

10500 STUDENT DISCIPLINE**10510 Discipline Code**

1. In order to provide a safe and effective learning environment the District must maintain discipline in the face of student misconduct. This policy is intended to provide a general outline and code for the manner in which discipline will be handled. The student is reminded that this Discipline Policy does not stand alone. Other District policy sections also relate to student conduct including, but not limited to the Student Search Policy and the Co-Curricular Activities Policy.

The District acknowledges that student discipline (including suspensions and expulsions) is governed by Title 22, Chapter 12 of the Pennsylvania Code. It is the District's Policy that all discipline (and specifically suspensions and expulsions) shall be administered in accordance with Title 22, Chapter 12 of the Pennsylvania Code, which is incorporated herein by reference.

2. **SCOPE OF THIS DISCIPLINE CODE**

This code will govern any circumstance or action that has impact upon the District, its employees or students, or the educational process of the District. That means this code will govern behavior and circumstances that occur during school or school related activities, on District property, and during a student's transit to or from school. Additionally, this policy may apply outside of school property or school related activities if there is misconduct that has a direct and immediate tendency to influence the conduct of other people while in the school room, to set at naught the proper discipline of the school, or to impair the authority of the District's employees. (Examples of this would be insubordination to a teacher at a restaurant or intentional infliction of damage to a teacher's house.)

This code gives a general description as to consequences that the District will impose through its system of discipline. The student should be aware that in addition to the consequences of this code the student may also be subject to criminal prosecution for misconduct that rises to the criminal level.

3. HOW TO UNDERSTAND THIS CODE

Described in the paragraphs below are general categories of misconduct. For the most part these categories are described in one or two words; the categories are intended to be very general in nature and broad in their scope. When a student is disciplined for misconduct the consequence of the misconduct will usually be the consequence(s) set forth in numerical order under the applicable general category. When more than one category applies the District may impose discipline under the category or categories it believes most applicable.

The discipline outline herein will be carried out in accordance with the laws of Pennsylvania. However, this code cannot anticipate every possible circumstance or type of misconduct. Therefore, this code is intended to serve as a general guide applicable to most, but not all situations. Greater or lesser discipline, alternative referrals or other alternatives or action not necessarily set forth herein may be taken or imposed depending upon the circumstance of the infraction.

The student must be aware that the District cannot police every instance of misconduct. Because the District does not impose discipline upon a student for misconduct is no reason to believe that the District will not impose discipline for the same misconduct the next time it occurs. When two or more students are involved in misconduct the fact that the District does not impose discipline upon one of those students is no reason to believe that the District will not impose discipline upon the other student(s).

In addition to the discipline described below the student is advised that the District may also confiscate any items used in association with misconduct (such as tobacco, cheat sheets, weapons, diskettes, beepers, telephone, alcohol, etc.).

From time to time the consequences listed below include the phrase "or other disciplinary action." That phrase is intended to include suspension, expulsion or referral to the hearing officer. Other disciplinary measures ~~such as detention~~ **including but not necessarily limited to detention, community service, restitution, educational project, and/or referrals for counseling or to a Student Assistance Program (SAP)** may be substituted for and/or added to the consequences described below at the discretion of the building Administrator.

Special education students will be disciplined under this policy subject to the requirements of State and Federal guidelines.

4. MISCONDUCT GOVERNED BY THIS POLICY

A. ASSIGNMENT CUTS

1. Assignment Cut (class, study hall, lunch, etc.)

.....#1 Offense - conference and/or disciplinary action

.....#2 Offense - 1 day suspension

.....#3 Offense - 2 days suspension

.....#4 Offense - 3 days suspension

.....#5 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

2. Assignment Cut (2 or more assignments, truancy, or skipping school)

.....#1 Offense - 1 day suspension

.....#2 Offense - 2 days suspension

.....#3 Offense - 3 days suspension

.....#4 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

B. INSUBORDINATION - DISRESPECT

Category I

Refusal to comply with a directive given by an employee of the District, when such refusal does not create a substantial disruption to the school environment or degrade a District employee. Examples may include but are not limited to sleeping in class, not sitting down when asked, and refusing to do work.

.....#1 Offense – Warning and parent will be notified

.....#2 Offense – Conference and/or other disciplinary action

.....#3 Offense – 1 to 10 days suspension

.....#4 Offense – 3 to 10 days suspension and referral to the hearing officer for further discipline

Category II

Refusal to comply with a directive given by an employee of the District, when such refusal creates a substantial disruption to the school environment or degrades a District employee. Examples may include but are not limited to refusing to report to the office, slamming books or other District property, and making rude and/or inappropriate comments to a District employee.

.....#1 Offense - 1 to 3 days suspension

.....#2 Offense - 1 to 10 days suspension

.....#3 Offense - 3 to 10 days suspension and referral to
the hearing officer for further discipline

Any act of disrespect by a student towards a District
employee or an affiliate of the District, or towards any such
person's property which occurs at any time and which is
linked to that individual's association with the District will
be subject to disciplinary action according to this
subsection.

C. DISRUPTIVE BEHAVIOR

.....#1 Offense - conference and/or other disciplinary action

.....#2 Offense - 1 day suspension

.....#3 Offense - 2 days suspension

.....#4 Offense - 3 days suspension

.....#5 Offense - 3 to 10 days suspension and referral to
the hearing officer for further discipline

D. USE OR POSSESSION OF TOBACCO (SNUFF, CIGARETTES,
ETC. ON YOUR PERSON, IN YOUR POSSESSION OR IN YOUR
LOCKER)

.....#1 Offense - 1 day suspension

.....#2 Offense - 3 days suspension

.....#3 Offense - 3 to 10 days suspension and referral to the
hearing officer for further discipline

E. ALCOHOL AND DRUGS

Students are prohibited from using, being under the influence of,
possessing or transporting, or dispensing (by sale or gift) any of the
following at any school or school related activity, or while in transit
to and from school or school related activity, or in any way that
directly impacts the discipline or authority of the school:

1. Alcoholic or Malt Beverage
2. Any substance regarded as controlled or illegal under the laws of
the Commonwealth of Pennsylvania.
3. Any look alike substance intended to mimic any substance
described in the preceding sentence.
4. Any mechanical device (such as pot pipe, syringe or needle)
capable of utilization for taking any substance regarded as
controlled or illegal.
5. Any other medication (prescription or non-prescription)
possessed or used **without the school nurse and/or**

administrator's knowledge or without parents or guardians consent.

6. Any other substance capable of causing or taken for the purpose of achieving a "high" or other altered state.

Additionally students who, with their parents or guardians consent are in proper possession of non-prescription or prescription medications for a legitimate health concern are prohibited from dispensing that non-prescription or prescription medication to any other student or person at any school or school related activity, or while in transit to and from school, or in any way that directly impacts the discipline or authority of the school.

Students in proper possession of prescription or non-prescription medication must, at the earliest opportunity, advise the building Administrator or nurse (or in the case of a co-curricular event, the Administrator or employee in charge) of the medication and must follow the instructions of the Administrator/nurse/employee with regard to the possession/care of that medication.

Any violation of this section will result in notification of parents or guardians **as well as police notification**. For any violation of this section concerning usage, being under the influence, possession or transportation of alcohol or drugs (**as defined in items 1 through 6 listed above**), a student will **be subject to the following discipline:** ~~receive a three to ten day suspension and be referred to the hearing officer for further discipline including expulsion from school as the most likely consequence.~~

.....#1 Offense – Suspension for 3 to 10 school days as the most likely consequence. Required parental conference and referral to Student Assistance Program. More severe discipline may be imposed depending on the type and/or quantity of drugs or alcohol that the student uses, possesses, transports, or is under the influence of.

.....#2 Offense – Suspension for 10 school days. Referral to the hearing officer for further discipline including expulsion from school as the most likely consequence. A parent conference will also be required and intervention/assistance will be provided through either a referral to a school-designated drug counselor or a referral to an appropriate drug and alcohol program.

For any violation of this section concerning dispensing of alcohol or drugs (**as defined in items 1 through 6 listed above**), a student will

receive a three to ten day suspension and be referred to the hearing officer for further discipline including expulsion from school for a period of not less than one year as the most likely consequence. A parent conference is required. Help will be provided through the mandated appointment(s) with a school designated drug counselor or referral to an appropriate drug and alcohol program.

If a student is expelled for a drug and alcohol violation, the Board shall require, prior to readmission, that the student provide sufficient evidence (to the District's satisfaction) that the student has received appropriate intervention/assistance relative to the drug and/or alcohol violation .

F. FIGHTING

-#1 Offense - 1 to 3 days suspension
-#2 Offense - 1 to 3 days suspension
-#3 Offense - 3 to 10 days suspension
-#4 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

G. POSSESSION OF A WEAPON* (knife, gun, martial arts items, explosives, etc.)

- 1) Weapon defined: "Weapon" for the purpose of this policy "shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, rifle or any other tool, instrument, or implement capable of inflicting personal bodily injury." *
- 2) Discipline defined – **For any violation of this section, a student will receive a three to ten day suspension and be referred to the hearing officer for further discipline in accordance with Act 26 of 2005.** The District "shall expel, for a period of not less than one year, any student who is determined to have brought a weapon onto, is in possession of, or uses a weapon on any school property, any school sponsored activity or any public conveyance providing transportation to a school or school sponsored activity." **The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis. Any violation of the District's weapons policy shall also result in a required parental conference and a required referral to the Student Assistance Program. ***
- 3) The provisions of this policy "shall not apply to the following:

- a. A weapon being used as a part of a program by a school or by an individual who is participating in the program; or
- b. A weapon that is unloaded and is possessed by an individual while traversing school property for the purpose of obtaining access to public or private lands used for lawful hunting, if the entry on school premises is authorized by school authorities.”

4) *Procedure: All provisions of Act 26 of 1995 will be applicable in the administration of this policy.

*Legal Reference: Act 26 of 1995

H. TARDINESS TO AN ASSIGNMENT (class, study hall, lunch, etc.)

-#1 Offense - Teacher records tardy and counsels student.
-#2 Offense - Teacher records tardy and counsels student. Teacher initiates a warning letter to the parent with a building Administrator co-signing the letter.
-#3 Offense - Teacher refers student to the guidance counselor/building Administrator who initiates a letter to the parents.
-#4 Offense - Teacher refers matter to the building Administrator. Appropriate disciplinary action to be taken at the discretion of the building Administrator. If tardiness persists, referral may be made to the hearing officer for further discipline.

I. FORGERY OF A SIGNATURE OR ALTERATION OF A DOCUMENT

-#1 Offense - conference and/or other disciplinary action
-#2 Offense - 1 to 3 days suspension
-#3 Offense - 3 to 10 days suspension
-#4 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

J. STEALING OF SCHOOL PROPERTY OR THE PROPERTY OF OTHERS

-#1 Offense - conference and up to 3 days suspension
 -#2 Offense - 1 to 10 days suspension
 -#3 Offense - 3 to 10 days suspension
 -#4 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline
- Restitution must be made in each case.

K. STUDENT HARASSMENT

-#1 Offense - conference and/or other disciplinary action
-#2 Offense - 1 to 10 days suspension
-#3 Offense - 2 to 10 days suspension
-#4 Offense - 3 to 10 days suspension
-#5 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

K.1. BULLYING

Bullying defined: an intentional electronic, written, verbal, or physical act or series of acts directed at another student or students that is severe, persistent, or pervasive and has the effect of doing any of the following:

1. Causing substantial interference with a student's education;
2. Creating a threatening environment;
3. Causing substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyber-bullying.

The Board prohibits all forms of bullying by district students.

Students who have been bullied should promptly report such incidents to the building principal.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

The Superintendent or designee shall ensure that this policy is reviewed annually with students.

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district web site, if available.

-#1 Offense - conference and/or other disciplinary action
-#2 Offense - 1 to 10 days suspension
-#3 Offense - 2 to 10 days suspension
-#4 Offense - 3 to 10 days suspension

.....#5 Offense - 3 to 10 days suspension and referral to the hearing officer for further discipline

L. FAILURE TO BRING AN EXCUSE TO SCHOOL WITHIN 3 DAYS OF ABSENCE

- 1) Such absences will be recorded as unexcused and/or illegal. All work missed by a student is to be completed. It will be the decision of the building Administrator as to whether the student will receive credit for the completed work.
- 2) In certain circumstances the building Administrator may grant an extension of time for an excuse to be brought in.
- 3) If the situation regarding the "failure to bring excuses" becomes excessive, the building Administrator may refer the student to the hearing officer for further discipline.

M. DEFACING OR DAMAGING SCHOOL PROPERTY OR PROPERTY OF ANOTHER

1 to 10 days suspension. Possible referral to the hearing officer for further discipline where there has been intentional, negligent, or careless defacing, damaging or desecration of property by a student. In addition to the foregoing, the building Administrator or hearing officer may impose upon the student the responsibility of reimbursing the owner for the cost of repair or replacement of the property damaged.

N. UNAUTHORIZED OR IMPROPER USE OF A MOTOR VEHICLE

.....#1 Offense - Loss of driving privileges for 10 to 30 school days.

.....#2 Offense - 1 day suspension + loss of driving privileges for 30 school days.

.....#3 Offense - 3 days suspension + loss of driving privileges remainder of school year.

O. BEHAVIOR ON SCHOOL TRANSPORTATION (MINOR OFFENSE)

Students must sit in assigned seats facing forward; student must follow driver's instruction and must refrain from pushing, hitting, creating unreasonable noise or distractions, opening windows against the driver's orders, placing hands or body out of window, harassment of persons outside the vehicle or similar offenses that pose a hazard to the safety/welfare of other students, the driver, or persons outside the vehicle.

.....First Offense - Warning and parent will be notified
.....Second Offense - One day suspension of riding privileges
.....Third Offense - Three day suspension of riding privileges
.....Fourth Offense - Fifteen day suspension of riding privileges
.....Fifth Offense - Suspension of riding privileges for the
balance of the school year. (A review of the case will take
place after 30 school days and will include a meeting with the
building Administrator, parents, student and driver.)**

P. BEHAVIOR ON SCHOOL TRANSPORTATION (MAJOR
OFFENSE)

Students shall refrain from fighting, damaging the vehicle, throwing
objects out windows, opening any exit doors or similar offenses that
pose the threat of serious danger to the safety and welfare of students,
the driver or persons outside of the vehicle.

.....First Offense - Suspension of riding privileges for 3 to 30
days.
.....Second Offense - Suspension of riding privileges for a
minimum 30 days. (A review of the case will take place after
10 school days and will include a meeting with the building
Administrator, parents, and driver.)**
.....Third Offense - Suspension of riding privileges for the
remainder of the school year. (A review of the case will take
place after 30 school days and will include a meeting with the
building Administrator, parents, and driver.)**

Students will be held responsible for damages to any school bus.

**The review meeting will be an opportunity for student, parents,
driver, and the building Administrator to discuss the suspension. If
the review reveals that the student/parents have developed an
understanding of acceptable behavior, reinstatement of bus riding
privileges could result. It will be the responsibility of the parent to
contact their child's building Administrator to schedule the review
meeting.

Q. MISCELLANEOUS INAPPROPRIATE BEHAVIOR

Any student who engages in inappropriate behavior, not otherwise
specifically addressed in this code, including but not limited to self-
destructive behavior, behavior that may be harmful to others or the
property of others, or other behavior which negatively reflects the
values of this discipline code or the philosophy, goals and aims of the
District, will be subject to suspension or other disciplinary action.

The discipline may include action by the building Administrator as well as a possible referral to the hearing officer for further discipline.

R. TRANSFER STUDENT, SUSPENDED, EXPELLED, IN
ALTERNATIVE EDUCATION OR OTHERWISE UNDER
DISCIPLINE FROM ANOTHER SCHOOL DISTRICT

Students transferring into the District who are under discipline from their previous school district or were in a discipline based alternative program in their previous district will be placed in the District's Alternative Education Program or will be otherwise disciplined in the manner utilized by the District that most closely approximates the discipline imposed by the previous district. The decision for placement/discipline will initially be made by the building Administrator. Students who wish to appeal this placement/discipline can have their case heard by the District's hearing officer by written request which must be submitted to the District within 7 calendar days of the building Administrator's placement/discipline decision.

Students transferring into the District who are pending adjudication in their previous school district are required to notify the District of the adjudication result via a copy of the official adjudication report; based upon that report, the District will implement placement/discipline as set forth above.

S. CAUSING A MAJOR DISRUPTION

It is a violation of this Code to participate in any plan or act, which leads to a major disruption of the school routine by interrupting school or a school-related activity, or by placing groups of students or school personnel in danger or distress. Examples may include but are not limited to the setting off of a fire alarm, making a bomb threat, setting fire to a building, or engaging in the planning for such activities. Any violation of this Section will result in a three (3) to ten (10) day suspension. The student will be referred to the Hearing Officer for further discipline, including expulsion from school for a period of not less than one (1) year as the most likely consequence. In considering whether an expulsion will be imposed, and, if so, the length, the Hearing Officer is to consider, among other factors deemed relevant by the Hearing Officer, the age of the student, the forethought, and the actual disruption to the school environment.

T. INVASION OF PRIVACY

Students should refrain from unreasonable intrusions concerning the privacy of District employees, other students or third parties. Invasions of privacy can include (but are not limited to) casting another in a false light, creating unwarranted publicity about another, obtaining information about or images of another via inappropriate means, or tampering with information concerning another.

U. TERRORISTIC THREATS

Terroristic threat shall mean a threat to commit violence communicated with the intent to terrorize another: to cause evacuation of a building; or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience. Any violation of this section will result in a three (3) to ten (10) day suspension. The student will be referred to the Hearing Officer for further discipline, including expulsion from school as the most likely consequence. In considering whether an expulsion will be imposed, and, if so, the length, the Hearing Officer is to consider, among other factors deemed relevant by the Hearing Officer, the age of the student, the forethought, the level of violence threatened, and the likelihood that the threat would have been carried out by the student.

If a student is expelled for making terroristic threats or committing terroristic acts, the Board may require, prior to readmission, that the student provide sufficient evidence (to the District's satisfaction) that the student's return does not pose a risk of harm to others.

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| | | School Code 24 P.S. § 1302-A, 1303.1-A |
| | | 22 PA Code § 12.3 |
| | | Act 26 of 1995 |