

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~~ **occurring** during school or school sponsored activities, when a student is under the supervision of the school, on District property (when there is a nexus to the school day or a school sponsored activity; or 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), and during the time necessarily spent going to or returning from school or school sponsored activities. Additionally, this policy may apply to conduct ~~that does not occurring~~ **during** school or school sponsored activities, when a student is under the supervision of the school, on District property, or during the time necessarily spent going to or returning from school or school sponsored 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~~ **rising** 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

1 category applies, the District may impose discipline under the category or categories it
2 believes most applicable.

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4 The discipline outlined herein will be carried out in accordance with the laws of
5 Pennsylvania. However, this code cannot anticipate every possible circumstance or
6 type of misconduct. Therefore, this code is intended to serve as a general guide
7 applicable to most, but not all situations. For certain infractions, it is explicitly stated
8 that discipline greater than or less than the identified discipline can be imposed.
9 However, even if not explicitly stated, greater or lesser discipline, alternative
10 referrals, or other alternatives or action not necessarily set forth herein may be taken
11 or imposed, depending upon the circumstance of the infraction.

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

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21 In addition to the discipline described below, the student is advised ~~that~~ the District
22 may also confiscate any items used in association with misconduct (such as tobacco,
23 cheat sheets, weapons, diskettes, beepers, telephone, alcohol, etc.). The student is
24 also advised, ~~that~~ student misconduct will also result in police notification if, at the
25 District's discretion, the misconduct rises to the level of criminal behavior or if police
26 notification is required by law.

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

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

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40 **Students receiving special education services** ~~Special education students~~ will be
41 disciplined under this policy, subject to the requirements of State and Federal
42 guidelines. The Board hereby authorizes the Superintendent or his/her designee to
43 develop administrative procedures with respect to the discipline of ~~special education~~
44 ~~students~~ **students receiving special education services.**

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46 4. MISCONDUCT GOVERNED BY THIS POLICY

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48 A. ASSIGNMENT CUTS

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

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

2. ~~Assignment Cut (2 or more assignments)~~

- ~~.....#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 if expulsion is the recommended discipline.~~

2. Assignment Cut that Involves Leaving School Without Permission.

For an assignment cut that involves leaving school without permission during the school day, the preceding shall not apply, and the conduct shall be governed by Section U of this Policy.

A student may not be expelled, receive an out-of- school suspension, or be reassigned or transferred to an alternative education for disruptive youth (AEDY) program for truant behavior.

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

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

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13 C. DISRUPTIVE BEHAVIOR

- 14#1 Offense – Student/principal conference and/or other disciplinary action
- 15#2 Offense – Student/parent/principal conference and/or other disciplinary
- 16 action
- 17#3 Offense – 1 day suspension
- 18#4 Offense – 1 to 3 days suspension
- 19#5 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the
- 20 hearing officer if expulsion is the recommended discipline.

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23 D(1). USE OR POSSESSION OF TOBACCO (LIGHTED OR UNLIGHTED
24 CIGARETTE, CIGAR, PIPE OR OTHER SMOKING PRODUCT OR MATERIAL
25 AND SMOKELESS TOBACCO IN ANY FORM).

- 26#1 Offense – 1 day suspension
- 27#2 Offense – 3 days suspension
- 28#3 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the
- 29 hearing officer if expulsion is the recommended discipline.

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

- 35#1 Offense – 1 day suspension
- 36#2 Offense – 3 days suspension
- 37#3 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the
- 38 hearing officer if expulsion is the recommended discipline.

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

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45 E. ALCOHOL AND DRUGS

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47 Students are prohibited from using, being under the influence of, possessing or
48 transporting, or dispensing (by sale or gift) any of the following during school or
49 school sponsored activities, when a student is under the supervision of the school,

on District property, or during the time necessarily spent going to or returning from school or school sponsored activities:

- 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 if expulsion is the recommended discipline; required parental conference; and referral to Student Assistance Program.

.....#2 **and Subsequent Offenses** – Suspension for 10 school days; referral to the hearing officer 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 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~~ being 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 provides sufficient evidence (to the District’s

1 satisfaction) that the student has received appropriate intervention/assistance
2 relative to the drug and/or alcohol violation.

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4 F. FIGHTING

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6#1 Offense – 1 day suspension

7#2 Offense – 3 days suspension

8#3 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the
9 hearing officer if expulsion is the recommended discipline.

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

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13 1) Weapon defined: “Weapon” for the purpose of this policy “shall include, but
14 not be limited to, any knife, cutting instrument, cutting tool, nunchaku,
15 firearm, rifle, or any other tool, instrument, or implement capable of
16 inflicting personal bodily injury.”*

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18 2) Discipline defined: For any violation of this section, a student may be
19 suspended and (unless a Stipulation of Discipline is recommended by the
20 Superintendent and approved by the Board ~~that does~~ not imposing an
21 expulsion) shall be referred to the hearing officer for an expulsion hearing in
22 accordance with Act 26. Act 26 generally provides that the District “shall
23 expel, for a period of not less than one year, any student who is determined
24 to have brought a weapon onto, is in possession of, or uses a weapon on any
25 school property, any school sponsored activity, or any public conveyance
26 providing transportation to a school or school sponsored activity.” The
27 Superintendent may recommend modifications of such expulsion
28 requirement on a case-by-case basis. Any violation of the District’s
29 weapons policy shall also result in a required parental conference and a
30 required referral to the Student Assistance Program.

31
32 3) The provisions of this policy shall not apply to the following:

33 a. A weapon being used as a part of a program by a school or by an
34 individual who is participating in the program; or

35 b. A weapon that is unloaded and is possessed by an individual while
36 traversing school property for the purpose of obtaining access to public or
37 private lands used for lawful hunting, if the entry on school premises is
38 authorized by school authorities.”

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

42
43 H. TARDINESS TO AN ASSIGNMENT (class, study hall, lunch, etc.)

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45#1 Offense – Teacher records tardy and counsels student.

46#2 Offense – Teacher records tardy and counsels student. Teacher initiates a
47 warning letter to the parent with a building administrator co-signing the
48 letter.

49#3 Offense – Teacher refers student to the guidance counselor/building
50 administrator who initiates a letter to the parents.

.....#4 Offense – **Principal/student/parent conference and detention.**
.....#5 **and Subsequent Offenses** – ~~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 if expulsion is the recommended discipline.~~ **In-school suspension for up to 10 school days.**

If tardiness is the result of leaving school without permission during the school day, the preceding shall not apply, and the conduct shall be governed by Section U of this Policy.

A student may not be expelled, receive an out-of-school suspension, or be reassigned or transferred to an alternative education for disruptive youth (AEDY) program for truant behavior.

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 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the hearing officer 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 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the hearing officer 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 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the hearing officer 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 **three** (3) years and **shall** 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 website, 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 **and Subsequent Offenses** – 3 to 10 days suspension and referral to the hearing officer 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.

K.2 HAZING

Any student ~~that violates~~ **violating** Policy 10960 (with respect to hazing) shall be subject to discipline ~~that~~ which may include, but is not limited to, suspension, referral to the Hearing Officer (if expulsion is the recommended discipline), or temporary or permanent removal from the sport (or other school sponsored activity) during which the hazing occurred. Depending on the nature of the infraction, a student/parent/principal conference and/or counseling within the school may also be required.

1 L. FAILURE TO BRING AN EXCUSE TO SCHOOL WITHIN 3 DAYS OF
2 ABSENCE
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- 4 1) Such absences will be recorded as unexcused. ~~All work missed by a student~~
5 ~~is to be completed. It will be the decision of the building administrator as to~~
6 ~~whether the student will receive credit for the completed work.~~
7 2) In certain circumstances the building administrator may grant an extension
8 of time for an excuse to be brought.
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10 M. DEFACING OR DAMAGING SCHOOL PROPERTY OR PROPERTY OF
11 ANOTHER
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13 **One (1) to ten (10) days suspension** – Possible referral to the hearing officer if
14 expulsion is the recommended discipline because there has been intentional,
15 negligent, or careless defacing, damaging, or desecration of property by a student.
16 In addition to the foregoing, the building administrator or hearing officer may
17 impose upon the student the responsibility of reimbursing the owner for the cost
18 of repair or replacement of the property damaged.
19

20 N. UNAUTHORIZED OR IMPROPER USE OF A MOTOR VEHICLE IN
21 VIOLATION OF POLICY 10515
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- 23#1 Offense – Loss of driving privileges for 10 to 30 school days
24#2 Offense – 1 day suspension + loss of driving privileges for 30 school
25 days
26#3 **and Subsequent Offenses** – 3 days suspension + loss of driving
27 privileges for the remainder of the school year
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29 O. BEHAVIOR ON SCHOOL TRANSPORTATION (MINOR OFFENSE)
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31 Students must sit in assigned seats facing forward; student must follow driver's
32 instruction and must refrain from pushing, hitting, creating unreasonable noise or
33 distractions, opening windows against the driver's orders, placing hands or body
34 out of window, harassment of persons outside the vehicle, or similar offenses that
35 pose a hazard to the safety/welfare of other students, the driver, or persons outside
36 the vehicle.
37

- 38#1 Offense – Warning and parent will be notified
39#2 Offense – 1 day suspension of riding privileges
40#3 Offense – 3 day suspension of riding privileges
41#4 Offense – 15 day suspension of riding privileges
42#5 **and Subsequent Offenses** – Suspension of riding privileges for the
43 balance of the school year. (A review of the case will take place after 30
44 school days and will include a meeting with the building administrator,
45 parents, student, and driver.)**
46

47 P. BEHAVIOR ON SCHOOL TRANSPORTATION (MAJOR OFFENSE)
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49 Students shall refrain from fighting, damaging the vehicle, throwing objects out
50 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 **and Subsequent Offenses** – 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~~ **which** 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 if expulsion is the recommended discipline.

R. TRANSFER STUDENT EXPELLED, FROM ANOTHER SCHOOL 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.

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 sponsored 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

1 to set fire, or planning to set fire to a building; and participating in, attempting,
2 threatening, or planning any event that leads to or has the reasonable potential of
3 leading to, the evacuation of a school building.
4

5 Any violation of this Section will result in a three (3) to ten (10) day suspension.
6 The student will be referred to the Hearing Officer if expulsion is the
7 recommended discipline. For any student referred to the hearing officer, (i)
8 expulsion from school shall be the most likely consequence in the event ~~that~~ a
9 major disruption is attempted, planned, or threatened, but not actually caused; and
10 or (ii) expulsion from school for a period of not less than one year shall be the
11 most likely consequence in the event ~~that~~ a major disruption is actually caused. In
12 considering whether an expulsion will be recommended or imposed, and, if so, the
13 length, the building administrator and hearing officer are to consider, among other
14 factors deemed relevant, the age of the student, the forethought, and the actual
15 disruption to the school environment.
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17 T. INVASION OF PRIVACY
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19 Students should refrain from unreasonable intrusions concerning the privacy of
20 District employees, other students, or third parties. Invasions of privacy can
21 include but are not limited to casting another in a false light, creating unwarranted
22 publicity about another, obtaining information about or images of another via
23 inappropriate means, or tampering with information concerning another. The
24 discipline may include action by the building administrator as well as a possible
25 referral to the hearing officer if expulsion is the recommended discipline.
26

27 U. LEAVING SCHOOL WITHOUT PERMISSION
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29 **In order to protect the health and safety of District students and employees**
30 **occupying school buildings (from weapons, drugs, etc.), no student,**
31 **regardless of age, shall leave the school building during the school day,**
32 **unless there is an emergency situation in the building requiring the**
33 **evacuation of the building or the student obtains the prior approval of a**
34 **District employee. This includes students who go to the parking lot without**
35 **prior permission.**
36

37#1 Offense – Principal/student/parent conference and 1 day in-school
38 suspension (which shall include the remainder of the current school day
39 if the student returns to school on the same day that he/she leaves
40 without permission).
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42#2 Offense – 2 days in-school suspension (which shall include the
43 remainder of the current school day if the student returns to school on
44 the same day that he/she leaves without permission).
45

46#3 and Subsequent Offenses – 3 to 10 days in-school suspension (which
47 shall include the remainder of the current school day if the student
48 returns to school on the same day that he/she leaves without
49 permission).
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A student may not be expelled, receive an out-of- school suspension, or be reassigned or transferred to an alternative education for disruptive youth (AEDY) program for truant behavior.

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- Legal Reference - Pennsylvania Code, Title 22, Chapter 12
- School Code 24 P.S. § 1302-A
- 24 P.S. § 1303.1-A
- 24 P.S. § 1317
- 24 P.S. § 1318
- 22 PA Code § 12.3
- 22 PA Code §12.6
- 22 PA Code §12.7
- 22 PA Code §12.8
- 22 PA Code §14.143
- Act 26 (24 P.S. §1317.2)
- 20 U.S.C. §1400, et. seq.
- 34 C.F.R. Part 300
- Cross Reference - Policies 1420, 10515, 10960