

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 behavior and circumstances that occur during school or school related activities, on District property, and during a student's transit to or from school or school related activities. Additionally, this policy may apply to conduct that does not occur during school or school related activities, on District property, or during a student's transit to or from school or school related activities if the conduct causes a substantial disruption to the operation of the school, or the administration reasonably anticipates that the conduct is likely to cause a substantial disruption to the operation of the school.

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. **For certain infractions, it is explicitly stated that discipline greater than or less than the identified discipline can be imposed. However, even if not explicitly stated, 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.). The student is also advised that student misconduct will also result in police notification if, at the District's discretion, the misconduct rises to the level of criminal behavior or if police notification is required by law.

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, including but not necessarily limited to detention, community service, restitution, educational project, letters of apology, 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.

If the duration of a suspension or expulsion continues through the last day of the school year in which the student will graduate, the building administrator will review the case to determine participation in graduation.

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 – Student/principal conference and/or disciplinary action

.....#2 Offense – Student/parent/principal conference and/or disciplinary action

.....#3 Offense – 1 day suspension

.....#4 Offense – 2 days suspension

.....#5 Offense – 3 to 10 days suspension and referral to the hearing officer ~~for further discipline~~ **if expulsion is the recommended discipline.**

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

.....#1 Offense – Student/parent/principal conference and/or disciplinary action

.....#2 Offense – 1 day suspension

.....#3 Offense – 2 days suspension

.....#4 Offense – 3 to 10 days suspension and referral to the hearing officer ~~for further discipline~~ **if expulsion is the recommended 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

.....#2 Offense – Warning and parents will be notified

.....#3 Offense – Student/parent/principal conference and/or other disciplinary action

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

.....#5 Offense – 3 to 10 days suspension and referral to the hearing officer ~~for further discipline~~ **if expulsion is the recommended 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.

.....#1 Offense – Student/parent/teacher conference and/or other disciplinary action

.....#2 Offense – 1 day suspension

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

.....#4 Offense – 3 to 10 days suspension and referral to the hearing officer ~~for further discipline~~ **if expulsion is the recommended 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 – Student/principal conference and/or other disciplinary action
-#2 Offense – Student/parent/principal conference and/or other disciplinary action
-#3 Offense – 1 day suspension
-#4 Offense – 1 to 3 days suspension
-#5 Offense – 3 to 10 days suspension and referral to the hearing officer for further discipline if expulsion is the recommended discipline.

D(1). USE OR POSSESSION OF TOBACCO (~~SNUFF, CIGARETTES, ETC. ON YOUR PERSON, IN YOUR POSSESSION, OR IN YOUR LOCKER~~) (LIGHTED OR UNLIGHTED CIGARETTE, CIGAR, PIPE OR OTHER SMOKING PRODUCT OR MATERIAL AND SMOKELESS TOBACCO IN ANY FORM).

-#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 if expulsion is the recommended discipline.

D(2). USE OR POSSESSION OF A VAPOR PRODUCT (THE TERM “VAPOR PRODUCT” IS DEFINED IN POLICY 1420, AND THE DEFINITION IS INCORPORATED HEREIN BY REFERENCE).

-#1 Offense – 1 day suspension
-#2 Offense – 3 days suspension
-#3 Offense – 3 to 10 days suspension and referral to the hearing officer if expulsion is the recommended discipline.

Greater Discipline, including expulsion, may be imposed if a vapor device contains a substance other than nicotine that falls under Section E of this Discipline Code.

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 – For purposes of this section, the term “medication” shall include all prescription and non-prescription/over-the-counter medications.
- 6) Any other substance capable of causing or taken for the purpose of achieving a “high” or other altered state

Nothing in this section is intended to discipline or punish any student who is in proper possession of or who properly utilizes medication or a mechanical device in accordance with the District’s “Administration of Medications” policy. Any violation of this section will result in notification of parents or guardians. 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:

.....#1 Offense – Suspension for 3 to 10 school days and referral to the hearing officer ~~for further discipline, including expulsion from school as the most likely consequence~~ **if expulsion is the recommended discipline**; required parental conference; and referral to Student Assistance Program. ~~Less 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.~~ **if expulsion is the recommended discipline.** 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.

.....**Less severe, or 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.**

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,~~ **if expulsion is the recommended discipline, with** expulsion from school for a period of not less than one year as the most likely consequence **for any case that is referred to the hearing officer.** 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.

~~* At the time of expulsion, the principal will review the case to determine participation in graduation.~~

F. FIGHTING

.....#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~~ **if expulsion is the recommended 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 may be suspended and ~~will~~ **shall** be referred to the hearing officer for ~~further discipline~~ **an expulsion hearing** 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~~

~~** At the time of expulsion, the principal will review the case to determine participation in graduation.~~

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.~~ **if expulsion is the recommended 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.~~ **if expulsion is the recommended 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.~~ **if expulsion is the recommended discipline.**

Restitution must be made in each case.

K. STUDENT HARASSMENT

.....#1 Offense – Student/principal conference and/or other disciplinary action

.....#2 Offense – Student/parent/principal conference and/or other disciplinary action

.....#3 Offense – 1 to 3 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.~~ **if expulsion is the recommended 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 District may develop and implement bullying prevention and intervention programs and shall annually provide the required information on bullying as a part of the Safe School Report.

The Superintendent or designee shall ensure that this **bullying** policy is reviewed annually with students. **The Superintendent or his/her designee, in cooperation with other appropriate administrators, shall review this bullying policy every 3 years and recommend necessary revisions to the Board.**

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 – Student/principal conference and/or other disciplinary action

.....#2 Offense – Student/parent/principal conference and/or other disciplinary action

.....#3 Offense – 1 to 3 days suspension; **counseling within the school**

.....#4 Offense – 3 to 10 days suspension; **counseling within the school**

.....#5 Offense – 3 to 10 days suspension and referral to the hearing officer for ~~further discipline~~ **if expulsion is the recommended discipline.**

Transfer to another school building, classroom, or school bus may also be imposed if deemed necessary by the building administrator.

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.
- 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~~ **if expulsion is the recommended 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 if expulsion is the recommended discipline because~~ 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 IN VIOLATION OF POLICY 10515

.....#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 for the remainder of the 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.

.....#1 Offense – Warning and parent will be notified
.....#2 Offense – 1 day suspension of riding privileges
.....#3 Offense – 3 day suspension of riding privileges
.....#4 Offense – 15 day suspension of riding privileges
.....#5 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.

.....#1 Offense – Suspension of riding privileges for 3 to 30 days
.....#2 Offense – Suspension of riding privileges for a minimum of 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.)**

.....#3 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.~~ **if expulsion is the recommended discipline.**

R. ~~TRANSFER STUDENT SUSPENDED, EXPELLED, IN ALTERNATIVE EDUCATION OR OTHERWISE UNDER DISCIPLINE FROM ANOTHER SCHOOL DISTRICT FOR AN ACT 26/WEAPONS OFFENSE~~

Pursuant to 24 P.S. § 13-1317.2(e.1), a student who transfers to the District from a public or private school during a period of expulsion for an act or offense involving a weapon may be assigned to the District's alternative education program, provided that the assignment may not exceed the period of expulsion.

~~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, ATTEMPTING TO CAUSE, THREATENING, OR PLANNING A MAJOR DISRUPTION

It is a violation of this Code to participate in, attempt, threaten, or plan any act which leads to, or has the reasonable potential of leading 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 setting off, attempting to set off, threatening to set off, or planning to set off a fire alarm; making, attempting to make, threatening to make, or planning a bomb threat; setting fire, attempting to set fire, threatening to set fire, or planning to set fire to a building; and participating in, attempting, threatening, or planning any event that leads to or has the reasonable potential of leading to, the evacuation of a school building.

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~~, **if expulsion is the recommended discipline. For any student referred to the hearing officer, including** (i) expulsion from school **shall be** as the most likely consequence in the event that a major disruption is attempted, planned, or threatened, but not actually caused; ~~and or~~ (ii) expulsion from school for a period of not less than one year **shall be** as the most likely consequence in the event that a major disruption is actually caused. In considering whether an expulsion will be **recommended or** imposed, and, if so, the length, the **building administrator and hearing officer are** 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.

~~* At the time of expulsion, the principal will review the case to determine participation in graduation.~~

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. **The discipline may include action by the building administrator as well as a possible referral to the hearing officer if expulsion is the recommended discipline.**

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Review Date -

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|---|-----------------|---|---|
| 1 | Legal Reference | - | Pennsylvania Code, Title 22, Chapter 12 |
| 2 | | - | School Code 24 P.S. §1302-A, §1303.1-A, §1317, §1318 |
| 3 | | - | 22 PA Code §12.3, §12.6, §12.7, §12.8, §14.143 |
| 4 | | - | Act 26 of 2005 (24 P.S. §1317.2) |
| 5 | | - | 20 U.S.C. §1400, et. seq.; 34 C.F.R. Part 300 |
| 6 | | | |
| 7 | Cross Reference | - | Policy 1420, Policy 10515 |