

HOMELESS STUDENTS

I. Background

The education of homeless children continues to be a challenge to educators, parents/legal guardian, providers, advocates, and legislators. Because of the lack of low-income housing, as well as unemployment, under-employment, domestic violence, divorce, child abuse, teen pregnancy, and substance abuse, thousands of Maryland's children have found themselves living in shelters, cars, abandoned buildings, campgrounds, and many other temporary settings not suitable for regular human habitation. Many children who experience homelessness lose more than their homes. Many lose their furniture, pets, toys, and their playmates as they become uprooted in search of permanent place to live. For these children, school provides the only real source of stability in their lives.

The purpose of the Stewart B. McKinney Homeless Assistance Act as amended by the Improving America's School's Act of 1994 (Public Law 103-382) Education for Homeless Children and Youth Program, Title VII, Subtitle B, is to ensure that all homeless children and youth have equal access to the same, free, appropriate public education, including public preschool education, free lunch, before and after school programs, career and technology, gifted and talented, special education, Head Start, and Even Start programs.

II. Definitions of Terms Regarding Homeless

- A. "Local School System" means the public school system in which the student is enrolled.
- B. "School of Origin" means the school that the child or youth attended before the child became homeless, or the school in which the homeless child or youth was last enrolled.
- C. "Child" and "Youth" means any person who is eligible to attend public schools or educational programs that include pre-kindergarten through twelfth grade in Maryland including Head Start, Even Start, special education, or other programs.
- D. "Homeless Child" means:
 - 1. A school age child who is eligible to attend Maryland public schools and who lacks a fixed, regular, or adequate nighttime place of abode; or
 - 2. A school-age child who has a primary nighttime place of abode that is a:
 - 1. supervised public or private shelter designed to provide temporary living accommodations; or
 - 2. public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

E. "Parent" or "Guardian" means:

1. The parent/legal guardian, person, or public agency having legal or lawful physical custody of a homeless child.
2. The homeless child if the child is over the age of 18 and no parent/legal guardian is available.

F. "Child's or Youth's Best Interest" means taking into consideration and making a school placement decision on a case-by-case basis based upon parental preference to the extent feasible. This will be done by each school respectively with the parent(s)/legal guardian(s).

In selecting the school which is in the best interest of the homeless student, the parent/legal guardian and the school system shall:

Determine which school will best serve the interests of the student, including consideration of the following factors:

- the student's age
- the school which the student's siblings attend,
- the student's experiences at the school of origin,
- the student's academic needs,
- the student's emotional needs
- any other special needs of the family,
- continuity of instruction,
- length of stay in the shelter,
- the likely location of the family's future permanent housing,
- time remaining in the school year,
- distance of commute and other transportation related factors, and
- the safety of the child;

Other factors to be considered may include:

- continuity of instruction
- student's need for special instructional program
- quality of instruction in the school of origin
- age of the child
- school placement of siblings
- length of stay in the shelter
- likely area of family's future permanent housing
- schools attended by other children in the same shelter
- time remaining in school
- transportation and distance of commute, and
- safety of the child. see Transportation

G. "McKinney Act" refers to the Stewart B. McKinney Homeless Assistance Act as amended by the Improving America Schools Act of 1994 (Public Law 103-382).

III. **Determining Homeless**

(Other definitions of homeless children and youth are described in the U.S. Department of Education's Preliminary Guidance for the Education of Homeless Children and Youth Program.) In determining whether a child or youth is homeless, the relative permanence of the living arrangements should be considered. States and LEAs must make determinations on a case-by-case basis. In general, children or youth living in welfare hotels, transitional housing shelters, the street, cars, abandoned buildings, and other inadequate accommodations are considered homeless.

A. Children and Youth in Transitional or Emergency Shelters

If children or youth are placed in a transitional or emergency shelter because there is nowhere else to send them, and they are awaiting placement in a foster home or a home for neglected children, they should be considered homeless while in the emergency or transitional shelter. Once placed in a foster home or a home for neglected children or youth, they should no longer be considered homeless.

B. Children and Youth Living in Trailer Parks and Camping Grounds

Children and youth staying temporarily in trailer parks or camping areas because they lack adequate living accommodations should be considered homeless. Those living in trailer parks or camping areas on a long-term basis in adequate accommodations should not be considered homeless.

C. Doubled-up Children and Youth

Children and youth who are living in "doubled-up" accommodations, that is, are sharing housing with other families or individuals, are considered homeless if they are doubled-up because of a loss or similar situation. Families living in doubled-up accommodations voluntarily to save money, generally, should not be considered homeless.

D. Foster Children and Youth

In general, children and youth in foster homes **are not considered homeless**. Many foster children are in the care of a public agency awaiting placement in more permanent situations. The foster home, although temporary, serves as a fixed, regular and adequate nighttime residence. Children placed in a foster home for lack of shelter space, however, should be considered homeless.

E. Incarcerated Children and Youth

Children and youth who are incarcerated for violation or alleged violation of a law **should not be considered homeless**, even if prior to their incarceration they would have been considered homeless because they were living in inadequate accommodations. Children and youth who are under care of the State and are being held in an institution because they have no other place to live should be considered homeless. Once these children are placed in more permanent facilities, they are no longer considered homeless.

F. Migratory Children and Youth

Migratory children should not be considered homeless simply because they are children of migratory families. To the extent that migratory children are staying in accommodations not fit for habitation, they should be considered homeless.

G. Runaways

Children or youth who have run away from home and live in runaway shelters, abandoned building, the streets, or other inadequate accommodations are considered homeless, even if their parents/legal guardians have provided and are willing to provide a home for them.

H. School-Age Unwed Mothers

In general, if school age, unwed mothers are living in homes for unwed mothers, and they have no other available living accommodations, they should be considered homeless. However, if they are staying in such a home only temporarily to receive health care or other services, and intend to move to other adequate accommodations, they should not be considered homeless.

I. Sick and Abandoned Children and Youth

There are instances where children and youth remain in a hospital beyond the time that they would normally stay for health reasons because they have been abandoned by their families. These children and youth should be considered homeless because they have no other place to live. Children and youth who were homeless prior to hospitalization should be considered to be homeless while they are in the hospital, unless regular and adequate living accommodations will be made available to them upon release from the hospital.

J. Throwaways

Throwaway children or youth (i.e. those whose parents/legal guardians will not permit them to live at home) are considered homeless if they live on the street, in shelters, or in other transitional or inadequate accommodations.

IV. School Enrollment

A. Local school systems must enroll each homeless child or youth in the school determined to be in the child's or youth's best interest. The school shall immediately notify the pupil personnel worker of any homeless child who enrolls in school and any current student who becomes homeless while enrolled in Carroll County Public Schools. The pupil personnel worker will initiate a "Homeless Student Information Form" and determine if school based interventions are needed.

B. No school shall deny enrollment to any child solely because he or she is living in a shelter, lacks a permanent address, or is homeless.

C. No school shall deny enrollment to or delay the enrollment or transfer of any homeless child solely because the student is unable to produce school, medical or residency records.

D. The local school system shall, to the extent feasible, provide each homeless child who enrolls in the district with the choice of enrolling in:

1. The school of origin for the remainder of the academic year or if the child or youth becomes homeless between academic years for the following academic year; or
2. The school in which non-homeless students, who live in the attendance area in which the homeless child or youth is living, are eligible to attend.

- E. To the extent feasible, local school systems shall comply with the request made by a parent/legal guardian regarding school placement, regardless of whether the child lives with the homeless parent(s)/legal guardian(s) or is temporarily residing elsewhere.
- F. The child or youth shall be permitted to remain in the school selected in accordance with the choices specified in Section IV. D for as long as the child or youth remains homeless, or if the child or youth becomes permanently housed, until the end of the academic year.
- G. When a homeless child seeks to enroll in a school by notifying the school that he or she is homeless, and that he or she does not have appropriate transfer or medical documentation, it shall be the responsibility of the receiving school to **immediately enroll the child** and immediately make a reasonable effort to:
 - 1. Refer the student to the Pupil Personnel Worker to verify that the student is homeless
 - 2. Contact the sending school for proper transfer documentation; and
 - 3. Refer the student immediately, if necessary, to a physician or clinic including free clinics, which can provide any necessary examination or immunization in a timely manner.
- H. In the event that a homeless child lacks documentation regarding immunizations, the school shall immediately enroll the child and assist the parent/legal guardian in obtaining necessary immunizations in a timely manner. The school may not bar enrollment of the homeless child until it has made a diligent effort to assist the parent/legal guardian in obtaining necessary immunizations or records of prior immunization.
- I. Homeless teenagers often face barriers to school enrollment. Local school systems must ensure that educational and support services provided to younger homeless children are also provided to homeless children in secondary schools.
- J. Homeless students very often leave school without officially transferring and obtaining a Maryland Student Transfer Record. If this occurs, the local school system policy should be followed.
 - 1. **Receiving School:** If a homeless student transfers without the Maryland Student Transfer Record, register the student and call the former school for transfer information and records.
 - 2. **Sending School:** If contacted for information regarding a homeless student, provide requested information over the telephone and forward records for the homeless student to the receiving school in a timely manner.

3. **Special Education Services:** If the student is receiving special education services, those services shall be implemented upon enrollment and a request for records made via phone or facsimile. A homeless student may return to his/her former school or transfer to a new school within the same academic year. If this happens, the student must be placed on re-entry or transfer status. School administrative personnel should contact the previous school by telephone to request the student's records and discuss educational placement. Student records should be forwarded in a timely manner.
- K. Homeless students may leave school prior to graduation and without officially transferring. If this happens, school systems should follow established procedures for student withdrawal.

V. **Transportation**

- A. All local school systems must provide homeless children and youth with transportation services comparable to the services provided to non-homeless children attending the school that is determined to be in the best interest of the child.
- B. Additional transportation may be provided as long as the child or youth attends the school of origin and remains homeless, or if the child becomes permanently housed, until the end of the academic year during which the housing is required. If a child or youth begins living in another school district or if the child's school of origin is in another school district, then transportation services shall be provided to the extent required by the McKinney Act.
- C. Based on "best interest" determination, if a child or youth becomes homeless and remains in his or her school of origin, each school, upon learning of the student's homelessness, must notify the student and parent/legal guardian of the availability of transportation services, if such services are necessary for the homeless child or youth to continue attendance at the school of origin.
- D. When the local school system is notified about the parent's/legal guardian's desire to have their child return to the school of origin, it shall transport the child to that school, when feasible.
- E. Factors to be considered in determining the feasibility of transportation options are: parental preference; student preference; length of ride time; the distance to be traveled; the availability of buses and personnel; the opportunity for parent reimbursement; rerouting of buses; availability of alternative transportation modes (i.e., taxi or other types of public transportation such as bus, subway, or light rail) as permitted by law and the availability of funds. Such shall be discussed with the parent(s)/legal guardians in the school placement meeting.
- F. If the homeless student resides in a shelter in a local school system other than the local school system where the school of origin is located, the two local school systems shall confer to determine the feasibility of transportation options.

VI. Dispute Resolution Process (Grievance Procedure)

When a dispute arises regarding providing services to homeless children under the McKinney Act or this policy, the parent/legal guardian may initiate a grievance at the local school, which has allegedly violated the provision of the McKinney Act. Parents/legal guardians of a homeless child may appeal the decision of the school system in accordance with Section 4-205 (c)(4) of the Education Article. The student must be enrolled in the school system during this process. The school system is encouraged to attempt to resolve a dispute informally and on an expedited basis.

VII. Duration of Services

All homeless children and youth are eligible to receive services under the McKinney Act. A child or youth who ceases to be homeless may continue to receive services until the end of the period of time for which service was originally intended to be provided, which may be the end of the school year. A homeless child attending an extended day or extended year program who moves into a permanent residence may remain in the program for the rest of that school year. Local school systems must determine on a case-by-case basis whether to continue services for these children and youth beyond the school year.

A. Children in Non-Title I Schools

A local school system may provide Title I services to a homeless student who does not attend a Title I school. If a local school system chooses to serve homeless children and youth in non-Title I schools, it may reserve an appropriate amount for these services. This provision applies to homeless students in both public and private schools.

B. School-wide Programs

Under Title I, Part A, a local school system may combine Title I funds, including McKinney Act funds, with other federal, State, and local funds to upgrade the entire educational program in a school with a concentration of poverty that is 50 percent or more.

VIII. Documentation of Homeless Students and Services

Tracking of homeless students in Carroll County Public Schools will be maintained through completing the "Homeless Student Information Form" and entering required data in SASI, which is reported to MSDE with the year end attendance file. Student progress and other documentation will be maintained on the "Homeless Student Log".

A. Homeless Student Information Form - As a result of the "No Child Left Behind" legislation, Carroll County Public Schools is required to identify, assess, and closely monitor the needs of all homeless students. This task is the responsibility of each school.

1. The Pupil Personnel Worker will serve as the homeless coordinator for the school. An already functioning team in the school, along with the Pupil Personnel Worker will monitor the needs and progress of each homeless student enrolled at the school.

2. When a homeless student is identified the following procedure will be used:
 1. School based personnel will immediately notify the pupil personnel worker of any homeless students
 2. The pupil personnel worker assigned to the school will complete the Homeless Student Information Form.
 3. SASI – Homeless field is checked to indicate student is homeless. Homeless field remains checked for the remainder of the school year, even if the student transfers to another school.

- B. The progress of each homeless student will be monitored by the appropriate team on a monthly basis and documented on the form by the Pupil Personnel Worker.
 1. The school based team will provide input for the completion of the forms.
 2. The school-based team will determine the needs of the homeless student at one of their regularly scheduled meetings, and provide for unmet needs to be addressed.
 3. If it is determined that the student has academic needs that cannot be met by services available within the school, the Pupil Personnel Worker shall report this information to the Department of Minority Achievement and Intervention Services.

Revised 8/98, 7/00, 7/01, 7/05, 7/06, 3/07, 7/09

Carroll County Public Schools-Homeless Student Information

Student Name _____ School of Origin _____
 Grade _____ Date _____ SPED ELL
 PPW/Homeless Case Manager _____

Please check the appropriate box for each category.

Homeless Primary Nighttime Residence – determined at the initial identification as homeless

- S** - Student is currently residing in a shelter, transitional housing, or is awaiting foster care placement.
- D** – Student is doubled-up (living with friends/relatives)
- U** – Student is unsheltered. (Student is living in place not normally designated for shelter)
- M** – Student is living in a motel or hotel.

Homeless Unaccompanied Youth Status

- Y** – Student is **not** in the physical custody of a parent or guardian

School of Origin

- Parent informed of student right to attend school of origin Date _____

Homeless Services – Identify homeless services provided

- FaRMs** – FaRMs application completed or updated if student already receives reduced meals
- Transportation** – Student requires transportation to school of origin
- Referred to Minority Achievement and Intervention Program (MAIP)** – needs cannot be met through school or other resources

Services – Other services to be provided (check all that apply)

- Tutoring/instructional support
- Expedited evaluations
- Referrals for medical, dental, or other health services
- Assistance with participation in school programs (i.e. field trips, musical instruments)
- Before-school, after-school, mentoring and/or summer programs
- Obtaining or transferring records necessary for enrollment
- Clothing to meet school requirements (i.e. P.E. uniforms, etc)
- School supplies
- Referral to other programs and services
- Emergency assistance related to school attendance
- Counseling
- Other (Please specify) _____

Address Prior to Being Homeless:

Current Address:

 Street Address

 Street Address

 City, State, Zip

 City, State, Zip

Referred to PPW: Date _____

Initial assessment by team: Date _____

Transportation Needed: Yes No Date _____

Transportation Request or Reimbursement Form submitted Date _____

FaRMs Eligibility Completed: Date _____

Referred to Minority Achievement and Intervention Programs (MAIP) Date _____

If needs cannot be met through in-school resources Date _____

Student no longer Homeless (may still be eligible for services) Date _____ 6/09

FREE AND REDUCED MEALS

ELIGIBILITY:

Students may be eligible for free or reduced meals if they meet one of the following criteria:

- Children in households receiving Food Stamps or Temporary Cash Assistance (TCA) and most foster children can get free meals regardless of family income.
- Children in households participating in WIC may be eligible for free or reduced-price meals.
- Children certified as homeless, runaway, or migrant qualify for free meals.
- If the family's total household income is the same or less than the amounts on the Income Chart listed on the Free and Reduced Meal Application, child(ren) may qualify for free and reduced price meals.

APPLICATION:

To apply for Free and Reduced Meals the parent must complete a meal benefit application and return it to the school. To receive a meal benefit application contact the office of the school in which your child is enrolled.

REAPPLICATION:

Applicants may reapply anytime during the school year due to changes in qualifications. Some of these changes are; household size goes up, loss of job, decrease in income, household qualification of Food Stamps or TCA. In accordance with federal law and U.S. Department of Agriculture policy, discrimination is prohibited on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write to the USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue SW, Washington DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDE is an equal opportunity provider and employer.

VERIFICATION:

Eligibility may be checked at any time during the school year. School officials may ask applicants to provide documents showing that their child(ren) should get free or reduced price meals.

CONFIDENTIALITY:

School official will use the information on the Free and Reduced Meals Application form to determine if the child(ren) qualify for free or reduced price meals. Also, the name and eligibility status of the child(ren) may be:

- Given to local Title1 officials for allocation and evaluation purposes.
- Used for National Assessment of Educational Progress analyses or other authorized purposes.
- Given to other federal and State education or State health programs

No other use of this information is permitted.

FAIR HEARING:

Applicants may talk to school officials if they do not agree with the school's decision about their child's (children's) meal benefit eligibility or the results of verification. You also may ask for a fair hearing by calling or writing: Dana A. Falls, Director of Student Services, 125 North Court Street, Westminster MD 21157 Phone: 410-751-3123.

NOTE: Homeless and migrant children automatically qualify for free and reduced meals. Therefore a meal benefit application is not required.

CARROLL COUNTY PUBLIC SCHOOLS ADMINISTRATIVE REGULATIONS

BOARD POICY JICA: STUDENT DRESS CODE

The Board of Education has a strong commitment to the learning process. Therefore, the Board of Education has a legitimate interest in regulating student attire and appearance during the school day in an effort to avoid disruption, to promote self discipline, to promote student health and safety, and to maintain an atmosphere conducive to learning.

Students of Carroll County Public Schools are required to groom themselves in a manner that is modest, clean, appropriate, decent, and not disruptive to the educational process. Students are expected to abide by this dress code from their arrival to the school building to the defined ending of the school day. The requirements include, but are not limited to:

Definitions:

Cleavage Area: An area between the breasts exposed by a low-cut neckline
Skorts: Shorts with a skirt-like overlay
Midriff Area: An area between the chest and the abdomen

Head Coverings:

- Hats, sunglasses, or head coverings of any kind, including bandanas and visors, shall not be worn in the school building unless approved for religious or medical reasons. Certain headbands, scrunchies, etc. which are used to hold hair in place and do not cover the entire head are permitted.

Shirts: *Shirts shall:*

- Cover the entire back (i.e., no cutout backs, no shirts that tie in back).
- Cover the midriff area (bottom of the shirt must meet the top of the lower attire at all times).
- Cover undergarments (i.e., muscle shirts and under armor shirts are considered undergarments, and must have a shirt over them).
- Not be see-through.
- Fit modestly so that cleavage area is covered.
- Have two straps, one on each shoulder (no tube tops or halter tops).

Shorts/Skirts/Skorts/Pants:

- Skirts, skorts, and shorts should not be excessively short. The guideline for “excessively short” is clothing that exposes the upper half of the thigh while standing. Pants will cover undergarments at all times and not be excessively long as to drag on the floor.

Other:

- No shoes with wheels shall be worn.
- No bedroom slippers shall be worn.
- No chains which could inflict significant bodily harm if used as weapon, spiked clothing or accessories shall be worn.
- No mutilated, cutout or ragged clothing shall be worn that exposes the bare skin between the upper chest and mid-thigh or creates a significant distraction.
- Underwear shall not be showing and shall not be worn as outerwear.

- Clothing shall not convey advertisements for condoms or other birth control devices, stated or implied.
- Clothing shall not convey messages that express hate, racial slurs, or sexual harassment.
- Not convey establishments or products whose names can be directly interpreted or construed as carrying a “double meaning” involving sexual innuendo; tobacco, alcohol or drug use; gang symbols; weapons; or sexual activity.

Violations

A student found wearing inappropriate clothing will be asked to change or remove the item, and will be given an opportunity to do so. Should the student not be able to change or remove the item, clothing may be provided by the individual school. Student failure to cooperate will be referred to an administrator. Any student not complying with the direction of the administrator may be considered insubordinate and subject to appropriate disciplinary action. The Superintendent/Designee may enforce additional restrictions in order to maintain a safe and orderly environment.

Requests for Exceptions

Exceptions to the dress code for the purpose of school spirit activities by clubs or organizations are will occur at the discretion of the school administration.

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PROCEDURES FOR HANDLING SUICIDE ATTEMPTS, THREATS OF SUICIDE AND SELF INJURY

I. Suicide Attempts

- A. Provide constant adult supervision for the student, summon the school nurse immediately, and notify the administrator and counselor.
- B. The school nurse, or other adult in the absence of the nurse, should assess the immediate medical needs of the student and administer first aid.
- C. If immediate medical needs dictate, call "911."
- D. Notify the parents/legal guardians immediately.
 - 1. Inform them of the location of the student and ask for them to join their child.
 - 2. Advise the parent/legal guardian of the need for medical and psychiatric treatment and follow-up and provide referral sources.
- E. Notify the Supervisor of Health Services (x3124) and the Office of the Superintendent of Schools (x3128) if the student has been transported.
- F. About 24 hours later, follow up beginning with step D. 10. below.

II. Suicide Threats

- A. When a student confides in a staff member that he/she is contemplating suicide or contemplating causing harm to him/herself in any way, the staff member must take immediate action.
- B. School staff should work with the school counselor who has a duty to use all reasonable means to prevent the suicide, including at a minimum, informing the student's parents/legal guardians of the threat. If the counselor is not available, the school staff member and the principal should work with the student and use all reasonable means, including informing parents/legal guardians, to prevent the suicide.
- C. Parental notification by the counselor or the person handling the case should occur before the student is permitted to leave the building. An exception to parental/guardian notification is if the student is contemplating suicide due to parental/guardian abuse. If the staff member has reason to believe that the student has been subjected to abuse or neglect, procedures regarding the reporting of child abuse shall be followed. (See Child Abuse or Neglect Guidelines.)

D. The following procedures outline the action to be taken in working with the student and parent/legal guardian:

1. Deal with the suicide situation immediately.
2. Determine whereabouts of the student.
3. Provide for the student's immediate security or safety.
4. If the student's whereabouts are not known, help the parent/legal guardian develop a plan to locate the student.
5. If the student is within the school setting, do not leave the student unsupervised, and do not allow the student to go home on the bus until a plan for his/her safety is developed.
6. Talk with the student.
7. Assess for suicide potential
8. Consult with colleague
9. Inform administrator
10. Contact parent/legal guardian
11. Determine if the family is currently involved in a therapeutic environment
12. Discuss appropriate services:
 - a. Youth Service Bureau (410-848-2500 or 410-876-2500)
 - b. Other agencies
 - c. Private therapist - current therapist or new referral
 - d. Physician
 - e. Hospital
13. Determine with parent/legal guardian the course of action they will pursue
14. Call referring service to notify and share information
15. Call the office of the Supervisor of Guidance (x3117) to report:
 - a. Student's name
 - b. Grade
 - c. RACE
 - d. Presenting problem
 - e. Was parent/legal guardian notified?
 - f. Your name
 - g. Colleague with whom you discussed the case
 - h. Disposition
16. Follow up with parents/legal guardians 24 hours later to ascertain that a link with the therapeutic community has been made and to offer appropriate support and services from the school.
17. Follow up with the therapist(s) and support the student within the school setting in a manner agreed upon with the therapist(s).

- III. Self Injury – Often seen as a means to communicate despair rather than an attempt to injure oneself.
- A. All staff members shall immediately report any acts of self injury by a student to the school counselor or
 - B. The school counselor will talk with the student to determine the self injurious behavior, frequency of behavior, reason for behavior, etc.
 - C. Any non treated recent injuries should be reviewed by the school nurse to determine appropriate medical follow up.

- D. The school counselor will notify the parent to discuss concerns and determine if the student is in therapy or outside counseling. If the student is currently receiving outside counseling, the school counselor will strongly recommend that the student be seen immediately by the therapist.
- E. If the student is not in therapy or counseling, the counselor will contact the Supervisor of Guidance for consideration of a referral to the Youth Service Bureau for assessment.
- F. The Supervisor of Guidance will contact the Youth Service Bureau personnel to determine if an assessment is appropriate.
- G. The Supervisor of Guidance will contact the school counselor to approve the assessment, if appropriate. The school counselor will direct the parent to contact the Youth Service Bureau (410-848-2500, ext 24) for an appointment.
- H. All incidents of self injury are to be reported to the office of the supervisor of guidance to report the student's name, grade, race, presenting problem, was parent/legal guardian notified, your name, colleague with whom you discussed the case, disposition. Follow up with parents/legal guardians 24 hours later to ascertain that a link with the therapeutic community has been made and to offer appropriate support and services from the school. Follow up with the therapist(s) and support the student within the school setting in a manner agreed upon with the therapist(s).

Revised 8/93, 8/97, 8/99, 5/05

INAPPROPRIATE STAFF INTERACTIONS WITH STUDENTS

I. Introduction

The relationship between students and staff is to be one of a professional nature at all times. Because school personnel have the responsibility for the supervision of children, interactions with students should remain clearly within the confines of a professional staff/student relationship. Teachers and other staff are to be exemplars of appropriate behavior. Therefore, Carroll County Public Schools will not tolerate any activity at any time on the part of staff members which violates the professional relationship between students and staff.

Although a staff member's behavior may be perceived as welcomed or encouraged by the student, any inappropriate staff interaction with a student will be handled as a very serious matter.

II. Definitions

Inappropriate staff interactions with students fall into two categories:

- Staff behavior where there is reason to believe that child abuse, sexual abuse, neglect or mental injury may have occurred
- Staff behavior that is outside the realm of the professional standards for acceptable interactions with students but does not rise to the level of suspected child abuse.

III. Reporting

Any behavior/conduct on the part of a staff member where there is reason to believe that child abuse, neglect, sexual abuse, or mental injury has occurred shall be immediately reported to the Department of Social Services as outlined in the "Child Abuse or Neglect Guidelines" in section IX of the Student Services Manual. Such behaviors shall also be reported to appropriate Carroll County Public Schools' supervisory staff as outlined below.

Any person who believes that a staff member's relationship with a student is inappropriate shall immediately notify the principal or other appropriate administrator if the staff member is not school based.

If the alleged misconduct involves a principal, the matter shall be brought to the attention of the Director of Student Services who will work with the appropriate School Director and the Director of Human Resources to investigate and react to the concern.

Upon notification of an alleged inappropriate relationship between a staff member and a student, the principal shall immediately:

- Report the alleged behavior to the Department of Social Services if there is reason to believe child abuse, sexual abuse, neglect, mental injury or any other abusive act toward a child occurred, if not already reported.
- Contact the Director of Student Services before beginning any investigation what so ever

The Director of Student Services will:

- Begin a record of the reported staff behavior
- Notify the Director of Human Resources, the appropriate School Director and other supervisory staff as appropriate
- Consult with Department of Social Services on reported cases
- Keep appropriate Carroll County Public Schools' supervisory staff informed
- Obtain the "ruling" by Department of Social Service on reported cases
- If reported to the Department of Social Services for investigation of potential child abuse obtain authorization from the investigating agency for Carroll County Public Schools to conduct an investigation
- Notify appropriate Carroll County Public Schools' staff of the Department of Social Services ruling and the authorization for Carroll County Public Schools' to begin investigation, in reported cases

IV. **Failure to Report**

Failure by staff to report information as outlined above will result in consequences as determined by the Director of Human Resources in consultation with other Directors and the principal as appropriate. Also, criminal and civil consequences may be imposed for failure to report suspected child abuse, neglect, sexual abuse or mental injury.

V. **Investigation**

All investigations of inappropriate staff/student relationships shall be handled in as confidential a manner as possible in order to protect the privacy of all parties involved.

VI. **Documentation**

If there is reason to believe that child abuse, sexual abuse, mental injury, or any other abusive act toward a child may have occurred, a verbal report shall be made immediately to the Department of Social Services and a written report within 48 hours using the Child Abuse/Neglect Report Form available in each school or from the Student Services Department.

The Inappropriate Staff/Student Interaction Investigation Form shall be completed with copies distributed and filed as indicated on the form. All aspects of the incident shall be documented in the report including the investigation, decisions, consequences, etc. Within 5 days of the date of the alleged misconduct was reported to the administrator, the administrator shall complete the Inappropriate Staff/Student Interaction Investigation Form and submit it to the Director of Student Services with a copy to the Director of Human Resources and the appropriate School Director.

VII. **Consequences**

The appropriate School Director and the Director of Human Resources will be consulted during the investigation and in determining appropriate consequences for the offender. Consequences may range from a conference with an appropriate superior up to and including termination of employment and loss of certification.

VIII. **Parent Notification**

The principal shall notify the student's parent/legal guardian of the allegation of an inappropriate interaction with the child by a staff member as soon as practicable and legally possible. In all incidents involving an investigation by the Department of Social Services, the school principal and the Department of Social Services staff member will jointly decide when the parent shall be notified and by which agency (CCPS or DSS).

IX. **Annual Training/Information Dissemination**

The Principal, on no less than an annual basis, shall make the faculty and staff aware of the regulations regarding inappropriate staff interactions with students. Parents/legal guardians will be informed through the Carroll County Public Schools' Informational Calendar, school newsletters, student handbooks, or other appropriate forms of notification as determined by the principal.

X. **Inappropriate Staff Behavior (examples)**

Inappropriate communication:

- making personal or intimate references to self or others
- sending letters, communications of an intimate or nonprofessional nature
- making telephone calls regarding nonprofessional matters or concerns

Inappropriate conduct:

- giving of intimate or inappropriate gifts
- arranging to meet a student for nonprofessional reasons
- condoning or participating with student(s) committing illegal acts or acts in violation of school rules.

Sexual Harassment: Any unwelcome verbal or physical conduct of a sexual nature which denies, limits, conditions or interferes with the provision of education, assistance or services protected under Title IX, or creates a hostile or intimidating educational environment.

Dating and Sexual Relations:

Employees may not ask for a date, go out on a date, or have sexual relations with any current student, of Carroll County Public Schools up to age 21.

- Dating: May include, but is not limited to, a social appointment, engagement, or occasion, preplanned or not, between persons for social or sexual gratification. Dating may also include occasions where the sole or major purpose is for personal pleasure.
- Sexual Relations: Sexual relations may include, but is not limited to, sexual contact or conduct, in person or through communication, occurring between or involving two or more persons. Examples include:
 - inappropriate touching or fondling
 - intimate kissing
 - phone calls, letters, tapes of a sexual nature
 - allowing, permitting, encouraging or engaging in obscene or pornographic discussion, display or photography
 - accepting or giving gifts of a sexual/intimate nature
 - filming or depiction of a child as prohibited by law
 - communications that include sexual innuendos
 - any kind of sexual penetration; sexual molestation; sexual exploitation
 - sexual intercourse

Child Abuse/Sexual Abuse/Mental Injury:

- **Physical Injury:** Indicators of physical injury include bruises, burns, welts, cuts, and abrasions, particularly when the child's explanation of injury does not fit the injury or if the injury does not seem likely to have resulted from normal activity given the child's age and physical development.
- **Sexual Abuse:** Indicators of sexual abuse include difficulty in sitting or walking, unexplained and unattended medical problems with the genitals or digestive system, and unexplained pregnancy.
- **Mental Injury:** Indicators of mental injury include development of phobias, severe depression, severe withdrawal, significant change in affect, sleeping or eating disorders, or a substantial change in developmental functioning.
- **Inappropriate behaviors that may result in a child abuse report:**
 - Striking a child or inflicting any form of corporal punishment (see corporal punishment)
 - Making sexual innuendos or sexual advances to students
 - Engaging in physical contact of a sexual nature with student
 - Initiating, encouraging or engaging in obscene or pornographic discussions or displays with students
 - Engaging in sexual exploitation of the teacher/student relationship
 - Accepting or giving gifts of a sexual/intimate nature
 - Dating or requesting dates with students
 - Accepting student offers of sexual favors

Revised 6/06

INAPPROPRIATE STAFF INTERACTIONS WITH STUDENTS INVESTIGATION FORM

Instructions: This form is to be used to report investigations of all incidents involving inappropriate staff behavior directed toward students. It is to be completed and submitted to those listed below within five school days after a complaint is received by the principal. If after five school days the investigation is incomplete, a second report will be completed and submitted at the conclusion of the investigation.

Administrator filing the report: _____ Investigation Began: _____ Ended: _____
Title: _____ School/Location: _____
Name of staff member: _____ Position _____ School/Location: _____
Student Name: _____ DOB: ___/___/___ Grade: ___ School: _____
Parent Name: _____ Phone: _____

Reported to the Department of Social Services? Yes No If yes, date reported _____

- 1) State the alleged inappropriate behavior (include the name and role of person making the allegation):

- 2) Describe the investigation process, including list of persons consulted and any agency referrals, (attach copies of child abuse referral or consultation report forms if reports were made) dates of contacts and any reactions/suggestions made:

- 3) State any other relevant or pertinent information:

- 4) Describe findings of the investigation:

- 5) Describe details of parent/legal guardian contact: (date, time, any new information)

- 6) List any actions taken, including dates, as a result of the investigation and/or any concerns regarding the case that require follow up:

Signature of Administrator Filing the Report Date

Any additional pages are to be copied and attached to each copy of this form.

Copies: **White** - Administrator, **Yellow** - Director of Human Resources, **Pink** - Appropriate School Director

(A copy shall also be sent to the Director of Student Services and the employee's administrator and/or Director if different from above)

Revised 6/06

GUIDELINES FOR EDUCATORS DEALING WITH SUBSTANCE ABUSE SUBSTANCE USERS WHO ARE SEEKING HELP

Guidelines for dealing with students suspected of substance abuse have been developed over a period of time and are designed to comply with applicable Maryland Law which encourages and protects students who seek information from teachers and other educational and health professionals on how to overcome substance abuse problems.

Section 7-410 of The Public School Laws of Maryland provides that, when a student seeks information for overcoming a drug problem from any educator (teacher, counselor, administrator, or other student services specialist) that no statement made by the student or observations made by the educator during the information/counseling session is admissible in any proceeding. This means no criminal conviction or school disciplinary action can result from what was said or done during this conference between the student and educator.

The law further states that educators cannot be compelled by the school administration or other authorities to divulge the identity of any student who seeks abuse information.

Article 43, Section 135 of the Maryland Annotated Code indicates that any young person, including those under eighteen years of age, may be treated by a physician for any form of drug abuse without his or her parent's/legal guardian's consent. The treating physician is under no legal duty to inform the parents/legal guardians of any minor under treatment for drug abuse.

Whenever a person seeks counseling or treatment for drug abuse from a physician, psychologist, hospital, or authorized drug program, no criminal convictions may ensue from the contents of those sessions. The law guarantees that any statement made by a person seeking help or any observation made by the one treating that person is not admissible in court or in any other proceeding.

Every case in which a student seeks counseling or information from a professional educator for the purpose of overcoming drug abuse must be handled on an individual basis, which will depend upon the nature and particulars of the case. In determining what procedures might be appropriate, the educator shall consider the following factors:

1. age of student
2. type of drug
3. intensity of involvement
4. sincerity of student and willingness to undertake appropriate treatment
5. resources available
6. parental involvement

HELPING RELATIONSHIP

As in any good helping relationship, the educator, at the earliest appropriate time, is encouraged to discuss the availability of other resources, his/her professional limitations, and the desirability of parental involvement. Decisions to include parents/legal guardians should be made jointly by the student and educator, unless, in the judgment of the educator, the mental or physical health of the child is immediately and dangerously threatened. Examples of immediate and dangerous threats to a student's health are:

- loss of consciousness
- severe intoxication
- inability to communicate coherently
- threat of suicide

If you suspect drug - induced unconsciousness or illness, notify the nurse immediately.

In contacts with students seeking to overcome a drug problem, educators should conduct their "helping role" on school premises only.

If an educator feels incapable of providing adequate help for the student, or feels that counseling can no longer benefit the student, the educator and student should cooperatively seek additional professional help from available sources such as the school's School Counselor, Crisis Intervention Specialist, Student Assistance Team, and Pupil Personnel Worker.

All educators should have access to a list of available resources in their community where students with drug problems may be referred for help.

In the general classroom situation, teachers **should not** attempt to diagnose symptoms of drug abuse. If it is felt that a student is physically or mentally incapable of functioning properly in class, the educator shall address the situation immediately by following the established school procedures, such as contacting an administrator or having the student escorted to the school health room.

CONFIDENTIALITY

The law on confidentiality places no duty on the part of educators to inform parents/legal guardians, administrators, or law enforcement personnel of the identity of students seeking help for overcoming drug abuse problems. However, as in the performance of any professional role, failure to act reasonably in a drug counseling case may subject the educator to civil liability. While confidentiality is a major force in enhancing help-seeking by current or potential drug abusers, educators are cautioned to obtain professional medical advice or addictions consultation. Educators shall refer the student to the appropriate addictions agency and/or medical facility.

Any written information pertaining to or about the help-seeking counseling session should be regarded as the personal notes of the educator. **No record should be kept in the student's permanent record.** Under no circumstances should information concerning students and their alcohol/drug abuse problems be given to any source except the police and/or health authorities in situations where there is a violation of the law.

PROCEDURES FOR HANDLING INDIVIDUAL CASES

I. Suspected Abuse (Not on school property)

- a. Discuss situation with student, if appropriate
- b. Make a referral to the school's Student Assistance Team

II. Possible or Definite abuse in school

- a. Immediately report to an administrator,
- b. The administrator will refer to Administrative Regulations - Substance Abuse.

III. Possession of Suspected Drugs or Suspicious Substances

When an educator comes into possession of suspected drugs or suspicious substances, the following steps should be taken:

- a. Immediately place the suspected drug or suspicious substance in an envelope or other container and label the container with date, time, and circumstances. (When the suspected drugs are acquired by an educator during a help-seeking conference, the name of the student should not be indicated.)
- b. Do not taste or touch the suspected drug or suspicious substance under any circumstances.
- c. Immediately, or at the earliest opportunity, turn the suspected drug over to the Principal (or, in his/her absence, the Assistant Principal) who, in turn, will keep it under lock and key.
- d. The Principal (or Assistant Principal) shall notify the Coordinator of School Security.

SUBSTANCE ABUSE EDUCATION

Substance abuse prevention programs should target all forms of drug abuse, including the use of inhalants, tobacco, marijuana, and other illegal drugs. Such programs should be long-term, from Kindergarten through grade 12, and include age appropriate skills to strengthen individual protective factors and reduce risk factors.

Factual information about substances and addiction should be combined with school activities which teach social competence, promote positive peer influence, promote anti-drug social norms, and emphasize skills training. Resources and materials about our K-12 curriculum can be obtained by contacting the Supervisor of Health Education.

Revised 8/03

CHILD ABUSE OR NEGLECT GUIDELINES

Family Law Article, Title 5, Subtitle 7

I. Child Abuse

Maryland's Family Law Article, Title 5, Subtitle 7, has as its purpose the protection of children from physical abuse and neglect by early intervention. The law specifies that reporting of known or suspected physical or sexual abuse is the responsibility of any health practitioner, educator, human service worker, or law enforcement agency or officer. In the making of a report, the law provides immunity from civil liability or criminal penalty. The report should be made orally either to the local department of social services or to the appropriate law enforcement agency. In addition, a written report must be made within 48 hours on a special form available from the local department of social services. Child abuse or neglect can be life threatening and should be considered as a possibility with students about whom there is concern.

Definitions

- A. Abuse: The physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child or by any household or family member under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed, or sexual abuse of a child, whether physical injuries are sustained or not.
- B. Sexual Abuse: Any act or acts involving sexual molestation or exploitation, including but not limited to incest, rape, or sexual offense in any degree, sodomy, or unnatural or perverted sexual practices, of a child by a parent or any family or household member or by any other person who has the permanent or temporary care or custody or responsibility for supervision of a minor child.
- C. Sexual molestation or exploitation includes, but is not limited to, contact or conduct with a child for the purpose of sexual gratification, and may range from sexual advance, kissing or fondling, to sexual crime in any degree, rape, sodomy, prostitution, or allowing, permitting, encouraging, or engaging in the obscene or pornographic display, photographing, filming or depiction of a child as prohibited by law.
- D. Mental injury means the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function.
- E. Physical and behavioral indicators of abuse are listed in Article VI. below.

II. Child Neglect

The provisions of the Family Law Article dealing with child neglect require that every health practitioner, educator, human service worker, and law enforcement agency or officer make an oral or written report of a child believed to be a neglected child to the local department of social services. The written report must be made within 48 hours after the occurrence of the contact with the neglected child. In addition, a person acting in his/her capacity as a member of the staff of a hospital, public health agency, child care institution shall notify the head of his/her institution or his/her designee.

Definitions

A. Child neglect means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm; or mental injury to the child or a substantial risk of mental injury.

A neglected child is one who is:

- left unattended or inadequately supervised for long periods of time.
- consistently or frequently receiving insufficient food.
- receiving inadequate medical or dental treatment (only reportable by a physician).
- consistently or frequently wearing inadequate or weather- inappropriate clothing.
- at risk of substantial harm due to a lack of a safe environment in the home.
- ignored or badgered by the caretaker.

B. Parent means biological or adoptive parent.

C. Educator or Human Service Worker: Any professional employee of any correctional, public, parochial or private educational, health, juvenile service, social service agency, institution, or licensed facility. Education or human service worker includes any teacher, counselor, social worker, caseworker, and any probation or parole officer.

D. Physical and behavioral indicators of neglect are listed in article VI. below.

III. Dating or Sexual Relations between Staff and Students

The relationship between students and staff is to be of a professional nature. Because school personnel have the responsibility for the supervision of children, teachers' and other staffs' interactions with students should remain clearly within the appropriate confines of a professional staff/student relationship. Therefore, asking for a date, dating or exploiting the teacher/ student relationship by soliciting or actually engaging in sexual relations is not to occur between Carroll County Public Schools employees and students.

Definitions

A. Dating: Dating may include, but is not limited to a social appointment, engagement, or occasion, pre-planned or not, between persons for social or sexual gratification. Dating also may include occasions where the sole or major purpose is for personal pleasure.

B. Sexual Relations: Sexual relations may include, but is not limited to, sexual contact or conduct, in person or through communication, occurring between or involving two or more persons. Examples include:

- inappropriate touching or fondling
- intimate kissing
- phone calls, letters, tapes of a sexual nature
- allowing, permitting, encouraging or engaging in obscene or pornographic discussion, display or photography
- accepting or giving gifts of a sexual/intimate nature
- filming or depiction of a child as prohibited by law
- communications that include sexual innuendos
- any kind of sexual penetration; sexual molestation; sexual exploitation
- sexual intercourse

IV. **Staff/Community Awareness**

The Department of Human Resources shall see that each new staff member has knowledge about what is child abuse/neglect, staff's obligation to report suspected abuse/neglect, and how such a report is to be made. Principals and cost center administrators are to review abuse/neglect information with all staff no less than on an annual basis.* Members of the students' community, including volunteers, who assist in school matters are to be informed about their duty to report abuse and neglect. The community may be informed by means of the school calendar, PTA meetings, school newsletters or handouts. In addition, principals should advise staff to consult with an administrator in advance regarding staff/ student interactions that could be interpreted as social events. Staff should be aware that since school personnel have the "responsibility for supervision of a child," all interactions with students should remain clearly within the appropriate confines of a professional teacher/student relationship. Activities, if engaged in with students, that could place a staff member in jeopardy of being reported for, and possibly found guilty of, child abuse include:

- striking a child or inflicting any form of corporal punishment (SEE CORPORAL PUNISHMENT)
- making sexual innuendos or sexual advances to students
- engaging in physical contact of a sexual nature with students
- initiating, encouraging or engaging in obscene or pornographic discussions or displays with students
- engaging in sexual exploitation of the teacher/student relationship
- accepting or giving gifts of a sexual/intimate nature
- dating or requesting dates with students
- accepting student offers of sexual favors

V. In addition, staff should be aware that Board policy prohibits dating or sexual relations between staff and students. Implementation

A. Reporting Information

1. Reporting Child Abuse/Neglect*

Any employee** or volunteer of Carroll County Public Schools who suspects, or has reason to believe, that a child, student or non-student, is or was subject to maltreatment is responsible for immediately reporting child abuse, sexual abuse or neglect to the appropriate agency***. It is the responsibility of that agency, after receiving the report, to determine the follow-up, if any, and/or the extent of the investigation, if any, to be conducted. All reports shall be made to the Protective Services Department of Social Services (410-386-3434). Following an oral report by an educator of any suspected child abuse or neglect, the educator must then submit a written report, within forty-eight hours, to the Department of Social Services with a copy to the Offices of the State's Attorney, Principal and Director of Student Services. Child Abuse/Neglect Report Forms are available at each school. Failure to report suspected child abuse, neglect or sexual abuse to Social Services or State Police can be considered misconduct in office and can result in dismissal.**** (Section 6-202 of the Public School Laws of Maryland)

* *If the suspected abuser is an employee, follow this section as well as sections G. and H. below.*

** *Carroll County Public Schools expects all employees and volunteers to comply with these reporting procedures.*

*** *Information about incidents that occurred even years ago is also to be reported if there is reason to believe abuse occurred.*

**** *A counselor or administrator in the school could be consulted regarding such matters. Discussion with these people is not a substitute for making a report to the agencies mentioned previously.*

2. Confidentiality of Reports of Child Abuse

Reports of suspected child abuse will be kept confidential. (The reporter should, however, cooperate with the Department of Social Services and the police who are investigating the incident as well as school system administrators.)

The reporter should maintain confidentiality of the contents of the report and the progress of any resulting investigation.

Reports of suspected child abuse/child neglect are to be distributed as indicated on the form (one copy to Department of Social Services, State's Attorney, Principal and Director of Student Services). These reports are confidential. The Principal and the Director of Student Services shall maintain the report in a confidential file. Access to the report shall be provided on a "need to know" basis to school officials of the Board of Education of Carroll County, including but not limited to the Superintendent or his designee, and to law enforcement officials, the Office of the State's Attorney and the Department of Social Services. When the alleged abuser is a Carroll County Public Schools' employee, if given permission to do so by the investigating agency, a school administrator will promptly inform (normally prior to the end of the next school day) the student's parent(s)/legal guardian(s) of the situation and the referral to the investigating agency. The Superintendent or his designee shall determine who shall have access to the report. An employee who is the subject of a child abuse report shall only be entitled

to access the report if permission is first granted by the Superintendent or his designee and the Office of the State's Attorney or upon judicial order. Except as provided above, there shall be no disclosure of these reports. It shall be the practice of the Carroll County Public Schools to neither admit nor deny that a specific report has been made or that a specific file is being maintained. The reports of suspected child abuse not involving school employees shall be maintained for no less than three years.

3. Failure to report suspected child abuse/neglect - Should an employee fail to report a case of suspected abuse or neglect, as required by these regulations, there are at least two areas of consequences:

a. Criminal consequences

Failure to report abuse or neglect may be prosecuted under certain circumstances, as common law conspiracy and obstruction of justice offenses.

b. Civil consequences

The Department of Human Resources shall, following an investigation, recommend to the Superintendent the disciplinary action to be taken.

The investigation shall include:

- The employee's knowledge of the situation.
- Was such knowledge sufficient to give persons in a similar position reason to believe that abuse or neglect was a possibility?
- The reporting action, or lack thereof, taken by the employee.

Recommended disciplinary action could include one or more of the following:

- verbal reprimand
- written reprimand
- suspension with or without pay
- dismissal
- loss of certification

Information released to the public about an employee's failure to report suspected child abuse/neglect will be done only by the Director of Human Resources, or his/her designee, in such a manner not to violate the confidentiality of the employee/employer relationship or the confidentiality associated with the release of student/family information.

B. Notification of Principal or Director of Student Services

The staff member who reports suspected child abuse or neglect or who examines, attends, or treats a child that may have been abused or neglected shall, in addition to contacting the Department of Social Services or State Police, immediately notify and give all necessary information to the Principal of the school where the child attends.

C. Emergency Medical Treatment

The school nurse will provide immediate routine care of injuries according to Carroll County Public School procedures. In the event that a child is in need of further emergency medical treatment as a result of suspected abuse or neglect, the school Principal, in collaboration with the school nurse or other health professional when available, shall arrange for the child to be taken immediately to the nearest hospital. The Department of Social Services or law enforcement officer should be consulted before taking the child to the hospital when feasible; in cases where the emergency conditions prevent such consultation, the Department of Social Services or Law Enforcement should be notified as soon thereafter as possible. In all other instances, it is the role of the Department of Social Services and/or law enforcement officer to seek medical treatment for the child. Information contained in school health records needed during the existence of a health and safety emergency may be disclosed without parental consent and without violating the provisions of the Federal Educational Rights and Privacy Act (FERPA) of 1974.

D. Immunity/Confidentiality

Immunity shall be extended to persons reporting child abuse, sexual abuse and neglect cases in good faith, as clarified in Family Law Article, Title 5, Subtitle 7. Reporting child abuse, sexual abuse and neglect incidents in good faith will not violate the Family Education Rights and Privacy Act. The Department of Social Services will not reveal the name of the person making the report unless the educator who filed the report has given written permission to Protective Services to reveal his/her identity.

E. Reporting Forms

Forms to report abuse and neglect are available in each school and the Department of Student Services. (see also Child Abuse / Neglect Report Form). Note the form asks if the student needs accommodations to facilitate understanding and communication.

F. Protective Services Interviewing Students (See Questioning on School Premises.)

G. Employee Is a Suspected or Actual Child Abuser

When an employee is a suspected or actual child abuser, the principal shall make the contacts as directed in Article V.A.1. above and immediately notify the Director of Student Services. That Director shall notify the Director of Human Resources and the appropriate school Director. However, an investigation by the school may not occur until cleared to do so by Protective Services or the Maryland State Police or appropriate police agency (as established by Office of Attorney General, December 17, 1991). The Directors will determine whether sufficient reason exists to recommend to the Superintendent any disciplinary action prior to, during, or at the conclusion of, any investigation by Protective Services/State Police or the school system's own investigation. Items to be considered prior to a recommendation include:

- Information known or alleged.
- Effect of information on the employee's ability to perform job assignment.
- Conclusions of Protective Services/State Police investigation.
- Conclusion of school system's investigation.

If given permission to do so by the investigating agency, (normally prior to the end of the next school day following the principal learning of the report) the school administrator shall promptly inform the student's parent(s)/legal guardian(s) of the situation and the referral to the investigating agency. The school administrator shall also document the complaint or incident using the Staff/Student Relationship Investigation Form.

Recommended disciplinary action could include one or more of the following:

- verbal reprimand
- written reprimand
- job transfer
- suspension with or without pay
- dismissal
- loss of certification

Information released to the public about an employee who is suspected to be or is a child abuser will be done only by the Director of Human Resources, or his/her designee, and in such a manner as not to violate the confidentiality of the employee/employer relationship or the confidentiality associated with the release of student/family information.

H. Employee* Who Dates or Engages in Sexual Relations with Students

Employees may not ask for a date, go out on a date, or have sexual relations with any student, any potential student**, or any former student through high school graduation, or age 21**. Principals and other administrators shall inform staff that this regulation is in effect. Should compliance not occur, an employee is subject to disciplinary action.

Should an administrator have reason to believe that dating or sexual relations between a student and an employee has occurred, the Director of Student Services and the Protective Services Department of Social Services (410 386-3434) shall immediately be contacted. That Director shall notify the Director of Human Resources and the Director in the division where the employee works. The Directors will recommend to the Superintendent disciplinary action to be considered. If given permission to do so by the investigating agency, (normally prior to the end of the next school day following the principal learning of the situation) the school administrator will promptly inform the student's parent(s)/legal guardian(s) of the situation and the referral to the investigating agency. The school administrator shall also document the complaint or incident using the Staff/Student Relationship Investigation Form.

Recommended disciplinary action could include one or more of the following:

- verbal reprimand
- written reprimand
- suspension with or without pay
- dismissal

Information given to the public related to disciplinary action against an employee for dating or having sexual relations with a student is to be made only by the Director of Human Resources, or his/her designee, who will maintain employee/employer and student confidentiality.

I. Sexual Harassment

The Carroll County Board of Education recognizes that sexual harassment is a violation of both federal and state employment discrimination laws and Board of Education Policies. Further, the Board believes that sexual harassment is both morally wrong and offensive. See also Sexual Harassment of Students.

* *This regulation against dating and sexual relations also applies to teachers of adult education classes and student teachers, and their students, unless the teacher and student are married to one another. Adult education administrators shall investigate the situation, documenting the investigation using the Staff/Student Relationship Investigation Form. In the case of adult education and students over age 21, parent/legal guardian contact need not occur.*

** *Twenty-one is the age at which a person may not return to high school as a student.*

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GUIDELINES FOR CHILD ABUSE FOLLOW-UP QUESTIONING

On occasion, reports of child abuse which have been made by CCPS staff members do not contain enough information to warrant an investigation by DSS. Yet, in the interest of the child, DSS may not wish to screen out the report without further information. In these instances a DSS caseworker shall contact the school administrator to request further information regarding the report. This may include follow-up questioning of the alleged victim. **Any questioning of the alleged victim after a report to DSS has been made shall only be done at the request of a DSS caseworker through the school administrator. It is lawful and prudent to comply with this request (as confirmed by the District Attorney and CCPS legal counsel.)**

The following are guidelines for when a school administrator receives a request to gather more information from an alleged child abuse victim.

- Follow-up should occur as soon as possible after the request from DSS is received.
- Follow-up questions should clarify information from the initial report
- Follow-up questions should be asked by Student Services staff or administrators only. (This includes School Counselors, Nurses, PPW's, School Psychologists, and Behavioral Support Specialists.) The administrator will determine who will do the follow-up questioning.
- Questions should be asked by an aforementioned individual who has established a supportive relationship with the alleged victim.
- It is not the intent that any CCPS employee should investigate alleged child abuse.
- Administrators with concerns regarding specific requests from DSS should consult with the Director of Student Services.

CARROLL COUNTY PUBLIC SCHOOLS
EMPLOYEE RESPONSIBILITIES FOR REPORTING CHILD ABUSE OR NEGLECT

REPORTING PROCEDURES

- A. Maryland State Law requires any school system employee who suspects there is "reason to believe" that abuse or neglect has occurred must make an immediate oral report of the suspected child abuse or child neglect to the following:
1. Carroll County Department of Social Services (DSS) Monday through Friday, 8:00 am - 4:30 pm (410-386-3434). After 4:30 p.m. calls will automatically be forwarded to an answering service which will contact the DSS Worker on call. That worker will then contact you for information.
 2. School Principal.
- B. The duty of school personnel is not to investigate an alleged abuse or neglect case, but to report the case to the Child Protective Services Division of DSS. The duty to report may not be delegated to another staff person such as the principal or the counselor.
- C. The person making the oral report of abuse or neglect must also submit a written report within 48 hours after making an oral report. Form CCPS/DSS 180, entitled "Child Abuse/Neglect Report Form" is to be used. Copies of this form are available in the school office. Addresses of agencies who receive copies of the report are listed in the next section.
- D. Reports of suspected child abuse will be kept confidential.
1. The reporter should maintain confidentiality of the report and the progress of any resulting investigation. (The reporter should, however, cooperate with the Department of Social Services and the police who are investigating the incident as well as school system administrators.)
 2. The school's copy of the completed form must be kept separate from the student's cumulative folder.
- E. Consequences of failure to report:
1. Civil consequences: suspension or loss of job/loss of certification.
 2. Criminal consequences: failure to report may be prosecuted under certain circumstances as common law conspiracy and obstruction of justice offenses.
- F. Immunity: Any person who, in good faith, makes a report of abuse or neglect is immune from any civil liability or criminal penalty. Additional information may be found in the Carroll County Public Schools' Student Services Manual.

DISTRIBUTION OF THE ABUSE/NEGLECT REPORT

A copy of the Abuse/Neglect Report Form is to be sent to:

- | | |
|---|--|
| 1. Carroll County Department of Social Services
10 Distillery Drive
Westminster, MD 21157 | 3. School Principal |
| 2. State's Attorney for Carroll County
P.O. Box 606
Westminster, MD 21158-606 | 4. Director of Student Services
Carroll County Public Schools |

ABUSE OF STUDENTS BY STAFF MEMBERS

- A. In the event the suspected abuser is a staff member, the employee has the same duty to inform as outlined above and the same procedures shall be followed.
- B. The principal must inform the Directors of Student Services and Human Resources, and the appropriate Elementary, Middle or High School Director.
- C. Any school investigation shall not occur until the Department of Social Services and/or the appropriate police agency, completes their investigation and authorizes the school liaison who will notify the principal to proceed with an investigation.
- D. Maryland Law defines child abuse as "the physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child . . ." Sexual abuse is defined as "any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or responsibility for supervision of a child . . ." Because school personnel have the "responsibility for supervision of a child," interactions with students should remain clearly within the appropriate confines of a professional teacher/student relationship. Activities that could place a staff member in jeopardy of being reported for and possibly found guilty of child abuse and/or possible disciplinary action by Carroll County Public Schools include:
- Striking a child OR INFLICTING ANY FORM OF CORPORAL PUNISHMENT.
 - Making sexual innuendos or sexual advances to students.
 - Engaging in physical contact of a sexual nature with students.
 - Initiating, encouraging or engaging in obscene or pornographic discussions or displays with students.
 - Engaging in sexual exploitation of the teacher/student relationship.
 - Accepting or giving gifts of a sexual/intimate nature.
 - Accepting student offers of sexual favors.
 - Dating or requesting dates with students.

CHILD ABUSE AND NEGLECT

CHILD ABUSE

Physical injury is an injury, not necessarily visible, of a child by a parent, other individual who has permanent or temporary care or custody or responsibility for supervision of a child, or by a household or family member under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed. Indicators include bruises, burns, welts, cuts, and abrasions, particularly when the child's explanation of injury does not fit the injury or if the injury does not seem likely to have resulted from normal activity given the child's age and physical development.

Sexual abuse is any act or acts involving sexual molestation or exploitation, whether physical injuries are sustained or not, by a parent, other individual who has permanent or temporary care or custody of a child, or by a household or family member. Indicators of sexual abuse are difficulty in sitting or walking, unexplained and unattended medical problems with the genitals or digestive system, and unexplained pregnancy.

Mental injury is the observable, identifiable and substantial impairment of a child's mental or psychological ability to function that is caused by the act of a parent or other individual who has permanent or temporary care, or custody or responsibility for supervision of the child, or by a household or family member. Indicators of mental injury include development of phobias, severe depression, severe withdrawal, significant change in affect, sleeping or eating disorders, or a substantial change in developmental functioning.

In reporting mental injury, the reporter should indicate how the child's injury is believed to be attributable to an act of maltreatment or omission of proper care and attention to the child.

CHILD NEGLECT

Child neglect is the failure to give proper care and attention to a child, including the leaving of a child unattended by the child's parent, or other individual who has permanent or temporary care or custody, or responsibility for supervision of the child, under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm. Indicators of neglect include a child who is left unattended or inadequately supervised for long periods of time, consistently or frequently receiving insufficient food, consistently or frequently wearing inadequate or weather-inappropriate clothing, at risk of substantial harm due to lack of a safe home environment, and ignored or badgered by the caretaker.

Mental injury is the observable, identifiable and substantial impairment of a child's mental or psychological ability to function, or a substantial risk of mental injury that is caused by the failure to give proper care and attention to a child by the child's parents or other individual who has permanent or temporary care, or custody or responsibility for supervision of the child. Indicators may be the same as those listed under Mental Injury in the Child Abuse section.

INSTRUCTIONS: Respond to each item even if reply is "unknown" or "none." For suspected child abuse/neglect, an immediate oral report must be made to the Child Protective Services Unit of the Carroll County Department of Social Services (410-386-3434). This report must be filed within 48 hours after making an immediate oral report.

Print firmly on a hard surface so that all copies are legible.

Person Making Report: _____

Name of School: _____

Position/Title: _____

School Address: _____

School Telephone: _____

Type of Referral: Physical Abuse Sexual Abuse Neglect Mental Injury-Abuse Mental Injury-Neglect

Name of Child: _____ Sex: M F Race: _____ Birth Date: ____/____/____

School : _____ Grade: _____ Address (where child may be seen): _____

Does this child need accommodations to facilitate understanding and communication? Yes * No

*** If the child receives special education or 504 services, the Principal shall determine if accommodations for an investigation at school are necessary in order to facilitate effective communications.**

NAME OF PERSON RESPONSIBLE FOR CHILD'S CARE	ADDRESS	TELEPHONE
Mother:		
Father:		
Guardian (specify relation):		

Name of Suspected Abuser: _____ Phone: _____

Address: _____ State: _____ Zip Code: _____

Relationship (of Suspected Abuser) to Child: _____

State the nature and extent of the current abuse/neglect to the child in question. Explain the circumstances leading to the suspicion the child is an abuse/neglect victim. Describe any injury or risk. Describe how reporter knows information.

List information concerning previous abuse/neglect to the children/other children in the family, including previous action taken. How does the reporter know this information?

Describe information known about family functioning, relationship between parent, caretaker, other adults in the home and children and likely response by family to disclosure. How does the reporter know this information?

State any other available information that would aid in establishing the cause of the alleged abuse/neglect.

Are weapons in the home or known to be carried by the family or accused abuser? Yes** No unknown

Is there a history of violence, drugs, mental illness or retaliation in the family? Yes** No unknown

** If YES to either, describe in detail on separate sheet of paper

_____ Date and Hour of Oral Report	_____ Name of Person to Whom Oral Report was Made
_____ Signature of Person Making Report	_____ Date Mailed

Copies: (White) Carroll County Department of Social Services
10 Distillery Drive
Westminster, MD 21157

(Canary)

State's Attorneys Office
P.O. Box 606
Westminster, MD 21158

(Pink) School Principal

(Gold) Director of Student Services

"MEGAN'S LAW"
SCHOOL RESPONSIBILITY TO SUPPORT SAFETY OF CHILDREN

- I. Carroll County Public School procedures are designed to support the belief that schools must be a safe place for students and staff.

In May 1996, the Federal Megan's Law was signed by President Clinton, requiring states to disclose to the public, information about registered sex offenders.

The Annotated Code of Maryland §11-722 prohibits registered sexual offenders from knowingly entering onto the real property of a public or nonpublic school. In the case of a registered sexual offender who is a student at the school or who has a child who is a student at the school is permitted on the property if the following two conditions are satisfied:

1. Within the past year, the sex offender was given the specific written permission of the superintendent of schools, the local school board, or the principal, and
2. The sex offender promptly notifies an agent or employee of the school of his/her presence on the property, as well as, the purpose of the registrant's visit.

Note: A registrant is allowed on school property to vote on an election day if the registrant is properly registered to vote and the school is the registrant's polling place.

II. Implementation:

1. Local law enforcement shall, within five working days after receiving information, notify Carroll County Public Schools of the registration of or change of address of a sexual offender.
2. Within ten working days after receiving notification from local law enforcement or the state database of a sexual offender the superintendent/designee shall send a letter to the sexual offender and principal notifying the offender that he/she is not permitted on school property.
3. If the registered sexual offender is a student at the school or has a child who is a student at the school, the principal shall develop a safety plan and notify the offender of the safety plan in writing. The offender is permitted on the property, if the following two conditions are satisfied:
 - a. Within the past year, the sex offender was given the specific written permission of the superintendent of schools, the local school board, or the principal and
 - b. The sex offender promptly notifies the principal of the school of his/her presence on the property and the purpose of his/her visit. A sex offender is also allowed on school property to vote on an election day if the registrant is properly registered to vote and the school is the registrant's polling place.
4. The safety plan shall be developed by the school principal, in consultation with others, who may include but are not limited to the assistant principal, the pupil personnel worker, the coordinator of school security, or the appropriate level director, or the director of student services. The plan should consider the following factors:
 - (i) Proximity of the offender to the school
 - (ii) Impact on student walkers, bus stop location
 - (iii) Role of the offender (parent or relative of a student enrolled) and pertinent need to monitor interaction with school community
 - (iv) Establishing relationship with police regarding presence of offender

5. Persons registered as a child sexual offender and/or a sexually violent offender shall not be permitted to volunteer in schools.
6. School principals are encouraged to call the Maryland Sex Offender Alert Line 1-866-559-8017 (toll free) and enter the school phone number and zip code(s). If a registered sex offender moves into the attendance area the school will receive an automatic notification call. Principals should also access the website at www.dpscs.state.md.us or www.socem.info to view the on-line registry listing via the sex offender registry.
7. On an annual basis, principals should include, in the school newsletter, general information to parents/legal guardians regarding their ability to access information on the internet about sexual offenders. Helpful information can be obtained from the Maryland State Department of Public Safety at 877-379-8636 or on their website at <http://www.dpscs.state.md.us/>.

Sample district letter
(CCPS letterhead)

(name)
(address)
(city, state, zip)

Dear [name of offender]:

Pursuant to §11-722 of the Criminal Procedure Article, Annotated Code of Maryland, registered sexual offenders are prohibited from knowingly entering the real property of a public or nonpublic school.

It is my understanding you are a registered sexual offender therefore you are not permitted to enter onto any Carroll County Public School grounds.

However, if you are a student or the parent of a student in Carroll County Public Schools you may be permitted to enter the school grounds where you or your child is enrolled if given specific written permission from the principal of that particular school, you promptly notify the principal of the school of your presence on school property, as well as, state the purpose of your visit to the school.

Please note: You must contact the principal of the school to seek permission to enter the property. This letter does not grant permission to enter school grounds.

The Annotated Code of Maryland, §11-722 permits a registrant to enter school grounds to vote in an election day if that registrant is properly registered to vote and the school is the registrants polling place.

Entering school property without prior written permission or failing to notify the principal of your presence and intent of your visit, as well as entering any other school property, with the exception of election day, will result in police involvement and criminal charges.

Sincerely,

Mr. Dana A. Falls
Director of Student Services

c Superintendent
Assistant Superintendent of Instruction
Assistant Superintendent of Administration
Level Directors
Coordinator of School Security
School Principal(s)
file

Sample Principal Letter

(school letterhead)

(date)

(name of offender)
(street address)
(city, state, zip code)

Dear (insert name of offender):

Pursuant to §11-722 of the Criminal Procedure Article, Annotated code of Maryland, registered sexual offender's are prohibited from knowingly entering the real property of a public elementary or secondary school. A registrant may enter school grounds, however, if the registrant is a student or the registrant's child is a student, and certain conditions are satisfied. Those conditions are: (1) The registrant must have the specific written permission of school authorities prior to entering school property; and (2) the registrant must promptly notify an agent or employee of the school of the registrant's presence on school property and the purpose of the registrants visit. Section 11-722 also permits a registrant to enter school grounds to vote on an election day if that registrant is properly registered to vote and the school is the registrant's polling place.

It is my understanding that you are a registered sexual offender who is a [student or a parent of a student] attending [name of school] in Carroll County. This letter services as written permission for you to enter onto the school property of [name of school] beginning on [date] and expiring on [date]. Upon entering onto school property you are required to promptly notify me of your presence and the purpose of your visit. You may reach me at [phone number] for further guidance on these requirements.

Sincerely,

[School Principal]

(School Letterhead)

(Date)

“MEGAN'S LAW” SAFETY PLAN – (Insert name of offender)

- Proximity of the offender to the school:
 - (Insert name of offender) lives at (insert address of offender).
- Impact on students (bus stop location, student walkers, etc):
 - (Insert name of offender) resides within the school district and (insert bus stop location, student walkers, etc.)
- Role of the Offender:
 - For example: As far as we know, (insert name of offender) has no contact with (insert name of school) or;
 - For example: (Insert name of offender) is the (insert relationship of offender to student) of student(s) at (insert name of school). (Briefly explain if offender is a visitor to the school, picks up student(s) from school, attends meetings at school, etc.).
- Effective date of the Plan
- Safety Plan:
 - Notify (insert name of local police department);
 - (Insert name of local police department) to provide an up-to-date photograph of (insert name of offender) for school records;
 - (Insert name of offender) to provide notice before coming to school so adequate supervision can be provided. An administrator (or designee) will supervise (insert name of offender)'s visitation.
- Date

Failure to follow the requirements of the safety plan will result in prosecution for trespassing.

PARENT CHOICE TRANSFER

- I. The No Child Left Behind Act (NCLB) of 2001 requires each state to identify schools that do not make adequate yearly progress (AYP). Students in Title I schools identified for improvement, corrective action, or restructuring shall have the opportunity to transfer to a higher performing school.
- II. Implementation
 - A. The Maryland State Department of Education (MSDE), on an annual basis, will identify those schools in need of school improvement, corrective action, and restructuring.
 - B. At least 14 days before the school year starts, the Student Services Department will notify the parent of each student attending the school that the school has been identified for school improvement, corrective action, or restructuring and offer the opportunity for the student to transfer to a higher performing school.
 - C. The Local Education Agency (LEA) shall identify those schools available to students for transfer. Enrollment data, facility needs, etc. shall be used to identify those schools.
 - D. Parents seeking a transfer shall submit a written request to the Student Services Department prior to the first day of the school year.
 - E. Transportation shall be provided by Carroll County Public Schools as determined by the Transportation Department. Transportation services shall end when the student's original school is no longer identified for school improvement, corrective action, or restructuring.
 - F. The Student Services Department will notify the parents of students in schools previously identified for school improvement, corrective action, or restructuring, when the school is no longer identified as such.
 - G. The student shall be allowed to remain in his or her new school for as long as the student's original school is identified as needing school improvement, corrective action, or restructuring. The student may continue in the transfer school until he/she completes the highest grade level in that school. NOTE: Transportation will not be provided by the local school system once the original school is no longer identified as needing school improvement, corrective action, or restructuring.

PERSISTENTLY DANGEROUS SCHOOLS

- I. Carroll County Board of Education Administrative Regulations are designed to support the belief that schools must be a safe place for students and staff. COMAR 13A.08.01.18-20 requires that students attending a “persistently dangerous” public school, be allowed to attend a safe public school within the local educational agency, including a public charter school.

- II. Definition

A persistently dangerous school means a school in which each year for a period of three consecutive years, the total number of student suspensions for more than 10 days or expulsions equals two and one-half percent or more of the total number of students enrolled in the school for any of the following offenses: arson or fire; drugs; explosives; firearms; other guns; other weapons; physical attack on a student; physical attack on a school system employee or other adult; and sexual assault. A school must meet the definition for three consecutive years in order to be deemed “persistently dangerous.”

- III. Implementation

- A. The Maryland State Department of Education (MSDE) will identify, on an annual basis, those schools that are “persistently dangerous” at least 14 calendar days before the school year starts
- B. The Student Services Department shall notify the parent of each student attending the school that the school has been identified as “persistently dangerous” and offer the opportunity for the student to transfer to a safe school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring.
- C. The Local Education Agency (LEA) shall identify the schools available to students for transfer. Enrollment data, facility needs, etc. shall be used to identify those schools.
- D. Parents seeking a transfer shall submit a written request to the Student Services Department prior to the first day of the school year.
- E. Transportation may be provided by the local school system when feasible.
- F. The Student Services Department will notify the parents of students in a previously identified “persistently dangerous” school when the school is no longer identified as “persistently dangerous”.
- G. The student shall be allowed to remain in his or her new school for as long as the student’s original school is identified as persistently dangerous. The student may be allowed to continue in the transfer school until he/she completes the highest grade level if determined by the school system to be in the student’s best interest.

VICTIM OF A CRIME

- I. Carroll County Board of Education administrative regulations are designed to support the belief that schools must be a safe place for students and staff. COMAR 13A.08.01.18-20 requires that a student who becomes a victim of a violent criminal offense, while in or on the grounds of a public school that the student attends, be allowed to attend a safe public school within the local education agency, including a public charter school.
- II. Definition

The “Victim of a Crime” is a student who becomes the victim of a violent criminal offense while in or on the grounds of a public school that the student attends. Violent criminal offenses include abduction; arson; kidnapping; manslaughter; mayhem; murder; rape; robbery; carjacking; sexual offenses in the first or second degree; attempts to commit these crimes; use of a handgun in the commission or attempted commission of a felony or other crime of violence; assault with intent to murder, rape, rob, or commit a sexual offense in the first or second degree; and first degree assault.
- III. Implementation
 - A. The parent/legal guardian of a student who is a victim of a violent crime, as defined in Section II above, shall submit a written request for a transfer to the Student Services Department.
 - B. The Local Education Agency (LEA) shall identify the schools available for transfer to students who are “victims of a crime.” Enrollment data, facility needs, etc. shall be used to identify those schools.
 - C. The Student Services Department shall determine whether or not the request meets the criteria for a transfer. If approved, the transfer shall occur within 14 calendar days after it has been verified that a student is a victim of a violent criminal offense at the school.
 - D. Transportation may be provided by the local school system if feasible.
 - E. The student shall be allowed to remain in his or her new school for as long as the safety concerns, as determined by the school system, exist.

CLASS GROUPS AND ORGANIZATIONS

Bylaw 13A.08.01.09

I. REGULATION

All pupil organizations desiring to conduct activities in public school buildings or on public school grounds shall be permitted to conduct these activities only if authorized to do so and shall thereafter be subject to the supervision of the administration and faculty of such school.

II. CURRICULUM RELATED GROUPS

A. This section of these regulations applies only to curriculum-related groups. "Curriculum related group" means a student group whose activities directly relate to the school curriculum.

As interpreted by the Supreme Court, the activities of a student group "directly relate to the school's curriculum" only if:

1. the subject matter of the group is actually taught, or soon will be taught, in a regularly offered course (i.e. a French Club); or
2. the subject matter of the group concerns the body of courses as a whole (i.e. a Student Government Association); or
3. participation in the group is required for a particular course (i.e. participation in school band required for band class); or
4. participation in the group results in academic credit.

B. The principal shall have the authority and responsibility for approving the organization, the meetings, and all of the activities of all groups which may be organized within the school. The principal shall appoint staff advisors who shall attend all meetings of such groups.

C. Every activity must have a sponsor from the school staff. (All extra duty assignments are voluntary.)

D. Any curriculum related group of students desiring to conduct an activity in the school must submit a written list of aims and objectives, and an organizational chart to the local school administration for approval. Activities, other than organizational, shall be suspended until formal approval has been made.

E. It shall be possible for classes within schools, i.e., the Class of 1999, to organize and to elect officers. Such organizations shall not be made except after approval by the principal, who shall be responsible for approving the time and number of meetings. The principal and/or staff advisor shall attend all meetings or organized classes.

F. All curriculum related student groups or organizations shall hold their meetings in the school buildings at a time approved by the principal and/or advisor.

G. Any organized class or group shall observe the financial regulations as set forth in the following:

1. The treasurer of each organization will keep complete financial records for that organization.
2. All monies collected by the treasurer will be deposited promptly in the general school account.
3. At no time should students take money from the school building or keep funds at home overnight.

H. Non-school persons may not direct, control, or regularly attend activities of student groups.

III. NON-CURRICULUM RELATED GROUPS

This section of these regulations applies only to non-curriculum related student groups.

A. Background, Purpose, and Scope

1. The Federal Equal Access Act provides that, if a public secondary school permits one or more non-curriculum related student groups to meet on school premises during non-instructional time, the public school may not “deny equal access or a fair opportunity to, or discriminate against”, any other non-curriculum related student group on the basis of the “religious, political, philosophical, or other content of the speech” of that other group.
2. These regulations are designed to implement the Federal Equal Access Act, particularly as it applies to student religious groups, in a manner that comports with both that Act and the Establishment Clause of the First Amendment.
3. These regulations governing non-curriculum related groups apply only to secondary schools.
4. These regulations supplement, and do not supersede, the regulations contained in COMAR 13A.08.01.09 (“Student Organizations”).

B. Definitions

1. “*Non-curriculum related group*” means a student group whose activities do not directly relate to the school curriculum as defined in section II.A. of these regulations.
2. “Non-instructional time” means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.
3. “*Religious group*” includes any prayer or Bible study group and any other group that has as a part of its purpose, subject matter, or activities the study, advocacy, dissemination, or promotion of any sectarian or non-sectarian theological views.
4. “*Advocacy group*” means any non-curriculum related group that has as a part of its purpose, subject matter, or activities the advocacy, dissemination, or promotion of any partisan, political, racial, social, philosophical, or ethical views.

C. General Rules Governing All Non-curriculum Related Groups

1. A school may decide to limit meetings or other activities of student groups during non-instructional time to only those groups whose activities directly relate to the school curriculum. In that case, no student religious group or advocacy group may be permitted to meet on school premises.
2. If, however, a school permits one or more non-curriculum related groups to meet on school premises during non-instructional time or during a designated activity period, the school may not deny a similar meeting opportunity to any other non-curriculum related group on the basis of the religious, political, philosophical, or other content of the speech of that other group.
3. At the middle school level, activity periods held during the course of the school day will only be for the purpose of conducting curriculum related group activities. Non-curriculum related groups shall only meet during non-instructional time.
4. Except as otherwise limited by these regulations, access by non-curriculum related groups to meeting rooms and to the school newspaper, bulletin boards, and similar communication facilities may be granted or denied only on the basis of uniform, nondiscriminatory criteria applicable equally to all non-curriculum related groups.
5. The school reserves its full authority to maintain order and discipline on school premises, to protect the well-being of students and faculty, to prohibit any meetings or other activities that are unlawful or that materially and substantially interfere with the orderly conduct of educational activities within the school, and to assure that attendance of students at non-curriculum related group meetings or other activities is voluntary.
6. The principal shall assign a school employee as an advisor.

D. Additional Rules Governing Religious and Advocacy Groups

1. No religious group or advocacy group may be allowed to meet on school premises unless one or more other non-curriculum related groups are already allowed to meet on school premises during non-instructional time or during a designated activity period.
2. A religious group or advocacy group may be permitted to meet on school premises only if:
 - a. the group is initiated by a student or group of students currently enrolled in the school; and
 - b. student membership in the group and attendance at its meetings are voluntary; and
 - c. the group meets and otherwise conducts its activities only during non-instructional time or a designated activity period; and
 - d. the group does not use the name of the school in its name or designation.
3. Neither the school nor any of its employees or agents may sponsor, promote, lead, or participate in any meeting or other activity of a religious group or advocacy group.
4. The school shall take active steps to make clear that it does not endorse and is not to be identified or associated with the goals, objectives, activities, or opinions of any religious group or advocacy group. This can be accomplished, for example, by the following (or substantially similar) statement in the student handbook and on bulletin boards and other communication facilities used to announce group meeting or activities:

“(Name of School) and the Board of Education of Carroll County do not endorse, and should not be identified or associated with the opinions of any religious, political, or advocacy related student group meeting on or away from school property.”

5. The principal shall assign a school employee or agent to attend the meetings or other activities of a religious group or advocacy group only as a monitor, and not as an advisor, in a non-participatory capacity. The monitor shall be responsible for assuring that order and discipline are maintained. The principal may not compel any school employee to monitor or attend a meeting that is contrary to the beliefs of the employee.
6. Non-school persons may not direct, conduct, control, or regularly attend meetings or other activities of any religious group or advocacy group.
7. A school may not expend public funds for any religious group or advocacy group beyond the incidental cost of providing space of group meetings.
8. No effort may be made by any school employee or agent to influence the form or content of any prayer or religious activity.

IV. FRATERNITIES AND SORORITIES

A. Any secret, exclusive or self-perpetuating organization which seeks to organize and perpetuate itself by taking in members from among the pupil enrolled in the public schools in which they are pupils, upon the basis of decision of the membership of the organization, rather than from the free choice of any pupils in the school who are qualified to fill the special aims of such an organization, shall be prohibited from conducting its activities in public school buildings or on public school grounds and shall not be considered a school organization.

B. Hazing

1. Definition - Hazing is defined as doing any act, or causing any situation which recklessly or intentionally subjects a student to the risk of bodily injury, formal or informal, for the purpose of initiation into a student organization, of a school, college or university; to harass by exacting unnecessary or demeaning physical work by way of intimidation.
2. Regulation

Hazing is prohibited by students of the Carroll County Public Schools system. Administrators will take appropriate disciplinary action against person who violates this section. Action could range from a reprimand through expulsion.

Revised 8/96, 8/97

STUDENT REPRESENTATIVE ON BOARD OF EDUCATION Board of Education Policies JIBB

Each school year, an official student representative shall be appointed to the Board. The representative shall be selected by the Carroll County Student Government Association and will be provided an opportunity to vote on issues before the Board, except personnel matters. The vote should indicate the position of the students and will be recorded but will not count in the determination for action. Executive sessions involving confidential information will be closed to the student representative.

Approved: October 10, 1973
Revised: 4/79, 8/98

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

**BOARD POLICY JRD - USE OF STUDENT'S PHOTOGRAPH, VIDEO IMAGE, OR VOICE
FOR EDUCATIONAL, INFORMATIONAL OR PUBLIC RELATIONS
PURPOSES**

Throughout the school year, the Carroll County Public School System frequently covers school activities and may use a student's photograph, video image, or voice for educational, informational, or public relations purposes, with or without identification by name. The Board of Education of Carroll County believes that parents have the right, should they choose, to deny the use of their child's photograph, video image, or voice for such purposes.

Carroll County Public Schools Public Relations: If a parent does not wish to have their child's voice reproduced on tape or to have his/her image appear in such things as a video, a photograph, or the school website, the parent should notify the school principal in writing. It is assumed that parents and guardians consent to their children being audiotaped, photographed, videotaped, or having their image placed on a school website unless such notification is received.

At the beginning of each school year, the Office of Community and Media Relations will publish a statement in the Informational Calendar and the student/parent handbook explaining to parents the process for notification. The same statement will be sent to all principals for inclusion in their first parent newsletter of the school year.

Coverage by News Media: There are also occasions when the media cover certain school events (such as when a government leader visits a school). If a parent does not wish to have their child's name or likeness published by the media, the parent should address their concerns, in writing, directly to the school involved so that the media may be so advised. Carroll County Public Schools has no control over the media when they are covering various newsworthy situations or events such as sporting events that are open to the public. This policy does not apply to coverage by student media of sports or other school events that are open to the general public (newspaper, yearbook, etc.) For any unusual requests by the media or questions regarding coverage by the media, the Office of Community and Media Relations should be contacted.

Surveillance Cameras: This policy does not apply to the use of surveillance cameras for school security purposes.

All questions regarding this administrative regulation should be directed to the Office of Community and Media Relations.

**Revised 7/3/03
Revised 8/20/03
Revised 7/11/07**

PERMISSION TO PHOTOGRAPH, VIDEOTAPE OR AUDIOTAPE

Throughout the school year, the Carroll County Public School System frequently covers school activities and may use your child's photograph, video image, or voice for educational, informational, or public relations purposes, with or without identification by name.

If you do not wish to have your child's voice reproduced on tape or to have his/her image appear in such things as a video, a photograph, or the school website, please notify the school principal in writing. It is assumed that parents and guardians consent to their children being audio taped, photographed, videotaped, or having their image placed on a school website unless such notification is received.

There are also occasions at which the media cover certain school events (such as when a government leader visits a school). If you do not wish to have your child's name or likeness published by the media, you should address your concerns directly to the school involved so that the media is so advised. Please be advised that the school system has no control over the media when they are covering activities such as sporting events and musical programs that are open to the public.

Revised 7/3/03
Revised 7/1/04
Revised 7/11/07

DISTRIBUTION OF PUBLICATIONS

I. Background

Students, through the various mass media, are exposed to diverse opinions on an infinite number of topics. Students should be allowed to express their facts and opinions in print through visual representation, or through conversation. Nonetheless, student writers and editors, as well as students who distribute materials written or published outside of the schools, must observe the legal responsibilities imposed upon the general population and upon the conventional media. Moreover, the distribution of certain publications, although accepted in adult settings, may be inappropriate for the school environment or inconsistent with the Carroll County Public School System's basic educational mission. In light of these concerns, the following sections delineate the standards for school-sponsored publications and for the distribution of all other publications within the Carroll County Public School System.

II. Definitions

The following definitions shall apply throughout this Regulation:

- A. School day means any day during the regular or summer session on which regularly scheduled classroom instruction takes place and excludes Saturdays, Sundays, and official school holidays.
- B. Publication means any book, magazine, pamphlet, newspaper, yearbook, or any other written or printed matter or visual representation, however produced. This will include any pictures, photographs, drawings, or videographs.
- C. School-Sponsored Publication means any publication, as defined herein which is composed, compiled, published or distributed under the official supervision of a faculty sponsor.
- D. Student Publications means any publication as defined herein which is composed, compiled, published, or distributed by students.
- E. Advertisement means an oral, written, or graphic notice designated to attract public attention or patronage.
- F. Distribution means circulation or dissemination of one or more copies of the publication to students within the Carroll County Public School System, during the times at the places where normal school activity takes place, by means of (1) handing out free copies of the publication, (2) selling or offering copies of sale, (3) accepting donations in exchange for copies of the publication, or (4) by displaying the materials within the Carroll County Public School System in areas which are generally frequented by students.

- G. Normal school activity means organized educational activity of students under the direct supervision of a member of the school staff which includes classroom work, library activities, physical education classes, official assemblies and other similar gatherings, field trips, school athletic contests, band concerts, school plays, and scheduled on-school lunch periods. It also includes activities associated with the above, such as walking between classes, boarding and departing buses, and traveling throughout the school.
- H. The Carroll County Public School System includes all public school buildings, school athletic fields, and school parking lots in Carroll County as well as all school buses and vehicles owned, or operated under contract with, the Board of Education of Carroll County.
- I. A minor is any person under the age of eighteen (18) years.
- J. Obscene publications with respect to minors, shall mean:
1. Publications that an average, adult person, applying contemporary community standards, would find, taken as a whole, appeal to the prurient interest of minors and lacks serious literary, artistic, political, or scientific value for minor students: or
 2. Publications that depict or describe, in a manner not suited for the education of minors, sexual conduct as defined by applicable Maryland law. Article 27, Section 416A(d) of the Annotated Code of Maryland defines "sexual conduct" as "human masturbation, sexual intercourse or any touching of or any touching of or contact with the genitals, pubic areas or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same or opposite sex, or between humans and animals."
- K. Libel is the false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye which exposes a person to public hatred, contempt, ridicule, or obloquy, or which causes him/her to be shunned or avoided, or which has a tendency to injure him/her in his/her occupation.
1. When the publication concerns public officials (i.e. those who hold government office) or public figures (i.e. those who, by reason of the notoriety of their achievements or the vigor and success with which they seek the public's attention, are properly classes as public figures) in order to be libelous, the defamatory falsehood must be made with actual malice that is, with knowledge that it was false or with reckless disregard of whether it was false or not.
 2. When the publication concerns private individuals, in order to be libelous, the defamatory falsehood must be made negligently: that is, the publisher must fail to exercise the degree of care that a reasonably prudent person would exercise in order to avoid making a defamatory falsehood.
- L. Prurient is having, inclined to have, or characterized by lascivious or lustful thoughts or desire.
- M. Obloquy is censure, blame, or abusive language aimed at a person or thing, especially by numerous persons or the general public.

III. Advertising Guidelines

A. School-Sponsored Publications

Persons wishing to place advertisements in school-sponsored publications shall first submit proposed advertisements to the student editor, faculty advisor, or teacher assigned to the particular class or publication staff for review. Advertisements submitted to school-sponsored publications shall be subject to the guidelines for school-sponsored publications set forth in Section V.

B. Other Publications

Persons wishing to advertise in ways not utilizing school-sponsored publications shall first submit the proposed advertisement for review by the principal, or the principal's designee. All such advertisements shall be subject to the guidelines set forth in Section VI for publications that are not school-sponsored. Approved advertisements may be distributed or announced on school property at times and in areas designated by the principal of the subject school.

C. All Advertisement

Advertising content deemed unacceptable for distribution within the Carroll County Public School System includes, but is not limited to, the following: Obscenities, alcoholic beverages, drugs, drug paraphernalia, contraceptives, abortion services, sexual deviation, tobacco products, fortune telling, palm reading, mind reading, defamatory falsehoods, attacks on person(s) or groups(s), or statements of discrimination towards race, culture, religion, or sex. (See also Protection of Pupil Rights).

IV. Distribution of Publications

Publications which are not obscene, libelous, or disruptive may be distributed on school property during school hours in areas designated by the principal of the subject schools. Distribution which substantially interferes with the normal flow of traffic within the school corridors and entranceways, which is coercive of any other person's right to accept or reject any publication, or which causes substantial and material interference with "normal school activities" shall not be permitted.

In order for a publication to be considered disruptive, there must exist specific, articulable facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial material disruption to normal school activity or school discipline would occur if the material were distributed. Mere undifferentiated fear or apprehension of disturbance is not enough; school personnel must be able to affirmatively show substantial facts which reasonably support a forecast of likely disruption. Such disruption would include, for example, student noting: unlawful seizures of property; destruction of property; threats or acts of violence; widespread shouting or boisterous conduct; or substantial student participation in a school boycott, sit-in, stand-in, walkout or other related form of activity. On the other hand, material that merely stimulates heated discussion or debate does not constitute the type of disruption prohibited.

In determining whether a student publication is disruptive, school personnel should consider the context of the distribution as well as the context of the material. In this regard, consideration should be given to past experience with similar material, past experience in dealing with and supervising the students in the subject school, current events influencing student attitudes and behavior, and whether or not there have been any instances, actual or threatened physical disruption prior to or contemporaneously with the submission of the publication in question.

V. School-Sponsored Publications

School-sponsored publications are subject to review by the faculty advisor or teacher assigned to the particular class or publication staff that is producing the publication or in which a student is preparing or editing material for publication. The teacher or faculty advisor may prevent the publication of material that is (1) ungrammatical, (2) poorly written, (3) inadequately researched (4) biased or prejudiced, (5) vulgar or profane, (6) unsuitable for the intended audience, or (7) that is obscene, libelous, or disruptive.

Any student who disagrees with a teacher or faculty advisor's decision to deny publication of material in a school-sponsored publication may appeal to the principal by submitting a copy of the material denied for publication accompanied by a letter stating the reasons why he/she believes the material should be published.

The principal, or the principal's designee, shall render a decision to uphold or reverse the teacher or faculty advisor's decision within three (3) school days after receipt of the appeal. The decision upholding or reversing the teacher or faculty advisor's decision shall state the reasons for the decision in writing, and a copy of the decision shall be provided to both the student and the teacher or faculty advisor.

If a student is dissatisfied with the decision of the principal or the principal's designee, an appeal may be taken in the manner set forth in Section VII.

VI. Publications That Are Not School-Sponsored

Any student who desires to distribute a publication which is not officially recognized as a school publication shall submit such publication to the principal of the subject school for review and approval prior to such distribution.

At the time of such submission, the student has the right and is encouraged to meet personally with the principal, or the principal's designee, for the free exchange of views on why the distribution of the publication is or is not appropriate. The student, or his/her representative, may support the case for distribution with relevant witnesses and materials.

In exercising the right of prior review, school personnel shall be guided by the definitions contained herein and by the fact that students are protected in their exercise of freedom of expression by the First Amendment of the Constitution of the United States. It is the responsibility of the school and its staff to insure that the right of students to express themselves freely shall not be infringed while at the same time establishing the kind of environment which is necessary for an orderly program of classroom learning. Distribution shall not be prohibited merely because the publication contains the expression of unpopular, critical, controversial, tasteless, or offensive ideas.

The principal, or the principal's designee, shall render his/her decision to approve or disapprove the distribution of the publication and notify the student within three (3) school days of such submission. If approval to distribute is not granted, the principal or the principal's designee shall state the reasons to the student in writing. If a student is dissatisfied with the decision of the principal or the principal's designee, an appeal may be taken in the manner set forth in Section VII.

VII. Appeals

- A. If a student is dissatisfied with the decision of a principal, or a principal's designee, with respect to the distribution of the publication, the student may appeal this decision to the Superintendent of Carroll County Public Schools. An appeal is taken by notifying the principal, or the principal's designee, in writing, within two (2) school days of the decision, of the student's desire to appeal.
- B. The principal, or the principal's designee, shall immediately transmit a copy of the appeal, the material denied for publication, and any additional information to the Superintendent of Carroll County Public Schools. A copy of the transmittal letter shall be provided to the student taking the appeal.
- C. The Superintendent, or his designee, shall render a decision within three (3) school days after the notice of appeal is filed. The decision shall be in writing.
- D. If the student is dissatisfied with the decision of the Superintendent, or the Superintendent's designee, the student may appeal this decision to the Board of Education of Carroll County. An appeal is taken by notifying the Superintendent, or the Superintendent's designee, in writing, within two (2) school days of the decision, of the student's desire to appeal.
- E. The Superintendent, or the Superintendent's designee, shall immediately transmit the appeal, the material denied for publication, and any additional information to the Board of Education of Carroll County. A copy of the transmittal letter shall be provided to the student taking the appeal.
- F. The Board of Education shall review the appeal at its next regular meeting after the appeal is filed and shall render its decision, either in writing or by stenographic or electronically recorded record, within three days of the meeting. The decision of the Board of Education shall be final.
- G. At every level of the appeals process as outlined above, the student or his/her representative shall have the right to appear and present his/her case supported by relevant witnesses and materials as to why distribution of the publication is appropriate. It shall be the responsibility of the student to promptly notify the office to which the appeal is taken of his/her intention to appear and present his/her case and to also advise whether or not he or she will be accompanied by a representative.

Distribution of the publication during the period of initial review by the principal, or the principal's designee, after a negative decision, or during the period of appeal, shall be sufficient grounds for suspension of the student by the principal in accordance with the procedures set forth in the Regulations entitled "Suspension and Expulsion."

H. Failure of School Officials to Act Promptly

Upon failure of any of the foregoing school authorities in the review and appeals process to act within the time periods specified, the student who submitted the publication for approval may distribute same until such time, if any, that a written decision is rendered notifying the student of the reasons why distribution of the publication shall not continue.

OPEN COMMUNICATIONS

I. PURPOSE

To ensure that all communications received throughout the school system is managed in a manner that promotes openness, resolves concerns in an efficient and effective manner and encourages two-way communication.-

II. DEFINITIONS

Anonymous communication - Any form of communication that does not reference ownership.

III. POLICY STATEMENT

The Board of Education encourages open, two-way communications within the school community. The Board believes that open communication is essential to ensure high system morale, effectiveness and efficiency. All stakeholders, both internal and external, should feel free to bring legitimate concerns forward without fear of retribution or retaliation.

Any communication, which identifies concerns or issues within the school system, shall be promptly considered with appropriate follow-up and feedback to the stakeholder.

Feedback cannot be provided to those who communicate anonymously. However, content of those communications shall be considered with an appropriate response.

Any anonymous communications received regarding the alleged mistreatment or abuse of a student or illegal activity by staff shall be forwarded to the Superintendent of schools for review and appropriate response. Any other anonymous communication received will be directed to the appropriate staff member.

IV. EXCEPTIONS

There shall be no exceptions to this policy.

V. GUIDELINES

VI. REPORTS

None.

VII. EXPIRATION/REVIEW

This policy will be reviewed every three (3) years.

VIII. DELEGATION OF AUTHORITY

The Superintendent of Schools/designee has responsibility for enforcing this policy by communicating it to all relevant parties.

IX. EFFECTIVE DATE

APPROVED: September 15, 1971

REVISED: May 9, 1979

REVISED: June 11, 1997

REVISED: May 9, 2001

DISTRIBUTION OF MATERIALS BY THE SCHOOLS AND SCHOOL ANNOUNCEMENTS ADMINISTRATIVE PROCEDURES

Schools are frequently asked to distribute materials to students and parents or communicate information in school newsletters or on the public address system on behalf of outside groups and individuals. You should follow the procedures below when requested to distribute materials or communicate information by non-school groups and individuals.

1. All non-school materials offered for distribution must be approved by the school principal prior to any distribution.
2. Direct distribution of materials to students may be permitted by approval of the principal if the non-school materials are a publication of an entity that has a joint program with the Carroll County Public Schools (for example, the Carroll County Department of Parks and Recreation, Community Recreation Council, PTA or PTO) or is a direct extension of the educational program (for example, notification of sign-up for the SAT test or school photographs). No other direct distribution of non-school materials shall be allowed.
3. Materials not approved for direct distribution to students may be placed by the principal in an area designated by the principal (such as a table) for voluntary pick-up by students and parents, so long as the materials meet the requirements of Paragraph 7 below. If non-religious groups are permitted to place materials in the designated area, then religious groups shall be granted the same privileges.
4. Announcements of community events or inclusion of such announcements in school newsletters may only be made by school personnel or students if first approved by the principal and only if they are connected with a joint program of the Carroll County Public Schools or are a direct extension of the educational program. (See Paragraph 2 above)
5. If community organizations not connected with a joint program of CCPS or not a direct extension of the education program are permitted to set up tables during school events, such as "Back to School Nights," schools must provide the same opportunity to secular organizations.
6. Exceptions to the above guidelines may be made by the principal in the event of a health or safety emergency.
7. No materials may be distributed or placed in the school for voluntary pick-up or communicated over the Public Address system if the materials or communications are unacceptable for distribution or announcement.

Materials or communications deemed unacceptable for distribution or announcement within the Carroll County Public Schools include, but are not limited to, the following: campaign literature, obscenities, advertisements for alcoholic beverages, drugs, drug paraphernalia, contraceptives, abortion services, sexual deviation, tobacco products, fortune telling, palm reading, mind reading, defamatory falsehoods, attacks on person(s) or group(s), or statements of discrimination towards race, culture, religion or sex. The following definitions shall apply in interpreting this guideline:

- a. Obscene Materials: These are materials that an average, adult person, applying contemporary community standards would find, taken as a whole, appeal to the prurient interest of minors and lack serious literary, artistic, political, or scientific value for minor students. These also include materials that depict or describe, in a manner not suited for the education of minors, sexual conduct as defined by applicable Maryland law. (See Article 27, Section 416(d) of the Annotated Code of Maryland)
 - b. Defamation: Defamation includes both libel and slander. Libel is the false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye which exposes a person to public hatred, contempt, ridicule, or obloquy, or which causes him/her to be shunned or avoided, or which has a tendency to injure him/her in his/her occupation. Slander is the false and unprivileged publication by the spoken word instead of the printed word.
8. For further information, see Distribution of Publications. These guidelines deal specifically with students' distribution of publications.

Effective 2/2/04
Rev 9/04

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY KHB: ADVERTISING IN SCHOOLS

Acceptable Advertisements

Materials and equipment provided by businesses and profit-making organizations that contain commercial advertising may be used if their use is a part of a partnership agreement. Identifying symbols on such materials or equipment, which may be visible in schools, may be used provided approval has been granted by the Superintendent of Schools or his/her designee.

Schools may accept commercial products and services which, in the view of the principal, contribute in a meaningful way to the educational program of the school. When considering the acceptance of commercial products and services, schools should make an effort to provide equal opportunity among competitors.

Unacceptable Advertisements

Advertising content deemed unacceptable for distribution within Carroll County Public Schools includes, but is not limited to, the following: obscenities, alcoholic beverages, drugs, drug paraphernalia, contraceptives, abortion services, sexual deviation, tobacco products, fortune telling, palm reading, mind reading, defamatory falsehoods, attacks on person(s) or group(s), or statements of discrimination toward race, culture, religion, or sex. In addition, advertising is not permitted on school signs, scoreboards, etc. without the pre-approval of the Superintendent of Schools.

Advertising in School-Sponsored Publications

Persons wishing to place advertisements in school-sponsored publications shall first submit proposed advertisements to the student editor, faculty advisor, or teacher assigned to the particular class or publication staff for review. Advertisements submitted to school-sponsored publications must be appropriate and acceptable for the school population in general.

Advertising in Other Publications

Persons wishing to advertise in non-school sponsored publications, but in publications distributed to students, shall first submit the proposed advertisement for review by the principal or the principal's designee. All such advertisements must be appropriate and acceptable for the school population in general. Approved advertisements may be distributed or announced on school property at times and in areas designated by the principal of the school.

9/06

DISPLAY OF FLAG - PATRIOTIC EXERCISES

Section 7-105 of The Public School Laws of Maryland

- I. Purpose - This section is enacted so that the love of freedom and democracy, shown in the devotion of all true and patriotic Americans to their flag and country, shall be instilled in the hearts and minds of the youth of America.
- II. School Flags - Each county board shall:
 - A. Require the display of an American flag on the site of each public school building in its county while the school is in session;
 - B. Buy all necessary flags, staffs, and appliances for the flags; and
 - C. Adopt rules and regulations for the proper custody, care, and display of the flag.
- III. Classroom Flags; flag Salute and Pledge of Allegiance - Each county board shall:
 - A. Provide each public school classroom with an American flag
 - B. Prepare a program for each public school classroom for the beginning of each school day that provides for the salute to the flag and other patriotic exercises that are approved by the United States government; and
 - C. Require all students and teachers in charge to stand and face the flag and while standing give an approved salute and recite in unison the pledge of allegiance as follows: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."
- IV. Exception from Flag Salute or Pledge Requirement - Any student or teacher who wishes to be excused from the requirements of III.C. shall be excused. If a teacher opts out of reciting the Pledge of Allegiance, the Pledge of Allegiance shall still be required to be recited in the classroom.
- V. Other Patriotic Exercises - Each county board may provide for any other patriotic exercises it considers appropriate under the regulations and instruction that best meet the requirements of the different grades in the schools.
- VI. Disrespect in Violation of Section - Any individual who commits an act of disrespect, either by word or by action, is in violation of the intent of this section.

Note: In section IV., language has been added to permit any student or teacher "who wishes" to be excused from the flag salute and pledge of allegiance requirements. This was done as the mandatory flag salute and pledge of allegiance requirements of this section have been held unconstitutional and void by the Maryland Court Appeals in State v. Lundquist, 262 Md. 534, 278A. 2d 263 (1971). By legal interpretation, the exception has been expanded to include the national Anthem. While Section 7-105 (f) states that students may not commit acts of disrespect, they are not required to sing the National anthem or stand while it is being sung.

8/14/06

FLAG ETIQUETTE

The display of the flag of the United States of America should follow the "Federal Flag Code" known as Public Law 94-344 passed by the 77th Congress.

The display of the Maryland State flag and that of any county or municipality flown or displayed in conjunction with the National flag should follow the procedures given in the "Federal Flag Code".

The county flag may be displayed daily by any or all county agencies either alone or in conjunction with the National and Maryland flags. When flown from a single staff, the county flag should be secured below the National or State flag. When flown from a second or third staff, the county flag should be displayed to the left of the National and/or State flag(s) viewed from the building or to the right of the observer facing the display.

When carried in a parade with the National and/or State flag(s), the county flag should be to the marching left of the other flags.

The National, State and county flags should be flown at half-staff upon occasions of National mourning.

The State and county flags shall be flown at half-staff upon occasions of State mourning when so decreed by the appropriate State official.

The county flag shall be flown at half-staff upon occasions of mourning for local citizens as decreed by the Board of Commissioners of Carroll County.

When displayed otherwise than from a staff, the northern boundary of the county flag should be at the upper elevation or to the right of the observer.

Revised 8/93

CONSTITUTIONALLY PROTECTED PRAYER

- A. Prayer During Non-Instructional Time:** Students may pray when not engaged in instruction, as long as they do not cause a “material disruption.” Students may pray, alone or together, during non-instructional time, to the same extent that they may engage in non-religious activities.
- B. Organized Prayer Groups and Activities:** Students may organize prayer groups, religious clubs, and gatherings, to the same extent they are allowed to organize other non-curricular groups. Carroll County Public Schools must give religious groups the same access to school facilities as they give other non-curricular groups.
- C. Advertisements or Announcements by Religious and Non-Religious Groups:** If CCPS allows nonreligious groups to advertise or announce meetings using the school newspaper, the public address system, or leaflets, it must grant religious groups the same privileges. CCPS may disclaim sponsorship of non-curricular groups and events, if it does so in a manner that neither favors nor disfavors religious groups.
- D. Teachers, Administrators, and other School Employees:** School employees “in their official capacity” may not encourage or discourage prayer or actively participate in it with students. Teachers may participate in religious activities where the “overall context makes clear” they are not participating in “their official capacity.”
- E. Moment of Silence:** In accordance with Section 7-104 of the Education Article, Annotated Code of Maryland, all students may be required to “. . . participate in opening exercises on each morning of a school day and to meditate silently for approximately one minute.” It is the policy of the Board of Education of Carroll County that schools be required to have a moment of silent meditation for approximately one minute each school day. During this moment of silence, the CCPS shall neither advance nor inhibit silent religious activity.
- F. Accommodation of Prayer During Instructional Time:** CCPS may dismiss students for off-site religious instruction, as long as it does not encourage or discourage participation. Students may be excused from class for religious exercise, as long as this does not “materially burden” other students. If CCPS excuses students from class for nonreligious reasons, it may not treat religious requests less favorably.
- G. Religious Expression and Prayer in Class Assignments:** Students may express religious beliefs in oral and written class assignments. Such assignment should be judged by ordinary academic standards and legitimate pedagogical concerns.
- H. Student Attire:** Provided that the student attire is otherwise in keeping with the published dress code, there is no reason why a student cannot wear clothing that depicts a religious message.
- I. Religious Displays:** Displays depicting such things as Christmas trees, Dradels, Santa Claus, Rudolph the Red Nosed Reindeer, or the Easter Bunny are secular in nature, have nothing whatsoever to do with the establishment of religion, and are not prohibited under the First Amendment. The decision on whether or not to have such displays is a matter of educational policy that rests with school officials.

- J. Scheduling of Activities:** In an effort to be fair and sensitive to students of different faiths, educators should try to avoid scheduling field trips, exams or other major class activities on religious holidays. Teachers should not, however, suspend instruction on such days. Teachers should avoid trying to ascertain how many students would be affected. Questions such as “How many of you are Jewish?” should be avoided.
- K. Religious Beliefs:** Provided that students do not engage in behavior that is disruptive to the educational process or rises to the level of harassment, they can share their personally held religious beliefs with their peers.
- L. Student Assemblies and Extracurricular Events:** Student speakers at assemblies and extracurricular events may not be selected on the basis that favors or disfavors religious speech. If student speakers are selected with “genuinely neutral, evenhanded criteria” and “retain primary control” over their expression, their speech is not attributable to the school and cannot be restricted because of a religious or anti-religious message.

Students may not perform a piece with a religious message at a talent show where the choice of material is left to the student. As for school-sponsored programs (i.e. where the material is chosen or approved by educators) pieces with religious messages or themes may be performed for educational, rather than devotional, purposes. Teachers may (and, in many cases, should) teach about religion for historic, cultural, artistic, and other academic reasons without endorsing the devotional aspects of the religion.

However, if district employees “determine or substantially control the content” of the speech, the speech *is* attributable to the school and may not contain a religious or anti-religious message. To avoid being perceived as endorsing student speech, CCPS may make an “appropriate, neutral disclaimer” clarifying that it does not endorse the speech. But it then must also issue such disclaimers for nonreligious speech.

- M. Prayer at Graduation:** CCPS may not mandate or organize prayer at graduation or select speakers in a way that favors religious speech. However, if speakers are selected on the basis of “genuinely neutral, evenhanded criteria” and “retain primary control” over their expressions, the speech is not attributable to the school and may not be restricted because of religious or anti-religious content.

To avoid being perceived as endorsing speech, CCPS may make an “appropriate, neutral disclaimer” clarifying that it does not endorse the speech. But then it must also issue such disclaimers for non-religious speech.

- N. Baccalaureate Ceremonies:** CCPS may not mandate or organize religious baccalaureate ceremonies. If CCPS makes its facilities and related services available to other private groups, it must make them available on the same terms for religious baccalaureate ceremonies. CCPS may disclaim official endorsement of these events in a manner that does not favor or disfavor religious groups.

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

BOARD POLICY IMDD: MOMENT OF SILENCE

It is the policy of the Board of Education of Carroll County that all schools are required to have a moment of silent meditation for approximately one minute each school day. During this moment of silence, the Carroll County Public Schools shall neither advance nor inhibit silent religious activity.

Effective school year 2002-2003, following the pledge of allegiance to the flag, and before the completion of the opening exercise, all students will observe approximately one minute of silence before continuing with the day's activities. In exercising his or her individual choice, each person may meditate, pray, or engage in any other silent activity which does not interfere with, distract, or impede others in the like exercise of their individual choice.

Schools are responsible for informing all students and parents/legal guardians of this policy at the beginning of the 2002-2003 school year.

During this moment of silence, students can engage in any silent, thoughtful reflection.

The following is a list of inappropriate activities:

1. Talking or any audible sounds
2. Gesturing, using sign language, or writing notes for the purpose of person-to-person communication

Administrators shall enact appropriate administrative procedures in the event that individuals do not follow the established policy.

SUNDAY ACTIVITIES

In response to parental and staff concern, the administrative practice of scheduling school activities on days other than Sunday was established in an attempt to reserve at least one day each week during the school year for the family - a day when school activities do not conflict with family activities.

There may be a rare occasion to schedule such an activity where the overwhelming best interest of the school, the group, and/or individual student merits an exception to this practice. On these few occasions, if both the principal and appropriate supervisor recommend an exception to this practice, the approval of the appropriate Director will be granted.

rev 8/92, 8/00

COLLECTIONS FOR CHARITABLE AND RESEARCH PROJECTS Board of Education Policy JL

Charitable organizations may collect funds or goods in the schools for charitable and research projects upon approval of the Superintendent of Schools or his designee.

The amount contributed by individual students or staff shall not be revealed. Competition between schools shall not be allowed. This activity shall not interfere with regular school functions.

All requests for "charities-thons" must be submitted in writing and receive approval of the Assistant Superintendent of Instruction and the appropriate Director. Once approved, these "charities-thons" are handled as follows:

1. Participation in the aforementioned activities in any school is at the discretion of the local school principal.
2. The school principal will distribute information, make announcements, or post information on bulletin boards, as he or she deems appropriate. Sponsor sheets may be made available in a designated area for interested students to pick up.
3. School personnel should not be required to become involved in providing additional support in the collection of money.
4. The amount contributed by individual students shall not be revealed.
5. Competition between students, classes, or schools shall not be allowed with the exception of CCSGA Food Drives.
6. The activity shall not interfere with regular school functions.

CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS

BOARD POLICY KHBA: SCHOOL-RELATED FUND RAISING

These administrative regulations provide guidance for school related organizations to have fund-raising activities at schools.

1. The following are approved fund-raising projects:
 - a. Sale of student photographs to parents/legal guardians
 - b. Sale of advertising space to finance the production of a school yearbook, newspaper, and/or programs for events.
 - c. Fund-raising projects of an entertaining nature after school hours.
 - d. Raffles
 - e. concessions outside of the school day
 - f. school based sales as approved by the principal
 - g. Other projects organized with prior approval of the superintendent/designee.
 - h. Organizations may sell advertising at athletics and/or other school sponsored events under the following conditions:
 - i. The only advertising permitted will be vinyl banners. Two (2) sizes are permitted:
 1. 2' (h) x 3' (w) at \$500 per banner/per school year
 2. 2' (h) x 6' (W) at \$1,000 per banner/per school year
 - ii. Banners will be white with the school's mascot and lettering in school colors. the following statement shall be included on all banners: "ccps does not endorse the sponsor or message of this advertisement."
 - iii. Wording and graphics used on the banner must be appropriate for schools as determined by administrative regulations for Board Policy KHB. further, These banners may not include messages that:
 1. express hate, racial slurs, or sexual harassment
 2. can be directly interpreted or construed as carrying a "double meaning" involving sexual innuendo; tobacco, alcohol or drug use; gang symbols; weapons; or sexual activity.
 3. could contribute to a disruptive, hostile or Intimidating environment
 - iv. Banners which endorse political candidates during an election will be permanently removed by school personnel at the conclusion of the election.
 - v. Banners will be displayed on stadium fences during regularly scheduled home events. banners shall be visible to spectators while arriving, leaving, or viewing the stadium event. Banners shall not be displayed at indoor events. however, banners at the Carroll County Career and Technology Center and the gateway school may be displayed at approved indoor locations with consultation of the Director of High Schools.
 - vi. Banners shall be placed by fund raising groups under the direction of the principal.
 - vii. Carroll County Public Schools will not be responsible for banners that become damaged or vandalized. Banners that become damaged or vandalized shall be removed by school personnel and returned to the appropriate fund raising group.

- viii. Banners may only be displayed during the academic school year. Banners shall be removed by school personnel.
- ix. Lists of sponsors purchasing banners may not be announced at athletic events or in the school newsletter.
- x. All approved fund raising groups may participate in the sale of banners. However, all money raised by each group through banner sales must be donated to the school in one check accompanied by a written statement designating which program(s) the donation shall support. A limit of \$100,000 per fiscal year may be raised through the sale of banners at each school. Sale of banners will be available to each fund raising group until the limit of \$100,000 is reached. Competition between fundraising groups is prohibited.
- xi. All banners sponsored by businesses or individuals are the property of Carroll County Public Schools and will be destroyed at the conclusion of each school year, unless claimed by the appropriate fund raising group.
- xii. Banners shall not be re-used in subsequent years.
- xiii. The Superintendent of Carroll County Public Schools may discontinue approval for a banner at any time.

PROTECTIVE EYE DEVICE

Section 7-405 of the Public School Laws of Maryland

I. Industrial Quality Eye Protective Device

In this section, industrial quality eye protective device means a device that meets the standards of the American Standard Safety Code for Head, Eye, and Respiratory Protection, Z. 2.1-1959, adopted by the American Standards Association, Incorporated.

II. Protective Eye Device Required in Certain Courses

Each student and teacher in a school or other educational institution shall be required to wear and industrial quality eye protective device at all times while working in:

- A. A vocational or industrial art shop or laboratory that involves the use of or exposure to:
 - 1. Hot molten metal
 - 2. Milling, sawing, turning, shaping, cutting, or stamping of any solid material
 - 3. Heat treatment, tempering, or kiln firing of any metal or other material
 - 4. Gas or electric arc welding
 - 5. Repair or servicing of any vehicle
 - 6. Any caustic or explosive material

- B. A chemical or combined chemical-physical laboratory that involves any caustic or explosive chemical or hot liquid or solid.

III. Supply and Purchase of Protective Eye Devices

- A. The school may furnish industrial quality eye protective devices to its students and teachers and to any visitor to its classrooms or laboratories specified in section II.

- B. The school may buy these protective eye devices in large quantities and sell them at cost to its students and teachers.

MINICALCULATORS AND SIMILAR CALCULATING DEVICES

- I. The Carroll County Board of Education resolved on April 21, 1976 the following:
The purpose of the following guidelines is to decrease the potential misuse of minicalculators, not to limit the use of the calculator as a learning aid. These guidelines are listed below:
 - A. The minicalculator will in no way be used to replace the teaching of basic computational skills or mathematics concepts.
 - B. Mini calculators owned by the school, the teacher, or the county must be equally available to all students in the classroom where they are being used.
 - C. Student owned mini calculators may not be used in the instruction phase of the classroom activity unless they are available to all students or if the information gained from the device is available to all students.
 - D. Student owned mini calculators may be used in testing situations only if calculator usage is indicated in the objective being measured and so that no student is given a time advantage or an information advantage over another student.
 - E. Mini calculators may not be used in standardized testing situations unless specified by test directions.
 - F. The purchase of minicalculators by students cannot be required.
 - G. The teacher should be competent in the use of minicalculators before the introduction to the classroom
- II. Implementation

School principals should be certain that the above guidelines are adhered to within their schools.

CARE OF SCHOOL PROPERTY BY STUDENTS

References: Board of Education Policy JICB (11/13/91)
Memo to local superintendents from State Superintendent (1/18/93)
Memo to M. Prumo (MSDE) from Attorney General (12/29/92)

Board of Education Policy JICB states should a student fail to return textbooks, library books, or other school-owned property; or have other outstanding obligations, the principal shall prohibit the further issuance of school-owned property or supplies until appropriate restitution has been made.

The Attorney General ruled in 1992 that refusing to transfer records to another school because of unmet financial obligations is a violation of federal and state regulations and thus not permitted.

Revised 8/98, 8/00

EMPLOYMENT OF MINORS

- I. No minor under 14 years of age shall be employed, permitted or suffered to work in, about or in connection with any gainful occupations at any time.
- II. All minors between 14 and 17 must secure a work permit from the Department of Student Services or a school counselor and must adhere to the general provisions set forth below. A birth certificate, driver license, passport, certificate of Baptism, school record, or certificate of arrival in the U.S. issued by the U.S. Immigration Office must be submitted as evidence of age at the time of application. This certificate must be obtained and on file with the employer before the minor starts work. Mandatory physical exams are no longer required. The Maryland work certificate is valid for employment in Maryland only. Each minor must have or have applied for a Social Security number before a work permit can be issued.
- III. Legal hours of employment for minors 14 through 17 years of age*
 - A. A minor under 16 years of age may not be employed or permitted to work before 7:00am or after 8:00pm. A minor may be employed or permitted to work until 9:00pm from Memorial Day to Labor Day.
 - B. Hours for work during school week:
 1. Not more than 4 hours per day during school days
 2. Not more than 8 hours per day during non-school days
 3. Not more than 23 hours per week when school is in session for 5 days
 - C. Hours for work during non-school week:
 1. Not more than 8 hours per day
 2. Not more than 40 hours per week
- IV. Other restrictions for hours of employment of minors under 18 years of age:
 - A. Minors 16 and 17 years of age may not spend more than 12 hours in a combination of school hours and work hours per day.
 - B. Minors 16 and 17 years of age must have at least 8 consecutive hours of non-work, non-school time in each 24-hour day.
 - C. Any minor under 18 years of age may not work or be permitted to work more than 5 hours continuously without a non-work period of at least 30 minutes.

* *The Commissioner of Labor and Industry is permitted to grant an exception under certain conditions to the hourly working restrictions for minors under 16 years of age. Call 410-767-2239 for information.*

V. Implementation

- A. Principals should refer to the additional provisions set forth in Article 100, Annotated Code of Maryland, enacted July 1, 1977, which is available in each secondary school office and in the Department of Student Services.
- B. Since the four-year enrollment requirement does stipulate four credits beyond grade 11, principals are reminded to consult the Release Time Procedures.
- C. Nothing in this section shall be construed as limiting the number of hours of employment of any minor participating in an experimental school supervised and school administered work-experienced and career exploration program approved by the Secretary of Labor of the U.S. (Article 100-S10-E as enacted by the 1977 General Assembly).

Revised 8/91

RIGHT TO CONSENT OF MINORS

Article 20, Section 102

- I. The Attorney General's Office has ruled that there is no duty or responsibility imposed on the schools or the school system by the mandate of the statute.

- II. Article 20, Section 102 on medical treatment or advice with respect to venereal disease, pregnancy, contraceptives, drug abuse or alcoholism states:
 - A. Minor Who Is Married or Parent
 - 1. Married, or
 - 2. The parent of a child

 - B. Emergency Treatment

A minor has the same capacity as an adult to consent to medical treatment if, in the judgment of the attending physician, the life or health of the minor would be affected adversely by delaying treatment to obtain the consent of another individual.

 - C. Specific Treatment

A minor has the same capacity as an adult to consent to treatment for or advice about:

 - 1. Drug abuse
 - 2. Alcoholism
 - 3. Venereal disease
 - 4. Pregnancy
 - 5. Contraception other than sterilization
 - 6. Physical examination to obtain evidence of an alleged rape or sexual offense

 - D. Liabilities

A physician or an individual under the direction of a physician who treats a minor is not liable for civil damages or subject to any criminal or disciplinary penalty solely because the minor did not have capacity to consent under this section.

 - E. Disclosure

Without the consent of or over the express objection of a minor, the attending physician or, on advice or direction of the attending physician, a member of the medical staff of a hospital or public clinic may, but need not, give a parent, guardian, or custodian of the minor or the spouse of the parent information about treatment needed by the minor or provided to the minor under this section, except information about an abortion.

**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATIONS**

**BOARD POLICY JRB: PROTECTION OF PUPIL RIGHTS: SURVEYS, PHYSICAL
EXAMS, MARKETING PERSONAL INFORMATION, AND INSPECTION OF
CERTAIN MATERIAL**

I. Protected Rights of Students and their Parents

- A. Carroll County Public Schools shall annually communicate "Protected Rights" to parents, via the annual CCPS Information Calendar. Carroll County Public Schools shall also create and maintain a link on its web site that specifies protected rights of students and parents.
- B. When administering a survey that is funded in whole or in part by the U.S. Department of Education and that concerns one or more of the areas of Protected Information, the school administration must notify parents and eligible students in writing at least two weeks in advance of the "Protected Information Survey" Written notice, requesting written consent, must be provided directly to parents either through U.S. mail, e-mail, or school newsletters to parents. Parents and eligible students must be afforded the opportunity to review the survey prior to providing consent.
- C. The parent or eligible student must sign a written consent and return it to the school before the student can be administered a "Protected Information Survey" funded by the U.S. Department of Education.
- D. Protected Information shall consist of the following eight areas:
 - 1. Political affiliations or beliefs of the student or student's parent;
Mental or psychological problems of the student or student's family;
 - 3. Sex behavior or attitudes;
 - 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - 5. Critical appraisals of others with whom respondents have close family relationships;
 - 6. Legally recognized privileged relationships, such as lawyers, doctors, or ministers;
 - 7. Religious practices, affiliations, or beliefs of the student or parents; or
 - 8. Income, other than as required by law to determine program eligibility (such as FaRMS).

- E. Surveys and Research Studies that require written notice to parents and eligible students and an opportunity to opt a student out of the survey or research study:

-10349 All requests to administer a survey or research project/study not funded by the U.S. Department of Education and that concerns one or more of the eight areas of Protected Information, must be approved in advance by both the principal and the assistant superintendent of instruction.

2. Before such an approved survey or research study can be administered, the school administration must notify parents and eligible students in writing at least two weeks in advance of the "Protected Information Survey." The written notice must inform parents and eligible students of their right to review the survey or research proposal in advance. The notice must also inform parents and eligible students of their right to request in writing that the student not participate in the survey or research study. With exception of mandated surveys, a principal may withhold approval of such surveys or research studies requested by third parties if the principal determines that administering the survey or research study will place undue burden on the school administration, staff, students, or instructional time.
3. Youth Risk Behavior Surveillance System Survey (YRBSS) Annotated Code of Maryland, Education Article 7-420. Identifies risk behaviors that may include safety behaviors such as use of helmets and seat belts, depression and mental health, use of tobacco, alcohol or other drugs, nutrition and physical activity, and sexual behavior. The answers will be kept private and the student's name will not be required on the survey response sheet.

The YRBSS is a confidential survey which requires parents/legal guardians/eligible students to opt out of participation in the survey. An opportunity to opt out of the survey will be provided annually on the student's emergency procedure card.

Parents/legal guardians/eligible students can contact Carroll County Public Schools for further information regarding the survey, including obtaining a copy of the survey if requested.

- F. All third-party requests to conduct a survey must be approved by the principal after reviewing the survey instrument to determine if any questions are posed that touch on one or more of the eight areas of Protected Information. The principal may submit the survey instrument to the assistant superintendent of instruction for an opinion prior to granting approval. If the survey does not concern any of the areas of protected information the principal may approve the survey. In such a case, the principal is not obligated to notify parents or to seek their approval prior to administering the survey. With the exception of mandated surveys, a principal may withhold approval of such surveys requested by third parties if the principal determines that administering the survey will place undue burden on the school administration, staff, students, or instructional time.
- G. All requests to conduct research studies must be approved by both the principal and the assistant superintendent of instruction.

- H. Requests by students or teachers/staff to conduct surveys of other students or teachers/staff must be submitted in advance to the principal for approval. If the principal does not approve the survey requested by a student or teacher, the principal's denial must be based upon the principal's reasonable forecast of disruption. The principal's approval of such surveys signals only the principal's reasonable prediction that distribution of the survey will not create disruption. In these instances, the principal shall not approve the use of staff or instructional time to distribute or collect such surveys, nor may students, teachers, or staff use instructional time to endorse, distribute, or collect such surveys.

II. Conducting Physical Exams

- A. Schools must provide advanced written notice to parents and eligible students of any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student. The notice must inform parents and eligible students of their right to opt out of a non-emergency, invasive physical exam or screening required as a condition of attendance. (An invasive physical examination or screening is any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body.)
- B. This regulation does not apply to hearing, vision, or scoliosis screenings; nor to any physical exam or screening required by state law.

III. Marketing Personal Information

Administrators and staff employed by Carroll County Public Schools shall not market or sell personal information obtained from students or their records.

IV. Inspection of Certain Material

- A. Parents may inspect instructional materials used as a part of the educational curriculum, excluding tests, assessments, and quizzes.
- B. Parents who request to review instructional materials at a school shall be provided the opportunity to do so in the school within two weeks of the request.
- C. The Carroll County Public Schools Resource Center shall maintain an up-to-date collection of curriculum guides used as a part of the educational program. Curriculum guides shall be available to parents for inspection in the resource center during regular business hours.
- C. Representative parents from elementary, middle, and high schools shall be appointed by the Board of Education annually to serve on the Carroll County Curriculum Council. The Carroll County Curriculum Council shall review all student books and texts requested to be added to the approved list of instructional materials, and shall forward their recommendations at least annually to the Board of Education for action.

STUDENT ACCIDENT INSURANCE

- I. The Board of Education provides the opportunity for all students to enroll in student accident insurance. Carroll County Public Schools participates in a student accident insurance program that is administered by MABE (Maryland Associations of Boards of Education).
- II. Implementation
 - A. The principal should encourage all students, particularly those taking part in athletic programs, to purchase accident insurance. (Students participating in varsity football are required to have some form of health insurance.) The principal should refer to the Administration Business and Finance Insurance Procedures Manual that is available in all schools for further information.
 - B. Schools will distribute application forms at the beginning of each school year. Parents/legal guardian are responsible to make payments directly to the current carrier.
 - C. Accident claim forms are available in all school offices.
 - D. Parents/Legal guardians are responsible for filing claims and submitting medical bills directly to the office of the current carrier.
 - E. If an accident occurs under the supervision of a school official, that person (assistant, teacher, etc) has to sign, verifying authenticity of the claim.

OFF CAMPUS SCHOOL SPONSORED ACTIVITIES Board of Education Policy JFBA

Off campus activities which are school sponsored must be approved by the principal.

STUDENT FIELD TRIPS AND EXCURSIONS

Board of Education Policy IICA states:

The Board of Education approves the use of field trips including those of an overnight nature when necessary. Specific guidelines for field trips will be developed by the Superintendent.

Refer to "Guidelines for Field Trips" for implementation.

The Health Services Handbook contains field trip responsibilities for health room personnel.

Revised 8/94

INDIVIDUAL STUDENTS LEAVING SCHOOL STUDENT/PARENT TRANSPORTATION

The Carroll County Public Schools recognize that it may be necessary for a student to leave school during the school day for the purpose of attending county Student Government meetings, participating in approved internship programs, or for similar individual or small group school-related pursuits. For all such events, parental permission must first be obtained in writing before a student is authorized to leave school property. Furnishing transportation for such events shall, in all cases, be the responsibility of the parent/legal guardian. In no event, shall the Board of Education of Carroll County, its agents, or its employees, be held responsible for any injury that may befall a student, or a third-party, during a student's participation in such events taking place off school property or in transportation to and from such events.

School officials should know that only in extenuating circumstances or emergencies will they attempt to arrange transportation for students. In such circumstances, school officials will first obtain verbal parental or guardian approval for all students involved and shall make clear that the parent/legal guardian assumes all risk of injury as a result of such transportation arrangement.

Revised 10/94

STUDENTS WITH ACADEMIC/BEHAVIORAL DIFFICULTIES: INSTRUCTIONAL SUPPORT TEAM (IST)/ TAID, OR STUDENT SERVICES TEAM (SST) PROCESS

- I. Teachers of students who are having academic and/or behavioral difficulty in the classroom should follow the IST (Instructional Support Team)/, TAID (Teacher Assisted Instructional Decision) or SST (Student Services Team) team process as discussed below. Throughout the process, there should be written notes/documentation of the interventions employed and the results of the interventions.

Prior to, during and after the IST/TAID/SST or the special education IEP screening and evaluation process, Carroll County Public School personnel are not to make direct recommendations to parents/legal guardian regarding medical diagnosis, medications or specific treatment for their child. Student services team members may encourage parents to consider non-school medical or therapeutic services in the community. If referral resources are solicited by parents/legal guardian, a list of resources in the county should be presented rather than a specific service provider. Your principal, nurse, counselor, pupil personnel worker or school psychologist can serve as a resource for services available and/or the process to follow when honoring such requests.

- II. The following is a general outline of how teachers may resolve problems and access help from the IST, SST or TAID teams IST/TAID Flow Chart:

- A. **Teacher tries Alternate Strategies**

All teachers make changes and modifications in their classrooms in response to students who are having difficulty academically or behaviorally. Changing a child's seat, utilizing a "time out" chair, giving extra time to complete an assignment, offering special assistance and attempting "to catch the child being good" are a few of the techniques commonly used by teachers. Teachers may also informally consult with administration, resource specialists or student services staff for their ideas and expertise.

- B. **Communication with Parents/Legal Guardians**

If the teacher's efforts to improve the child's learning/behavior are not successful, the teacher should contact the child's parents/legal guardian. Sometimes just sharing concerns with the parent/legal guardian is enough. Sometimes it is necessary to elicit additional parent/legal guardian involvement such as checking their child's homework and signing a homework sheet. An increase in communication to the parents/legal guardian by way of a daily or weekly "smiley face" point system or "drag" sheet can be helpful. This is an extremely important step in the total problem solving process that insures the parents/legal guardian are aware of their child's problem areas, progress and/or lack of progress.

C. **Teacher Seeks Collegial Assistance from IST/TAID Team or Student Services Team**

If the efforts to improve the child's learning/behavior are still not successful, even after attempts have been made to elicit parental cooperation, the teacher will seek collegial assistance from their grade level or subject level team or their schools' IST/TAID or SST teams. These teams are groups of teachers, resource staff and student services personnel helping teachers identify and analyze the problem(s) correctly by collecting data, designing appropriate interventions and helping teachers implement and evaluation interventions.

This initial IST/TAID team might include the child's teacher from the preceding grade, a resource teacher from the area most directly linked to the problem, teacher(s) from the grade level team and counselor.

D. **A formal problem solving process in initiated**

In some cases, an IST/SST/TAID team member will work with a teacher to ensure that they are getting the assistance a student requires. Each school should follow a structured problem solving process in attempting to resolve the student's problems. This might include a functional behavior assessment (FBA) and behavior Intervention plan or curriculum based assessment (CBA) and student intervention plan. A review of the student's records and interviews with the student, previous teachers and parents may also be critical in correctly identifying and analyzing the problem, designing appropriate interventions and evaluating them.

E. **Communication with Parents/Legal Guardians**

In an attempt to continually keep the parents/legal guardian informed of their child's progress and stress a team approach with the home and school, communication with the parent/legal guardian continues to be essential at this juncture. Parents should also be informed of any intervention plan and their roll in supporting the plan.

F. **Teacher follow up with IST/TAID or Student Services Teams**

The initial IST/TAID/SST may feel that the problem presented by the teacher is so serious or resistant to interventions that another special IST/TAID/SST meeting should be convened. This team meeting might include the administrator, teacher, the pupil personnel worker, the school nurse, the school psychologist, the ILA specialist, the counselor, etc. This meeting may focus on educational procedures or strategies for such special conditions as a suspected seizure disorder, attention deficit-hyperactivity disorder, parental neglect, complex medical problems (kidney problems, asthma, paralysis, etc.) or any extreme and unresponsive behavior and/or learning problem. (Note: Educators are not medical diagnosticians and shall not recommend specific medical interventions.)

The special IST/TAID/SST may suggest more radical educational alternatives than the teacher alone would be able to implement. Placing a child in a higher or a lower grade, changing a classroom assignment, utilizing the services of such regular education resource people as the ILA specialist, the school counselor, behavior support specialist, school psychologist, pupil personnel worker, etc., are a few of the alternatives that might be tried.

G. **Formal Referral to PPW, School Psychologist, Counselor, etc.**

It may be that the special IST/TAID/SST will decide to formally refer the student to specialists such as the pupil personnel worker, the school psychologist, the school counselor or health nurse. For example, if a child continues to be tardy, even after the teacher has tried to gain the cooperation of the parents/legal guardian, the services of the pupil personnel worker may be requested. If it has been revealed to the teacher that the child continues to worry about a home problem, the school counselor may be asked to intervene. If a formal observation of a student's work habits, learning style or classroom environment is desired, a referral to the school psychologist might be made.

H. **Suggest Assistance from an of Outside Agency**

After carefully reviewing all of the data collected on the student, the IST/TAID/SST may feel that the student's problems are such that the assistance of an outside community resource should also be sought. In this case, a parent conference should be held in which all data is presented to parents/legal guardian along with possible alternatives. It may be that the feasibility of a physical or mental examination is explored as well as services that might be rendered by an agency such as the Carroll County Health Department or the Youth Service Bureau. If referral resources are solicited by parents/legal guardian, a list of at least three resources should be presented rather than a specific service provider.

I. **Refer to IEP Committee for Screening**

It may be that, based upon classroom observation, individual and group test data, parent conferences, etc., the special IST/TAID/SST suspects that the student may be handicapped and in need of special education services. In this case, the student would then be referred to the school IEP committee for screening for special education or 504 services.

A note of caution: The IST/TAID/SST should not be used as a means of delaying the identification of handicapped students or in denying handicapped students special education services. As soon as the team has information which leads them to suspect that a student may be handicapped and in need of special education, a referral to the school IEP committee should be initiated. However, given the 2004 IDEA improvement acts increased focus on student resistance to evidenced-based interventions, the student's intervention plan & his/her response to it should be carefully documented by the appropriate team.

Revised 8/92, 5/05

**CARROLL COUNTY PUBLIC SCHOOLS
EVACUATION GUIDELINES FOR PERSONS WITH DISABILITIES**

PURPOSE: To establish standard procedures for the safe, timely and orderly emergency evacuation of those students, staff and visitors with disabilities from Carroll County Public Schools or office facilities in the event of an emergency.

AUTHORITY: Title 13A.02.02 Emergency Plans, of the Education Article, Annotated Code of Maryland

7-408. Fire Dills (a) Required. – The State Superintendent shall require each county Superintendent to hold a fire drill in each public school at least 10 times each school year and at least once every 60 days. (b) Records to be kept. – Each public school shall: (1) Keep records of these fire drills; and (2) Send a copy to the County Superintendent (An. Code 1957, art 77, 91:1978, ch.22, 2: 1996, ch10, 16.
Section 504 of the Rehabilitation Act of 1973

Individual Disability Education Act

Federal Emergency Management Agency
United States Fire Administration
Emergency Procedures for Employees with Disabilities in Office Occupancies

Americans with Disabilities Act Accessibility Guidelines (4.1.3(9), 4.3.11)

GENERAL: The school emergency plan shall be shared with local emergency personnel in writing and verbally no later than first fire drill of the school year.

Each school within the county will maintain and update its roster of students with disabilities to include, but not limited to mobility, hearing, sight, and serious breathing and stress induced illnesses that may affect a persons ability to egress from the building.

As necessary, specific student plans shall be a part of the total school emergency evacuation plan and attached. The individual student plan should be reviewed by the school administration with the student, parent, teacher/assistant and emergency personnel servicing the school community.

Each school shall designate staff members who will coordinate the safe refuge or the evacuation of those with disabilities. These staff members should have an updated roster of students and staff that may need assistance in an emergency. These staff members will be provided training to assist in potential evacuation efforts.

Each school shall have a procedure for accounting for visitors to the building who may be persons with a disability and require assistance in case of an emergency.

GUIDELINES: In the Event of an Emergency or Drill

When an emergency alarm is sounded or threatening situation is discovered, designated staff members shall move immediately to areas of refuge within the school. Each school principal will designate these areas and clearly communicate this information with Local Fire Chief or Regional State Fire Marshal. In many instances, this area will be a stair landing; stairwell or other acceptable designated area.

At the area of refuge designated staff should immediately make contact with other staff or emergency personnel already in areas of safety. Based on threat and imminent danger staff must decide, "Safe-in-Place," or to evacuate completely.

"SAFE-IN-PLACE"

Based on threat level, location and imminent danger it may be safer to keep staff, students, or visitors in the "safe place" during an emergency. A clearly designated area should be easily accessible and known to all participants.

"If the person with disability cannot get far enough away from the danger by using *Horizontal Evacuation*, then that person should seek an Area of Rescue. Areas of Rescue meet the requirements listed within "**Americans with Disabilities Act, Accessibility Guidelines for Buildings and Facilities (ADAAG)**; section 4.3.11 *Areas of Rescue Assistance*.

Specific areas of rescue and/or refuge for each building will be designated by signage at the handicap entrances.

Note: Enclosed stairwells qualify as areas of rescue/safe refuge.

EVACUATION

If the level of danger requires evacuation great care should be given to protect both the care-provider and the individual with disabilities. Fire and Rescue personnel are best equipped to handle the evacuation.

Elevators

Only when communicated by fire personnel and operated by fire personnel should any consideration be given to evacuating via elevators. This may be a viable alternative once fire personnel have arrived and evaluated the threat level.

Carrying Individual with Disability

A **zero-lifting policy** should be maintained. Only in the event of **imminent danger** and no immediate means of egress (lift, evacuation equipment, etc) should care-provider attempt to carry individuals down stairwells. Training will be given to show care-providers appropriate means to carry someone. However, this is only to be used when there is **no other means of evacuation or available assistance**.

TRAINING

Each school will train and practice these standards during each fire drill. Persons with disabilities must be active participants in the evacuation plan, and training. Students, staff, parents and guardians must have a complete understanding of the methods of operation during an emergency. To avoid any potential for undue injury to care-provider or individual, actual movement down stairways should be avoided during drills. Care-providers should practice transitions from wheel chairs. Students should not be used during this training.

INDIVIDUAL SCHOOL PLAN

Each school **shall** have an emergency plan that addresses the individual needs of students and staff in the building. The plan should also provide appropriate direction for visitors to the building who may need assistance. This would include a means to identify persons needing assistance, are in the building and who has responsibility for their care. These plans will be revised at least annually, or more frequently should conditions warrant. **All revisions shall be communicated to local emergency personnel in a timely manner.**

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