

**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 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 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 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 the District will impose through its system of discipline. The student should be aware, in addition to the consequences of this code, the student may also be subject to criminal prosecution for misconduct 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 category applies, the District may impose discipline under the category or categories it believes most applicable.

The discipline outlined 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 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 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 the District does not impose discipline upon one of those students is no reason to believe the District will not impose discipline upon the other student(s).

In addition to the discipline described below, the student is advised 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, 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". This 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.

For any violation of this Policy involving an Act 26 weapon offense or an expulsion, a Stipulation of Discipline may be used if is recommended by the Superintendent, signed by the parents/guardians, and approved by the Board.

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

#### 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 in-school suspension
- ....#4 Offense – 2 days in-school suspension
- ....#5 and Subsequent Offenses – 3 to 10 days in-school suspension.

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

D(1). USE, POSSESSION, OR DISTRIBUTION OF A TOBACCO PRODUCT-

The term "tobacco product," as defined by state law, includes any of the following:

- 1) Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including,

but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

- 2) Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.
- 3) Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
- 4) Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.
  - ...#1 Offense – 3-day suspension
  - ...#2 Offense – 10 day suspension
  - ...#3 and Subsequent Offenses – 10 days-suspension and referral to the hearing officer if expulsion is the recommended discipline.

Greater Discipline, including an expulsion for a first or second offense, may be imposed based on factors including, but not limited to, the type of substance or device involved (i.e. whether the substance or device falls under Section E of this Discipline Code), the quantity of the substance or devices involved, and whether the violation involves distribution to other students.

#### 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 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:

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

#### F. FIGHTING

....#1 Offense – 1 day suspension

....#2 Offense – 3 days suspension

....#3 and Subsequent Offenses – 3 to 10 days suspension and referral to the hearing officer 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 (unless a Stipulation of Discipline is recommended by the Superintendent, signed by the parents/guardians, and approved by the Board-shall be referred to the hearing officer for an expulsion hearing in accordance with Act 26. Act 26 generally provides that 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

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 – Principal/student/parent conference and detention.
- ...#5 and Subsequent Offenses – 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 occurs in a school setting and** 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.

**"School setting" shall mean in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.**

Bullying, as defined in this policy, includes cyber-bullying **that falls under the above definition of 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, **witnesses, the allegations, the filing of a complaint, and the investigation** 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 **or participating in a bullying investigation.**

**When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, District staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.**

**If, in the course of a bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator and the Compliance Officer shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.**

The District may develop and implement bullying prevention, **education programs**, and intervention programs and shall annually provide **the bullying policy, a report of bullying incidents, and information on the development and implementation of any bullying prevention, intervention, or education programs** 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~~ **principal**. **Additional discipline including, but not limited to, loss of school privileges, exclusion from school-sponsored activities, detention, and/or referral to the Student Assistance Program (SAP) may be imposed if deemed appropriate by the building principal. The building principal may also make a referral to law enforcement if either required by the Law Enforcement MOU or otherwise deemed appropriate.**

## K.2 HAZING

Any student violating Policy 10960 (with respect to hazing) shall be subject to discipline 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.

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

- 1) Such absences will be recorded as unexcused.
- 2) In certain circumstances the building administrator may grant an extension of time for an excuse to be brought.

## M. DEFACING OR DAMAGING SCHOOL PROPERTY OR PROPERTY OF ANOTHER

One (1) to ten (10) days suspension – Possible referral to the hearing officer if expulsion is the recommended discipline because 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 and Subsequent Offenses – 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 and Subsequent Offenses – 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 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 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 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 if expulsion is the recommended discipline. For any student referred to the hearing officer, (i) expulsion from school shall be the most likely consequence in the event 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 the most likely consequence in the event 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, 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. 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.

#### U. LEAVING SCHOOL WITHOUT PERMISSION

In order to protect the health and safety of District students and employees occupying school buildings (from weapons, drugs, etc.), no student, regardless of age, shall leave the school building during the school day, unless there is an emergency situation in the building requiring the evacuation of the building or the student obtains the prior approval of a District employee. This includes students who go to the parking lot without prior permission.

....#1 Offense – Principal/student/parent conference and 1 day in-school suspension (which shall include the remainder of the current school day if the student returns to school on the same day that he/she leaves without permission).

....#2 Offense – 2 days in-school suspension (which shall include the remainder of the current school day if the student returns to school on the same day that he/she leaves without permission).

....#3 and Subsequent Offenses – 3 to 10 days in-school suspension (which shall include the remainder of the current school day if the student returns to school on the same day that he/she leaves without permission).

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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13	Legal Reference	-	Pennsylvania Code, Title 22, Chapter 12
14		-	School Code 24 P.S. § 1302-A
15		-	24 P.S. § 1303.1-A
16		-	24 P.S. § 1317
17		-	24 P.S. § 1318
18		-	22 PA Code § 12.3
19		-	22 PA Code §12.6
20		-	22 PA Code §12.7
21		-	22 PA Code §12.8
22		-	22 PA Code §14.143
23		-	Act 26 (24 P.S. §1317.2)
24		-	20 U.S.C. §1400, et. seq.
25		-	34 C.F.R. Part 300
26			
27	Cross Reference	-	Policies 1420, 10515, 10960
28			