines the nomination or office within that time frame.				
	Unannounced Write-in Winners of Elections	of political subdivision.						
3.	STATUS BLOCK B - NOMINEE State Level	State Ethics Commission	File with the Official or Body vested with the power of	10 days before official or body approves or rejects				
	County/Local Level	Governing authority of political subdivision	confirmation	the nomination.				
C.	STATUS BLOCK C - PUBLIC OFFICIAL Commonwealth Public Officials such as: Members of Boards and Commissions (including alternates/designees); Heads of executive, legislative and independent agencies, boards and commissions; and persons appointed to positions designated as offices.	State Ethics Commission	File with <u>each</u> Agency, Board, Commission, Department, or Government Body in which employed or to which appointed. (make additional copies if needed)					
	State House Member State Senate Member	State Ethics Commission	File with the House Chief Clerk or Senate Secretary (whichever applies)					
	Local Public Officials serving in/as: Counties; Boroughs; Townships; Home Rule Municipalities; Municipal Authorities; School Districts Incumbent Judges and Magisterial District Judges who are not candidates file a Statement of Financial Interests for Judicial Officers with the Administrative Office of Pennsylvania Courts (AOPC).	File only with the governing authority of the respective local political subdivision	Additional copy is not required to be filed (unless serving in multiple capacities, then file with each entity as required)	FILE NO LATER THAN MAY 1 OF EACH YEAR A POSITION IS HELD AND OF THE YEAR				
	Constables / Deputy Constables	State Ethics Commission		AFTER LEAVING SUCH				
D.	STATUS BLOCK D - PUBLIC EMPLOYEE Commonwealth PUBLIC EMPLOYEE (Executive, Leg. & Independent Agencies)	File only with your Employer		A POSITION.				
	County City Borough Township Municipal (home rule) Municipal Authority School District	File only with your political subdivision	No additional copy required					
E.	STATUS BLOCK E - SOLICITOR	File with the governing authority of <u>each</u> political subdivision for which you are Solicitor	Additional copy is not required to be filed (unless serving in multiple capacities, then file with <u>each</u> entity as required)					

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EXHIBIT - G 2

Book

Policy Manual

Section

200 Pupils

Title

Threat Assessment

Code

236.1 Vol III 2022

Status

Second Reading

Legal

- 1. 24 P.S. 1302-E
- 2. 24 P.S. 1301-E
- 3. Pol. 832
- 4. Pol. 236
- 5. Pol. 805.2
- 6. Pol. 805
- 7. Pol. 819
- 8. Pol. 103
- 9. Pol. 113.4
- 10. Pol. 207
- 11. Pol. 216
- 12. Pol. 146.1
- 13. 24 P.S. 1205.2
- 14. 24 P.S. 1205.5
- 15. 24 P.S. 1310-B
- 16. Pol. 333
- 17. Pol. 104
- 18. Pol. 105.1
- 19. Pol. 249
- 20. Pol. 805.1
- 21. 23 Pa. C.S.A. 6311
- 22. Pol. 806
- 23. Pol. 247
- 24. Pol. 252
- 25. Pol. 226
- 26. Pol. 103.1
- 27. Pol. 113
- 28. Pol. 113.1
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- 31. Pol. 146
- 32. Pol. 218
- 33. Pol. 218.1
- 34. Pol. 218.2
- 35. Pol. 233
- 36. Pol. 709
- 37. 24 P.S. 1303-A
- 38. 22 PA Code 10.2
- 39. 35 P.S. 780-102



- 40. 24 P.S. 1302.1-A
- 41. 22 PA Code 10.21
- 42. 22 PA Code 10.22
- 43. 22 PA Code 10.25
- 44. 20 U.S.C. 1232g
- 45. 20 U.S.C. 1415
- 46. 34 CFR Part 99
- 47. 34 CFR Part 300
- 48. 24 P.S. 1409
- 49. Pol. 209
- 50. Pol. 216.1
- 51. 24 P.S. 1304-A
- 52. 24 P.S. 1305-A
- 53. 24 P.S. 1307-A
- 54. 42 Pa. C.S.A. 6341
- 55. Pol. 218.3
- 56. 24 P.S. 1304-D
- 57. 22 PA Code 12.12
- 58. 42 Pa. C.S.A. 5945
- 59. 42 Pa. C.S.A. 8337
- 60. 42 CFR Part 2
- 61. 24 P.S. 1309-B
- 20 U.S.C. 1400 et seq
- 35 P.S. 7601 et sea
- Pol. 203.1

PA Commission on Crime and Delinquency, School Safety and Security Committee Model K-12 Threat Assessment Procedures and Guidelines

Purpose

The Board is committed to protecting the health, safety and welfare of its students and the school community and providing the resources and support to address identified student needs. The Board adopts this policy to address student behavior that may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.[1]

Authority

The Board directs the Superintendent or designee, in consultation with the School Safety and Security Coordinator, to establish a threat assessment team and develop procedures for assessing and intervening with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community and others.[1]

Definitions

Behavioral service providers – includes, but is not limited to, a state, county or local behavioral health service provider, crisis intervention center or psychiatric hospital. The term includes a private service provider which contracts with a state, county or local government to act as a behavioral health agency.[2]

Bias – the attitudes or beliefs we have about a person or group that affects our understanding, actions and decisions in a conscious or subconscious manner.[3]

Individualized Management Plan – a plan developed for a student who is referred to the threat assessment team that documents the concerns that brought a student to the team's attention, as well as the resources and supports a student might need based on the information gathered during the assessment.

Threat assessment – a fact-based process for the assessment of and intervention with students whose behaviors may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.

Delegation of Responsibility

The Superintendent or designee, in consultation with the School Safety and Security Coordinator, shall appoint [1]

[Note: districts should only select one of the appropriate options if the designated team is made up of required personnel under 24 P.S. 1302-E]

{ } individuals to a district threat assessment team.
{X} individuals to a threat assessment team at each school building in the district.
{ } the district's Student Assistance Program team to serve as the threat assessment team.
{ } the district's Safe2Say Something crisis team to serve as the threat assessment team.
$\{\ \}$ the district's suicide prevention crisis response/crisis intervention team to serve as the threat assessment team.
{ } the district's to serve as the threat assessment team.
The Superintendent or designee shall designate a member of the team as team leader for the threat assessment team. $[\underline{1}]$
The threat assessment team shall include the School Safety and Security Coordinator and individuals with expertise in school health; counseling, school psychology or social work; special education and school administration. $[\underline{1}]$
{} members of the Student Assistance Program team.[4]
{X} school security personnel.[5]
{X} law enforcement agency representatives.
{X} behavioral health professionals.
{X} members of the Safe2Say Something crisis team.[6]

{ } suicide prevention coordinators and/or members of the crisis response/crisis intervention

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team.[7]

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- { } juvenile probation professionals.
- {X} The Superintendent or designee may assign additional staff members or designated community resources to the threat assessment team for assessment and response support.

The Superintendent or designee shall develop and implement administrative regulations to support the threat assessment process.

Guidelines

Training

The

- { } Superintendent or designee
- {X} School Safety and Security Coordinator

shall ensure that threat assessment team members are provided individual and/or group training **annually** on: $[\underline{1}]$

- 1. Responsibilities of threat assessment team members.
- 2. Process of identifying, reporting, assessing, responding to and intervening with threats.
- 3. Identifying and avoiding racial, cultural or disability bias.[3][8]
- 4. Confidentiality requirements under state and federal laws and regulations, and Board policies. [4][6][9][10][11]
- 5. {X} Student Assistance Program process.[4]
- 6. {X} Youth suicide awareness, prevention and response.[7]
- 7. {X} Trauma-informed approach.[12]
- 8. {X} Safe2Say Something procedures.[6]
- 9. {X} Multi-tiered systems of support.
- 10. {X} Positive Behavioral Intervention and Support.

Threat assessment team training shall be credited toward professional education requirements and school safety and security training requirements for staff, in accordance with applicable law and Board policy. [1][6][13][14][15][16]

Information for Students, Parents/Guardians and Staff

The district shall **annually** notify students, staff and parents/guardians about the existence and purpose of the threat assessment team through posting information on the district website, publishing in handbooks and through other appropriate methods. [1]

The threat assessment team shall make available age-appropriate informational materials to students regarding recognition of threatening or at-risk behavior that may present a threat to the student,

other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other district reporting hotlines or methods. Informational materials shall be available for review by parents/guardians.[1][7][8][17] [18][19]

The threat assessment team shall make available informational materials for school employees regarding recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report concerns, including through the Safe2Say Something program and other district reporting hotlines or methods. Information for school employees shall include a list of the staff members who have been appointed to the threat assessment team.[1][7][8][17][19]

The district shall annually provide mandatory training for school staff on identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities or the community, in accordance with law, Board policy and the standards specified by the state's School Safety and Security Committee.[6][15]

Reporting and Identification

The threat assessment team shall document, assess and respond to reports received regarding students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.[1]

The threat assessment team shall assist in assessing and responding to reports that are received through the Safe2Say Something Program identifying students who may be a threat to themselves or others.[1][6]

The threat assessment team shall assist in assessing and responding to reports of students exhibiting self-harm or suicide risk factors or warning signs, as identified in accordance with applicable law and Board policy.[1][7]

When the threat assessment team has made a preliminary determination that a student's reported behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others, the team shall immediately take the following steps:[1]

- 1. Notify the Superintendent or designee and School Safety and Security Coordinator of the reported threat.
- 2. Notify the building principal of the school the student attends of the reported threat, who shall notify the student's parent/guardian of the reported threat.

When a reported student's behavior indicates that there may be an imminent threat to the safety of the student or others, or an emergency situation, a threat assessment team member shall take immediate action, which may include promptly reporting to the appropriate law enforcement agency and school administration. [1][5][6][20]

Where a threat assessment team member has reasonable cause to suspect that a reported situation indicates that a student may be a victim of child abuse, the member shall make a report of suspected child abuse in accordance with law and Board policy.[1][21][22]

Inquiry and Assessment

In investigating, assessing and responding to threat reports, the threat assessment team shall make a determination if the report should be addressed under one or more specific Board policies or

administrative regulations, based on the subject matter of the report and the requirements of law, regulations and Board policy, including, but not limited to, reports involving:

- 1. Discrimination/Title IX Sexual Harassment.[8][17]
- 2. Bullying/Cyberbullying.[19]
- 3. Suicide Awareness, Prevention and Response.[7]
- 4. Hazing.[23]
- 5. Dating Violence.[24]

Members of the threat assessment team shall engage in an assessment of the reported student behavior that may indicate a threat, in accordance with training and established procedures. This process may include, but is not limited to:

- 1. {X} Interviewing the student, other students, staff, parents/guardians or others regarding the subject(s) of the reported threat.
- 2. {X} Reviewing existing academic, health and disciplinary records and assignments, as appropriate, regarding the subject(s) of the report.
- 3. {X} Conducting searches of lockers, storage spaces, and other possessions on school property as applicable, in accordance with applicable law, regulations and Board policy.[25]
- 4. {X} Examining outside resources such as social media sites, in coordination with law enforcement, or contacting law enforcement, juvenile probation, or community agencies to request additional information about the subject(s) of the report, in accordance with law, regulations and Board policies.
- 5. {X} Where appropriate, convening the appropriate team to assess and/or address the situation that is the subject of the report, such as the Individualized Education Program (IEP) team, Section 504 Team, Behavior Support team, Student Assistance Program team, or others.[4][26] [27][28][29][30]

The threat assessment team shall establish and implement procedures, in accordance with the district's Memorandum of Understanding, to address situations where the investigation of a reported threat shall be transferred to the appropriate law enforcement agency.[5][20]

The threat assessment team may request that the county agency or juvenile probation department consult and cooperate with the team in assessing the student who is the subject of a preliminary determination regarding a threat. [1]

When assessment of a student's behavior determines that it is not a threat to the student, other students, school employees, school facilities, the community or others, the threat assessment team shall document the assessment and may refer the student to other appropriate resources such as a child study team, the Student Assistance Program team, an IEP or Section 504 Team or other district supports and services.

Response and Intervention

The threat assessment team shall develop an Individualized Management Plan for each student identified and assessed as posing a threat to the student, other students, school employees, school facilities, the community or others. The plan should document the team's evaluation of the threat and

recommendations for disposition of the threat, including the information gathered during the assessment and recommendations for response and intervention.

Following notification to the student's parent/guardian, the threat assessment team may refer the student to an appropriate program or take action to address the reported situation in accordance with applicable Board policy, which may include, but is not limited to:[1]

- 1. A referral to the Student Assistance Program.[4]
- 2. A referral to the appropriate law enforcement agency.[5][6][20]
- 3. An appropriate evaluation to determine whether the student is a qualified student with a disability in need of a Section 504 Service Agreement or in need of special education services through an Individualized Education Program (IEP), in accordance with applicable law and Board policy.[26][27][30]
- 4. A referral to the student's IEP Team to review and address the student's IEP and/or Positive Behavior Support Plan. This could include, but is not limited to, a manifestation determination or functional behavioral assessment in accordance with applicable law, regulations and Board policy.[27][28][29][30]
- 5. A referral to the student's Section 504 Team to review and address the student's Section 504 Service Agreement and/or Positive Behavior Support Plan.[26]
- 6. With prior parental consent, a referral to a behavioral service provider, health care provider or county agency.[31]
- 7. Addressing behavior in accordance with applicable discipline policies and the Code of Student Conduct.[32][33][34][35]
- Ongoing monitoring of the student by the threat assessment team, a child study team, Student Assistance Program team or other appropriate school personnel.
- Taking steps to address the safety of any potential targets identified by the reported threat. [6][36]

Safe Schools Incident Reporting -

For Safe Schools reporting purposes, the term incident means 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. [20] [37] [38] [39]

When a reported threat also meets the definition of an incident under the Safe Schools Act, in accordance with reporting requirements, the Superintendent or designee shall immediately report required incidents, if not previously reported by district staff, and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.[20][32][37][38][40][41][42]

The Superintendent or designee shall notify the parent/guardian, if not previously notified by district staff, of any student directly involved in an incident on school property, at any school-sponsored

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activity or on a conveyance providing transportation to or from a school or school-sponsored activity, who is a victim or suspect, immediately, as soon as practicable. The Superintendent or designee will inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian.[20][38][43]

Students With Disabilities -

When reporting an incident committed by a student with a disability or referring a student with a disability to a law enforcement agency, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[9][11][44][45][46][47]

Monitoring and Management

If a student has an Individualized Management Plan, the threat assessment team shall monitor the Individualized Management Plan and coordinate with the designated team or resource to provide support and follow-up assessment as necessary. Follow-up assessments, referrals, re-entry plans and other supports shall be documented as part of the student's Individualized Management Plan.

The threat assessment team, in coordination with other appropriate teams and supports, shall determine when the student's Individualized Management Plan is no longer needed for disposition of the threat(s), and may transfer appropriate information in accordance with applicable law, regulations and Board policy.[4][7][9][11][26][27]

Records Access and Confidentiality

In order to carry out their duties and facilitate the timely assessment of and intervention with students whose behavior may indicate a threat, the threat assessment team shall have access to the following student information to the extent permitted under applicable law and regulations:[1]

- 1. Student health records.[48][49]
- 2. Prior school disciplinary records.[9][11][50]
- 3. Records related to adjudication under applicable law and regulations.[50][51][52][53][54][55]
- 4. Records of prior behavioral or mental health or psychological evaluations or screenings maintained by the district.
- 5. Other records or information that may be relevant to evaluating a threat or determining treatment or referral options for a student that are maintained by the district.

The threat assessment team shall use all information or records obtained in fulfilling the team's duty in accordance with law to evaluate a threat or to recommend disposition of a threat. Team members shall not redisclose any record or information obtained or otherwise use any record of a student beyond the purpose for which the disclosure was made to the team, in accordance with law.[1]

The threat assessment team shall maintain confidentiality and handle all student records in accordance with applicable law, regulations, Board policy, the Student Records Plan and the district's legal and investigative obligations.[4][7][9][10][11][19][44][46][50][56]

Threat assessment members whose other assignments and roles require confidentiality of specific

student communications, in accordance with law, shall ensure that all confidential communications and information are addressed in accordance with applicable law, regulations, Board policy and administrative regulations. [10][57][58][59][60]

Annual Board Report

The threat assessment team shall provide the required information to the Superintendent, in consultation with the School Safety and Security Coordinator, to annually develop and present to the Board, at an executive session, a report outlining the district's approach to threat assessment, which shall include:[1]

- 1. Verification that the district's threat assessment team and process complies with applicable law and regulations.
- 2. The number of threat assessment teams assigned in the district, and their composition.
- 3. The total number of threats assessed that year.
- 4. A summary of interactions with outside law enforcement agencies, juvenile probation and behavioral service providers.
- 5. An assessment of the district's threat assessment team(s) operation.
- 6. Recommendations for improvement of the district's threat assessment processes.
- 7. Any additional information required by the Superintendent or designee.
- $\{X\}$ The annual threat assessment report shall be presented as part of the annual report to the Board by the School Safety and Security Coordinator on district safety and security practices. [1][5]

The threat assessment team's information addressing verification of compliance with law and regulations, the number of threat assessment teams assigned in the district and their composition, the total number of threats assessed that year, and **additional** information required by the Superintendent or designee shall be included in the School Safety and Security Coordinator's annual report on district safety and security practices that is submitted to the state's School Safety and Security Committee.[1][5][61]

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EXHIBIT - G 2

Book

Policy Manual

Section

800 Operations

Title

Emergency Preparedness and Response

Code

805 Vol III 2022

Status

Second Reading

Legal

- 1. Pol. 705
- 2. 22 PA Code 10.24
- 3. 35 Pa. C.S.A. 7701
- 4. Pol. 805.1
- 5. 24 P.S. 1517
- 6. 24 P.S. 1518
- 7. 24 P.S. 1301-B
- 8. 22 PA Code 10.11
- 9. 24 P.S. 1303-A
- 10. 24 P.S. 1303-B
- 11. 24 P.S. 1314-B
- 12. 24 P.S. 1315-B
- 13. 24 P.S. 1302.1-A
- 14. Pol. 804
- 15. 35 Pa. C.S.A. 7301 et seq
- 16. 24 P.S. 520.1
- 17. 24 P.S. 1501
- 18. 24 P.S. 1506
- 19. 22 PA Code 11.2
- 20. Pol. 803
- 21. 24 P.S. 1310-B
- 22. Pol. 203
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- 31. Pol. 351
- 32. Pol. 805
- 33. 24 P.S. 1302-E
- 34. Pol. 236.1
- 35. 24 P.S. 1205.2
- 36. 75 Pa. C.S.A. 4552
- 37. 24 P.S. 1303-D
- 24 P.S. 1205.7
- 20 U.S.C. 7112

20 U.S.C. 7118

20 U.S.C. 7801

Pol. 146

Pol. 236

Pol. 709

Pol. 810

Pol. 909



Purpose

The Board recognizes its responsibility for the safety of students, staff, visitors and facilities. Therefore, the Board shall provide facilities, equipment and training necessary to protect against hazards and emergencies, including but not limited to natural disasters, hazardous chemicals, fires, weapons, bomb threats, intruders, terrorism, communicable diseases and pandemics. Advance planning, training, practice and comprehensive implementation are key components in protecting the safety and security of the school community.[1]

Authority

The district, in cooperation with the county Emergency Management Agency and the Pennsylvania Emergency Management Agency (PEMA), shall develop and implement a comprehensive disaster response and emergency preparedness plan, consistent with the guidelines developed by PEMA and other applicable state requirements.[2][3]

The Board shall also utilize the resources of and comply with the requirements of the Pennsylvania Department of Health, the Pennsylvania Department of Education, and local law enforcement agencies.[4]

The Board requires that emergency preparedness, emergency evacuation and school security drills be conducted at intervals required by state law.[3][5][6]

Definitions

School security drill – a planned exercise, other than a fire drill or natural disaster drill, designed to practice procedures to respond to an emergency situation that may include, but is not limited to, an act of terrorism, armed intruder situation or other violent threat.[5]

School Safety and Security Assessment – a strategic evaluation of a school entity's facilities and programs used to identify potential safety and security threats.[7]

Delegation of Responsibility

The Superintendent or designee shall collaborate with relevant stakeholders, including parents/guardians, students, staff, community agencies, local law enforcement agencies and first responders, during the development and implementation of the emergency preparedness plan.

The Superintendent or designee shall implement a communication system to notify parents/guardians of the evacuation or sheltering of students and to alert the entire school community when necessary.

Annually, on or before April 10, the Superintendent shall certify that emergency evacuation drills and school security drills have been conducted in the manner prescribed by law.[5]

In accordance with state law and regulations, the Superintendent shall execute a memorandum of understanding with each local police department that has jurisdiction over school property.[4][8][9]

- {X} The Board directs the
 - {X} Superintendent or designee
 - {X} School Safety and Security Coordinator

to periodically complete a School Safety and Security Assessment in accordance with the provisions of law and established criteria, based on the needs of the district and availability of funding and resources.[7][10][11][12]

Guidelines

Emergency Planning

The emergency preparedness plan shall be accessible in each district building, be reviewed at least annually, and be modified as necessary. A copy of the plan shall be made accessible to the county Emergency Management Agency, each local police department and each local fire department that have jurisdiction over school property. The district shall obtain assurances from each appropriate agency that the emergency preparedness plan will be safeguarded and maintained confidentially. [2][3][13]

Appropriate information regarding the emergency preparedness plan shall be communicated to students, parents/guardians, staff, the community and other relevant stakeholders.

Annually, by September 30, the district shall assemble information required to assist local police and fire departments in responding to an emergency. The required information shall be deployed immediately to the Incident Command Post in the event of an emergency incident or disaster. [2][3][4]

Schools and school buses or transportation vehicles owned or leased by the district shall be made available to local, county and state officials for emergency planning and exercises.[3]

Continuity of Student Learning/Core Operations

In the event of an emergency, local, county or state officials may require that schools be made available to serve as mass-care facilities. Local, county or state officials may also utilize district-owned buses and other transportation vehicles. The Superintendent or designee shall determine whether schools shall be closed, or the educational program suspended, to safeguard student and staff health and safety.[3][14]

State officials may also direct schools to close in order to mitigate the spread of infection or illness in designated emergencies.[15]

The district shall make provisions in the emergency preparedness plan **and any applicable health and safety plan** for the continuity of student learning during school closings or excessive absences, in accordance with law. This may include, as appropriate, activities qualifying as instructional days for

fulfilling the minimum required days of instruction under the law. Instructional activities may include: [16][17][18][19][20]

- 1. {X} Web-based instruction.
- 2. { } Mailed lessons and assignments.
- 3. { } Instruction via local television or radio stations.
- 4. { } Other: _____

The continuity of core operations such as payroll and ongoing communication with staff, students and parents/guardians shall be an essential part of the emergency preparedness plan.

Education and Training

Students and staff members shall be instructed and shall practice how to respond appropriately to emergency situations.[5][6][21]

Effective infection control and prevention education and procedures, such as frequent hand washing and cough/sneeze etiquette, shall be encouraged continually to help limit the spread of germs at district schools.[22][23]

The district shall provide mandatory training for school staff on school safety and security, in accordance with law and the standards specified by the state's School Safety and Security Committee:[21][24][25][26]

- 1. **Two (2) hours of required** training **addressing** any combination of one (1) or more of the following areas **shall be completed each year, in person or virtually:**
 - a. Situational awareness.
 - b. Trauma-informed approaches.[25][27]
 - c. Behavioral health awareness.
 - d. Suicide and bullying awareness.[28][29]
 - e. Substance use awareness.[30][31]
- 2. One (1) hour of training in the following areas shall be completed each year:
 - a. Emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat. **This training must be conducted in person**.[32]
 - b. Identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, **other individuals**, school facilities, **or** the community. **This training may be conducted in person or virtually**.[33][34]

The required school safety and security training shall be credited toward professional education requirements, in accordance with law and the district's Professional Education Plan.[21][25][35]

Required Drills

Emergency Preparedness Drill -

The Board directs district schools to conduct a disaster response or emergency preparedness plan drill at least annually, in accordance with the provisions of law.[3]

Fire Drills -

The Board directs each district school to conduct fire drills at least once a month during the school year, in accordance with the provisions of law. [5][6]

School Security Drills -

The Board directs each district school to conduct a school security drill within ninety (90) days of the beginning of each school year. The school security drill shall be conducted while school is in session, with students present.[5]

The school security drill may take the place of a fire drill for the month in which it is conducted.

The Superintendent or designee

{X} may

{ } shall

conduct additional school security drills in district schools after the first ninety (90) days of the school year. Up to two (2) additional school security drills per school year may be conducted in place of the required fire drills for the month in which they are conducted. [5]

The Superintendent or designee shall:[5]

- 1. Oversee instruction and training of students and school employees in procedures for conducting school security drills and responding to emergency situations.
- 2. Notify and request assistance from local law enforcement and the emergency management agency prior to conducting a school security drill.
- 3. Notify parents/guardians of the students attending the school building where the school security drill is scheduled in advance of conducting the drill.

Bus Evacuation Drills -

Bus evacuation and safety drills shall be conducted twice a year, in accordance with the provisions of law.[5][36]

Safe2Say Something Program

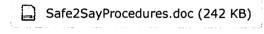
The Board directs the Superintendent or designee to develop procedures for assessing and responding to reports received from the Safe2Say Something anonymous reporting program, in accordance with law. The procedures shall establish a framework within which district administration and staff will respond to program reports, coordinate with the county emergency dispatch center(s) and local law enforcement, and provide appropriate assessment and response for the safety and security of students, staff and school facilities, in accordance with applicable law and Board policy and administrative regulations.[4][26][32][34][37]

NOTES:

School entities who receive specific federal funding grants for readiness and emergency management may also have additional requirements for compliance with the National Incident Management System (NIMS).

False alarms - 18 Pa. C.S.A. Sec. 4905, 4906

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EXHIBIT - G 2

Book

Policy Manual

Section

800 Operations

Title

School Security Personnel

Code

805.2 Vol III 2022

Status

Second Reading

Legal

- 1. 24 P.S. 1301-C
- 2. 24 P.S. 1309-B
- 3. Pol. 146.1
- 4. Pol. 227
- 5. Pol. 236
- 6. Pol. 236.1
- 7. Pol. 249
- 8. Pol. 333
- 9. Pol. 351
- 10. Pol. 805
- 11. Pol. 819
- 12. 24 P.S. 1302-E
- 13. 24 P.S. 1305-B
- 14. 24 P.S. 1314-B
- 15. 24 P.S. 1315-B
- 16. 24 P.S. 1316-B
- 17. Pol. 006
- 18. Pol. 235.1
- 19. Pol. 805.1
- 20. 24 P.S. 1302-C
- 21. 24 P.S. 1310-C
- 22. 24 P.S. 1311-C
- 23. Pol. 304
- 24. Pol. 818
- 25. 24 P.S. 111
- 26. 24 P.S. 111.1
- 27. 23 Pa. C.S.A. 6344
- 28. 23 Pa. C.S.A. 6344.3
- 29. 37 PA Code 241.5
- 30. 44 Pa. C.S.A. 7301 et seq
- 31. 37 PA Code 241.6
- 32. 44 Pa. C.S.A. 7310
- 33. 24 P.S. 1303-C
- 34. 37 PA Code 241.1 et seq
- 35. 24 P.S. 1304-C
- 36. 24 P.S. 1305-C
- 37. 22 PA Code 10.23
- 38. 22 PA Code 14.104
- 39. 22 PA Code 14.133

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40. Pol. 113.2

41. 24 P.S. 1306-C

42. 24 P.S. 1307-C

43. Pol. 909

44. 24 P.S. 1313-C

45. 24 P.S. 1314-C

46. Pol. 907

47. 24 P.S. 1309-C

48. 42 Pa. C.S.A. 8953

49. 53 Pa. C.S.A. 2303

53 Pa. C.S.A. 2301 et seq

Pol. 705

Pol. 709

<u>Authority</u>

The Board shall employ, contract for and/or assign staff to coordinate the safety and security of district students, staff, visitors and facilities.

Definitions

School security personnel - school police officers, school resource officers and school security guards. $[\underline{1}]$

Independent contractor - an individual, including a retired federal agent or retired state, municipal or military police officer or retired sheriff or deputy sheriff, whose responsibilities, including work hours, are established in a written contract with the district for the purpose of performing school security services. $[\underline{1}]$

Third-party vendor - a company or entity approved by the Office for Safe Schools of the PA Department of Education or the PA Commission on Crime and Delinquency that provides school security services in accordance with law.[1]

Delegation of Responsibility

The Superintendent shall appoint a school administrator to serve as the School Safety and Security Coordinator, in accordance with law. When a vacancy occurs in the role of the School Safety and Security Coordinator, the Superintendent shall appoint another school administrator to serve as the School Safety and Security Coordinator within thirty (30) days of the vacancy and shall notify the Board regarding the appointment.[2]

The Superintendent or designee shall submit the name and contact information for the appointed School Safety and Security Coordinator to the state's School Safety and Security Committee within thirty (30) days of the appointment.[2]

The School Safety and Security Coordinator shall report directly to the Superintendent, and shall be responsible for the following: [2]

- 1. Oversee all
 - {X} school police officers
 - {X} School Resource Officers (SROs)
 - { } school security guards.
- 2. Review and provide oversight of all Board policies, administrative regulations and procedures related to school safety and security, and ensure compliance with federal and state laws and regulations regarding school safety and security.
- 3. Coordinate training and resources for students and staff related to situational awareness, trauma-informed approaches, behavioral health awareness, suicide and bullying awareness, substance use awareness, emergency procedures and training drills, and identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, other individuals, school facilities or the community, in accordance with the standards established by the state's School Safety and Security Committee and the requirements of applicable law and regulations.

 [3][4][5][6][7][8][9][10][11]
- 4. Coordinate a tour of the district's buildings and grounds biennially, or when a building is first occupied or reconfigured, with law enforcement and first responders responsible for protecting and securing the district to discuss and coordinate school safety and security matters.
- 5. Serve as the liaison with law enforcement and other state committees and agencies on matters of school safety and security.
- 6. Serve on the district's threat assessment team(s) and participate in required training and the threat assessment process.[6][12]
- 7. Coordinate School Safety and Security Assessments, **School Safety and Security grant requirements** and respond to School Safety and Security surveys, as applicable.[10][13] [14][15]

The School Safety and Security Coordinator shall, within one (1) year of appointment, complete required training as specified by the state's School Safety and Security Committee for serving in the role of a School Safety and Security Coordinator. This training shall be in addition to other training requirements for school administrators.[2][16]

By June 30 of each year, the School Safety and Security Coordinator shall make a report to the Board at an executive session on the district's current safety and security practices, and identify strategies to improve school safety and security.[2][17]

The Board directs the School Safety and Security Coordinator to include the following information in the annual report:

- 1. Threat assessment team information, including verification of compliance with law and regulations, the number and composition of the district's threat assessment team(s), the total number of threats assessed in the past year and **additional** information on threat assessment required by the Superintendent or designee, in accordance with Board policy.[6][12]
- 2. {X} Reports of required emergency preparedness, fire, bus evacuation and school security

drills.[10]

3. {X} Information on required school safety and security training and resources provided to students and staff. [10]

- 4. {X} Safe2Say Something aggregate data, including a breakdown of Life Safety and Non-Life Safety reports received.
- 5. { } Behavioral health and school climate information, including aggregate data from surveys and assessments issued in the district, information on referrals and services accessed by students and families, and identification of additional resources needed in the district.[18]
- 6. {X} Office for Safe Schools reports for the previous year(s) and/or data collected to date for the current year.
- 7. {X} Updates regarding the district's Memorandum of Understanding with local law enforcement agencies.[19]
- 8. { } Updates to laws, regulations and/or Board policies related to school safety and security.
- 9. {X} Information on tours, inspections and/or School Safety and Security Assessments of school facilities and programs.
- 10. {X} Information on grants or funding applied for and/or received in support of school safety and security efforts.

A copy of the report shall be submitted to the state's School Safety and Security Committee.[2]

The Superintendent or designee shall implement job descriptions and procedures to address the responsibilities and requirements specific to each category of school security personnel in carrying out their duties.

School security personnel shall carry weapons, including firearms, in performance of their duties only if, and to the extent, authorized by the Board, including as provided in an agreement with a law enforcement agency for the stationing of a School Resource Officer or in a contract with an independent contractor or third-party vendor approved by the Board.

[NOTE: Select the applicable option(s) below with the appropriate corresponding language for each option, based on the district's school security personnel.]

Guidelines

{X} School Police Officers

The district shall

{X} employ

{ } contract for

one or more school police officers and apply to the appropriate court for appointment and powers of authority, in accordance with the provisions of [3, 2][2][2][2][2][2][2]

School police officer - [1][21][22]

- 1. A law enforcement officer employed by the district whose responsibilities, including work hours, are established by the district; or
- 2. An independent contractor or an individual provided through a third-party vendor who has been appointed in accordance with law, and who meets the requirements of contracted services personnel, in accordance with Board policy.[24]

Background Checks -

Prior to receiving an offer of employment, all school police officers shall comply with the requirements for background checks/certifications and employment history reviews for all school employees, in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for school police employed by the district and Board policy 818 for school police employed by an independent contractor or third-party vendor. [23][24][25][26][27][28]

The district shall conduct a law enforcement agency background investigation in compliance with applicable law and regulations for all school police employed by the district and shall review a background investigation conducted for all school police employed by an independent contractor or third-party vendor.[29][30]

Following an offer of employment, the district shall request the separation record for a school police officer employed or contracted by the district, in accordance with applicable law and regulations for a law enforcement agency.[31][32]

Requirements -

The district shall annually report the following information regarding school police officers receiving required training to the PA Department of Education and the PA Commission on Crime and Delinquency: [33]

- 1. The district's name and the number of school police officers employed or contracted by the district.
- 2. The municipalities comprising the district.
- 3. The date and type of training provided to each school police officer.

The district shall make reports regarding hiring and separation, and shall maintain all records, as required for a law enforcement agency, in accordance with applicable law and regulations.[30][34]

School police officers shall take and subscribe to the Oath of Office required by law.[35]

{X} The district shall request that the court grant the school police officer authority to carry a firearm, in accordance with law. The school police officer shall maintain all applicable firearm license and training requirements, in accordance with law and Board policy.[20][36]

School police officers shall successfully complete required training, in accordance with law, and other required staff training, including district training on the use of positive behavior supports, deescalation techniques and appropriate responses to behavior for students with disabilities, in accordance with law, regulations and Board policy.[36][37][38][39][40]

School police officers shall possess and exercise the following duties: [41]

- 1. Enforce good order in school buildings, on school buses or vehicles owned or leased by the district, and on school grounds.
- 2. If authorized by the court, issue summary citations or detain individuals who are in school buildings, on school buses and on school grounds in the district until local law enforcement is notified.
- 3. If authorized by the court, a school police officer who is a law enforcement officer employed by the district whose responsibilities, including work hours, are established by the district, may exercise the same powers as exercised under authority of law or ordinance by the police of the municipality in which the school property is located.

School police officers shall wear the assigned metallic shield or badge provided by the district in plain view when on duty.[42]

{X} School Resource Officers (SROs)

The district shall establish an agreement with **Hanover Township Police Department**, in accordance with the provisions of law, for the assignment of a School Resource Officer(s) to specified district schools. [1][43]

School Resource Officer (SRO) - a law enforcement officer commissioned and employed by a law enforcement agency whose duty station is located in the district and whose stationing is established by an agreement between the law enforcement agency and the district. The term includes an active certified sheriff or deputy sheriff whose stationing in the district is established by a written agreement between the county, the sheriff's office and the district.[1]

The agreement shall address the powers and duties conferred on SROs, which shall include but not be limited to:[44]

- 1. Assist in identification of physical changes in the environment which may reduce crime in or around a school.
- 2. Assist in developing Board policy, administrative regulations or procedures which address crime, and recommending procedural changes.
- 3. Develop and educate students in crime prevention and safety.
- 4. Train students in conflict resolution, restorative justice and crime awareness.
- 5. Address crime and violence issues, gangs and drug activities affecting or occurring in or around a school.
- 6. Develop or expand community justice initiatives for students.
- 7. Other duties as agreed upon between the district and municipal agency.

Prior to assignment in the district, the district shall confirm that the law enforcement agency has completed a law enforcement agency background investigation and received the SRO's separation record, when required, in compliance with applicable law and regulations. The district shall coordinate with the law enforcement agency in making required reports regarding hiring and separation, and maintaining all required records, in accordance with applicable law and regulations.[30][34]

SROs shall successfully complete required training, in accordance with law.[44]	EXHIBIT - G
{ } School Security Guards	
The district shall	
{ } employ	
{ } contract for	
one or more school security guards, in accordance with the provisions of law. $[1]$	23][24][<u>45]</u>

School security guard - an individual employed by the district or a third-party vendor or an independent contractor who is assigned to a school for routine safety and security duties, and has <u>not</u> been granted powers by the court to issue citations, detain individuals or exercise the same powers as exercised by police of the municipality in which the school property is located, in accordance with law. An independent contractor or individual employed by a third-party vendor contracted with the district shall meet the requirements of contracted services personnel, in accordance with Board policy and the provisions of applicable law.[1][22][24][45]

Background Checks -

Prior to receiving an offer of employment, all school security guards shall comply with the requirements for background checks/certifications and employment history reviews for all school employees, in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 304 for school security guards employed by the district and Board policy 818 for school security guards employed by an independent contractor or third-party vendor.[23][24][25][26][27][28]

The district shall conduct a law enforcement agency background investigation in compliance with applicable law and regulations for all school security guards employed by the district and shall review a background investigation conducted for all school security guards employed by an independent contractor or third-party vendor.[29][30]

Following an offer of employment, the district shall request the separation record for a school security guard employed or contracted by the district, in accordance with applicable law and regulations for a law enforcement agency.[31][32]

Requirements -

School security guards shall provide the following services, as directed by the district: [45]

- 1. School safety support services.
- 2. Enhanced campus supervision.
- 3. Assistance with disruptive students.
- 4. Monitoring visitors on campus.[46]
- 5. Coordination with law enforcement officials,
 - { } including school police officers.
 - { } including SROs.

6. Security functions which improve and maintain school safety.

School security quards shall successfully complete required training, in accordance with law, and applicable staff training in accordance with Board policy. [45]

{ } School security guards authorized to carry a firearm shall maintain an appropriate license and successfully complete required firearm training in accordance with law.[45]

The district shall make reports regarding hiring and separation, and shall maintain all records, as required for a law enforcement agency, in accordance with applicable law and regulations.[30][34]

{X} Other Agreements

- {X} The district shall enter into a cooperative police service agreement(s) with a municipality(ies), in accordance with the provisions of law.[43][47][48][49]
- { } The district shall enter into an intergovernmental agreement(s) otherwise providing for School Resource Officers with other political subdivisions, in accordance with the provisions of law.[43] [44][49]

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