

NEW HOPE- SOLEBURY SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED:

REVISED:

805.1-AR-1. INCIDENT REPORT- DISCRETIONARY NOTIFICATION

The Superintendent or designee, including the School Safety and Security Coordinator, building principals, administrators, school safety and security personnel or district employees in charge of school field trips, will use their discretion and may report specified 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 law enforcement agency that has jurisdiction over the school's property or the property where the school-sponsored activity takes place, in accordance with state law and regulations and with the procedures set forth in the memorandum of understanding with law enforcement.

Incident - an instance involving an act of violence; the possession of a weapon by any person; 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 products by any person on school property; or conduct that constitutes an offense listed in the school safety and security provisions of School Code. (24 P.S. Sec. 1319-B).

Incidents involving the following criminal offenses may be reported to the law enforcement agency:

1. The following offenses under 18 Pa. C.S., and any attempt, solicitation or conspiracy to commit any of these offenses:
 - a. Section 2701 (relating to simple assault).
 - b. Section 2705 (relating to recklessly endangering another person).
 - c. Section 2706 (relating to terroristic threats).
 - d. Section 2709 (relating to harassment).
 - e. Section 3127 (relating to indecent exposure).
 - f. **Section 3131 (relating to unlawful dissemination of intimate image).**
 - g. Section 3307 (relating to institutional vandalism) when the penalty is a misdemeanor of the second degree.
 - h. Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2) (relating to criminal trespass).

- i. Chapter 39 (relating to theft and related offenses).
- j. **Section 4101.1 (relating to digital forgery).**
- k. Section 5502 (relating to failure of disorderly persons to disperse upon official order).
- l. Section 5503 (relating to disorderly conduct).
- m. Section 6305 (relating to sale of tobacco products).
- n. Section 6306.1 (relating to use of tobacco products in schools prohibited).
- o. Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages).

In determining whether to notify the law enforcement agency of an incident, the Superintendent or designee may consider the following factors:

1. The seriousness of the situation.
2. The school's ability to defuse or resolve the situation.
3. The student's intent.
4. The student's age.
5. Whether the student has a disability and, if so, the type of disability and its impact on the student's behavior.
6. Other factors believed to be relevant.

In making a determination of whether to notify the law enforcement agency of an incident listed above, and to the extent the district has the authority, the district may consider using available school-based diversion programs and available school-wide positive behavior supports to address the student's behavior.

In notifying the law enforcement agency of the incident, the Superintendent or designee will provide as much of the following information as is available at the time of the notification; however, the gathering of this information should not unnecessarily delay notification:

1. Whether the incident is in-progress or has concluded.
2. Nature of the incident.

3. Exact location of the incident.
4. Number of persons involved in the incident.
5. Names and ages of the individuals involved.
6. Weapons, if any, involved in the incident.
7. Whether the weapons, if any, have been secured and, if so, the custodian of the weapons.
8. Injuries, if any.
9. Whether emergency medical services or the fire department were notified.
10. Identity of the school contact person.
11. Identity of the witnesses, if any.
12. Whether the incident involves a student with a disability and, if so, the type of disability and its impact on the student's behavior.
13. Other such information as is known to the school district and believed to be relevant to the incident.

The Superintendent or designee will also 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 will inform the parent/guardian whether or not the law enforcement agency has been or may be notified of the incident. The Superintendent or designee will document attempts made to reach the parent/guardian.

Required Reporting

The Superintendent or designee will comply with all applicable reporting requirements, including mandated reporting in accordance with the Child Protective Services Law and submission of the annual school safety and security incident report to the PA Department of Education, in accordance with applicable law, regulations and Board policies.