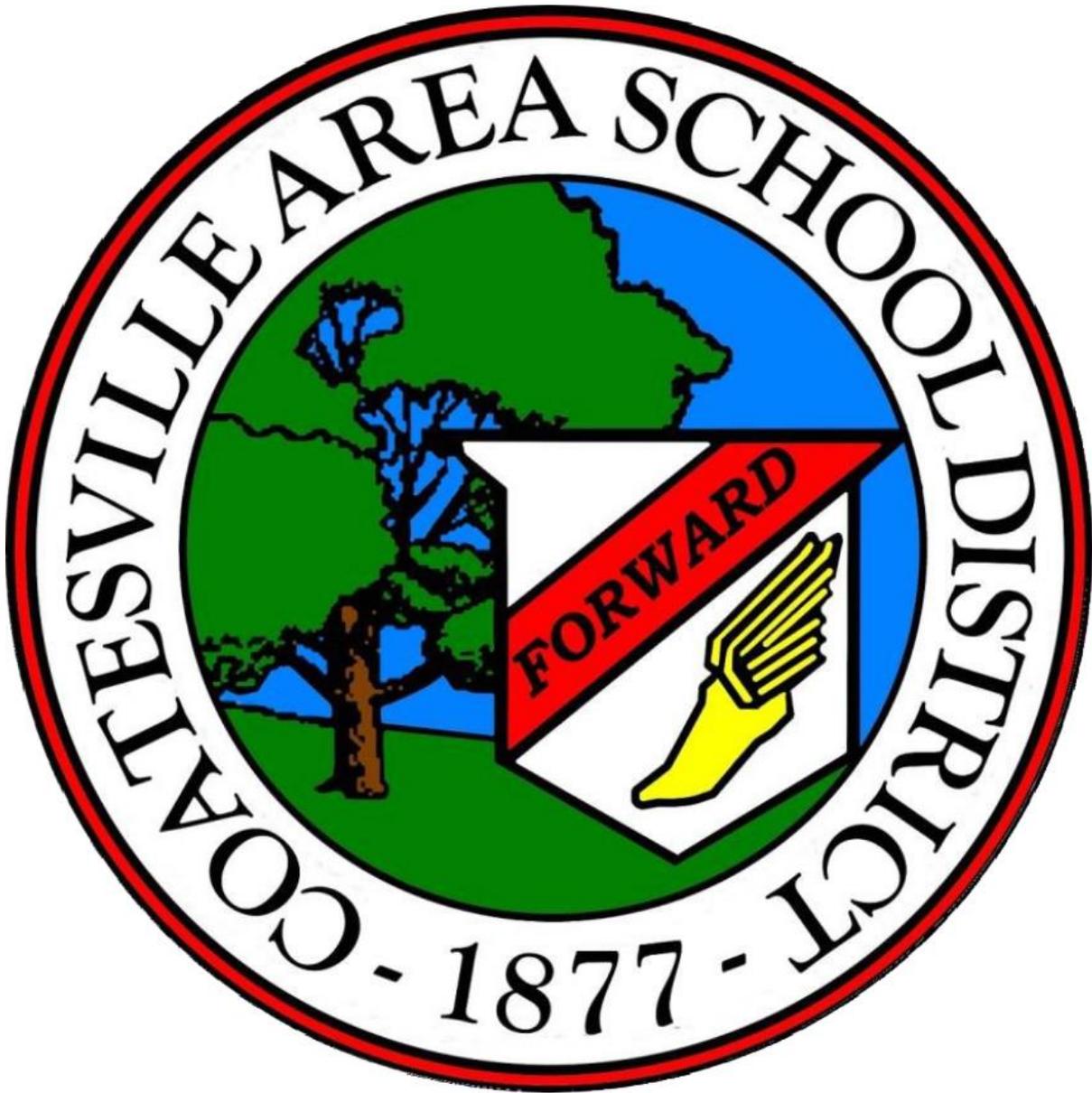


**Coatesville Area School District**

**Code of Student Conduct**



**2023 - 2024**

## Table of Contents

INTRODUCTION	4
MISSION STATEMENT	4
AUTHORITY FOR CODE OF CONDUCT	4
PURPOSE	5
<b>Positive School Climate and Culture</b>	6
STUDENT BEHAVIOR GUIDING PRINCIPLES	6
<b>Schools with a Positive School Climate Have</b>	6
<b>Positive Behavior Supports and Interventions</b>	7
RIGHTS, EXPECTATIONS AND RESPONSIBILITIES	9
<b>Expectations and Responsibilities of Students</b>	9
<b>Expectations and Responsibilities of Parents/Guardians</b>	10
<b>Expectations and Responsibilities of Administrators</b>	13
DEFINITIONS	14
RULES OF CONSTRUCTION	20
STUDENT DISCIPLINE	21
<b>General Disciplinary Requirements and Procedures</b>	21
<b>Progressive Discipline</b>	31
<b>RESTORATIVE PRACTICES</b>	33
<b>LEVELS OF INFRACTIONS &amp; DISCIPLINARY CONSEQUENCES</b>	34
<b>Matrix of Disciplinary Consequences</b>	38
ATTENDANCE	42

I. Free Education and Attendance	42
<b>Compulsory Attendance</b>	<b>42</b>
<b>Exclusions from Public School Attendance</b>	<b>43</b>
<b>Other Rules &amp; Procedures</b>	<b>48</b>
Bullying (School Policy 249)	48
Conduct on Buses and at Bus Stops	48
Confidential Communications.	51
Discrimination.	52
Freedom of Expression.	52
Flag Salute and the Pledge of Allegiance.	53
Hair and Dress.	53
Liabilities.	53
<b>TECHNOLOGY</b>	<b>54</b>
<b>Computer Prohibitions</b>	<b>56</b>
<b>Student-Owned Electronic Devices</b>	<b>59</b>
<b>Student Electronic Device Prohibitions.</b>	<b>60</b>
<b>PARENT/STUDENT ACKNOWLEDGMENT STATEMENT</b>	<b>62</b>

## **Introduction**

The purpose of this Code of Conduct is to assist in the creation and maintenance of a learning environment that is, for all students and District staff members, safe, conducive to teaching, learning, and all forms of intellectual and physical self-betterment, and free from unnecessary distractions and improper behaviors.

The Code of Conduct serves as an important written notification to all students and their families of the expectations of the Coatesville Area School District. The School District believes that students can only fully benefit from the learning environment when all students show respect for authorities and peers; follow School District rules and policies; and comply with applicable state and federal laws and other authorities regarding conduct in school. Parents/guardians and students all play an integral role in establishing an environment that is conducive to learning, academic success, and personal growth.

## **Mission Statement**

The mission of the Coatesville Area School District is to create innovative educational experiences that are funded by taxpayers, supported by the community, and delivered by dedicated teachers and administrators, to ensure that all students will become responsible, contributing global citizens.

## **Authority for Code of Conduct**

The Board of School Directors of the School District adopted this Code of Conduct to detail its expectations regarding school climate and pupil conduct. In accordance with Section 510 of the Public School Code and the Regulations of the State Board of Education, 22 Pa. Code § 12.3, the School Board has the authority to make necessary and equitable rules governing the conduct of students in school. This general authority is extended to administrators and teachers under Section 1317 of the Public School Code, which gives school personnel *in loco parentis* status:

Every teacher, assistant principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his [sic] school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians, or persons in parental relation to such pupils may exercise over them.

Students should understand that administrators and teachers have the authority to enforce and impose reasonable disciplinary actions that they find warranted under situations not specifically covered in this Code of Conduct.

## Purpose

This Code of Conduct supports our schools in maintaining safe, participatory, and productive learning environments. In order to maximize learning time and promote positive behaviors, every school must establish systems of support for students' social/emotional and behavioral needs. This includes maintaining and communicating high expectations, creating consistent and predictable classroom routines, providing consistent supervision, teaching social/emotional competencies, and fostering positive relationships among all members of the school community.

The Coatesville Area School District is committed to the application of the Principles of Culturally Responsive Teaching which are:

- Communication of high expectations
- Active Learning and Teaching Methods
- Student strengths are identified and nurtured
- Active Teaching Methods
- Inclusion of Culturally and Linguistically diverse teaching strategies
- Cultural sensitivity
- Support learning environment respecting cultures of all children
- Small group instruction

These principles guide the application of educational equity, inclusion, cultural competence, and culturally responsive teaching to the classroom and the culture of the school. The Seven Principles not only prevent inappropriate student behavior but also provide specific strategies for creating a welcoming, caring, respectful, and identity-safe space for authentic student engagement and learning.

The Coatesville Area School District is also dedicated to a proactive, positive, and instructional approach to behavior. If behavior incidents arise that threaten student and staff safety or severely disrupt the educational process, the response should minimize the impact of the incident, repair harm, and address the needs underlying student behaviors. In accordance with the CSC, all disciplinary responses must be applied respectfully, fairly, consistently, and protect students' rights to instructional time whenever possible. Suspensions and expulsions will be used only as a disciplinary measure of last resort to minimize the amount of time that students spend out of the classroom.

## Positive School Climate and Culture

The Coatesville Area School District defines school climate as the quality and character of school life. School climate is based on patterns of students', parents' and school personnel's experience of school life and reflects norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures. Positive relationships are critical to creating a positive school climate. School leaders set the tone and expectations for the entire school community, paving the way for all members of that community to take simple yet meaningful steps to improve the school climate.

## Student Behavior Guiding Principles

The Code of Student Conduct is based on five principles that provide an important foundation to guide behavior both individually and in relationships. These principles outline the conduct and behavior students are expected to meet every day:

1. My words, actions, and attitudes demonstrate respect for myself, and others at all times.
2. I demonstrate pride in myself, in my future, and in my school by arriving on time, dressed appropriately, and prepared to focus on my academic success.
3. I always seek the most peaceful way to resolve conflict and obtain the assistance of teachers, administrators, or school staff when I am unable to resolve conflicts on my own.
4. I take pride in promoting a safe and clean learning environment at my school.
5. I seek to develop positive relationships with all members of my school community and to restore relationships with school community members that are affected by my conduct.

If students abide by these principles, the learning environment in all schools will be strengthened.

## Schools with a Positive School Climate Have

- Positive and affirming relationships with all stakeholders – students, parents, teachers/staff, and community partners;
- Training and resources to resolve conflicts peacefully and respectfully, with suspensions used only as a disciplinary measure of last resort;
- Supports for students who are experiencing emotional crisis, trauma, or serious challenges in their homes and/or communities;
- Engaging academic and extracurricular activities that meet behavioral, developmental, and academic needs;

- Effective communication among schools, parents, and community;
- Clean and well-maintained environments that clearly demonstrate school pride and a love of learning; and
- A learning environment where students and staff feel physically and emotionally safe.

## Positive Behavior Supports and Interventions

The Coatesville Area School District promotes a positive school climate by providing proactive intervention strategies and various systems of support such as:

### **MTSS – Multi-Tiered Systems of Support**

The Coatesville Area School District’s Multi-tiered system of supports is a prevention program that organizes school level resources to address each individual student’s academic and /or behavioral needs within intervention levels that vary in intensity, allows for the early identification of learning and behavioral challenges, and timely intervention for students who are at risk of low learning/behavior outcomes.

The MTSS process is cyclical and based on a continuum of three tiers (primary, secondary, and intensive prevention levels) of instruction and behavior supports.

### **School-Wide Positive Behavior Interventions and Support Systems**

The Schoolwide Positive Behavioral Interventions and Supports System is a universal schoolwide prevention program that aims to establish a social culture within schools in which students expect and support appropriate behavior from one another— and thereby create school climates that are socially predictable, consistent safe, and positive. The primary goals of School-wide positive behavior interventions and support systems are to reduce problem behaviors within schools that lead to office discipline referrals and suspensions and to change perceptions within the community about school safety.

### **Social Emotional Learning (K-12)**

The District is implementing a Social Emotional learning curriculum that is delivered by professional school counselors, trained behavioral support staff, and teachers in every classroom from Kindergarten through fifth grade. For students in sixth through twelfth grades, SEL is delivered through Navigate360.

### **Student Assistance Program (SAP)**

The Student Assistance Program helps to identify students who are experiencing other-than-academic problems that pose a barrier to their learning and school success. SAP is a group of specially trained staff including school guidance counselors and community liaisons who work

together to assist students and families by making in-school resources available and providing information about community resources.

### **Restorative Practices (Secondary Schools – grades K-12)**

Restorative practices are processes that proactively build healthy relationships and a sense of community to prevent and address conflict and wrongdoing. Restorative practices have begun being applied in our secondary schools to address youth behavior, rule violations, and to improve school climate and culture. Restorative practices improve relationships between students, between students and educators, and even between educators. Restorative practices allow individuals who may have committed harm to take full responsibility for their behavior by addressing the individuals who may have been affected by their behavior. Taking responsibility requires understanding how the behavior affected others, acknowledging that the behavior was harmful to others, taking action to repair the harm, and making changes necessary to avoid such behavior in the future.

## Rights, Expectations and Responsibilities

It is the School Board's belief that as part of the educational process, the students of the District should be made aware of their legal rights and the legal authority of the Board to make or delegate authority to employees of the District to make rules and regulations regarding the orderly operation of schools.

### Expectations and Responsibilities of Students

CASD's highest priority is its students' educational achievement. CASD believes that if we encourage every student to put forth their own best efforts in their education with honesty and integrity, all students can and will have the ability to academically succeed, giving them the opportunity to become productive, responsible, contributing members of our community.

All students have the following rights and expectations:

- To receive a free high-quality and equitable public education;
- To be physically and emotionally safe at school;
- To be treated fairly, courteously, and respectfully;
- To bring complaints or concerns to the school principal or staff for resolution;
- To tell her or his side of the story before receiving a disciplinary consequence;
- To be told the reasons for any disciplinary action both verbally and in writing;
- To be provided with information about appealing disciplinary actions;
- To support everyone's right to learn;
- To choose ways to resolve conflict in a thoughtful, respectful, non-violent manner;
- To accept others for who they are and respect people's differences;
- To show proper respect for:
  - Themselves;
  - Other students;
  - Adults;
  - School Property; and
  - Personal property.
- Student responsibilities include, but are not limited to, regular school attendance, conscientious effort in classroom work and homework, and conformance to school rules and directives, School Board policies, this Code of Conduct, and Applicable Law.
- Students are expected to share with the administration and faculty the responsibility to develop a climate within District schools that is always conducive to wholesome learning and living.

No student has the right to interfere with the education of fellow students or the school-related activities that fellow students might enjoy. It is the responsibility of each student to respect the rights of teachers, students, administrators, and all others who are involved in the educational process.

- Students should express their ideas, opinions, and disagreements in a respectful manner.
- All students should:
  - Be aware of all rules for student behavior and conduct themselves in accordance with them.
  - Be aware that, unless and until a rule is unambiguously waived, altered, or repealed, it is in effect.
  - Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
  - Dress and groom to meet standards of safety and health, and not to cause substantial disruption to educational processes.
  - Assist the school staff in ensuring the safety of all students and faculty in the school.
  - Comply with Applicable Law.
  - Exercise proper care and decorum when using public facilities and equipment.
  - Attend school daily and be on time for all classes and other school functions.
  - Make up work promptly when absent from school.
  - Pursue and attempt to satisfactorily complete the courses of study prescribed by the District.
  - Make accurate reports in student media, such as student newspapers, social media websites, or extra-curricular club press releases.
  - Avoid the use of profane or obscene language in student media or on school premises.

## Expectations and Responsibilities of Parents/Guardians

Parents are vital members of their child's academic team, and they can positively impact their child's school experience by being intentional about three key responsibilities:

- Initiate and maintain an active role in your student's academic life.
- Value and expect responsible behavior by your child. Lessons in responsibility mastered at home flow directly into a child's academic, social, and personal success in school.
- Advocate for your child and their education. Support and pursue your child's best interests at home and at school.

Parents are required to know and understand what this Code of Conduct requires of our students, and they should familiarize themselves with the disciplinary measures that may result from violations of the Code of Conduct. The support and reinforcement of this Code of Conduct will cultivate a positive and safe learning environment for all students.

Parents/Guardians have rights, including the rights:

- To be actively engaged in their child's education;
- To be treated fairly and respectfully by the school principal, teachers, and all staff;
- To access information about the Coatesville Area School District, board policies, and procedures;
- To be notified promptly if their child is disciplined for inappropriate or disruptive behavior and informed of the consequences assigned;
- To appeal disciplinary actions taken; and
- To receive information about their child's academic and behavioral progress.

Parents/Guardians have the responsibility, among other responsibilities, to:

- Review the Coatesville Area School District Student Code of Conduct, speak to their children about the code of conduct, and partner with their child's school to follow the Code;
- Maintain up to date home, work, cell phone numbers, email addresses, physical addresses, and emergency contact information and respond promptly to contacts from their child's school;
- Send their child to school regularly, on time, well rested, and with the expectation that they are coming to school for the purpose of learning;
- Send in a signed note on the day that the student returns to school from an absence;
- Provide appropriate information and/or documentation on known medical and psychiatric diagnosis or concerns that may impact school attendance, ability to learn, or affect behavior or may require accommodations;
- Bring to the attention of school authorities any problem or condition that affects your child or other children in the school community; and
- Follow through with health recommendations.

**Important Note to Parents/Guardians:** All parents/guardians have access to [The Home Access Center](#). The Home Access Center contains helpful information for parents/guardians to support and guide their children through the educational process. Day or night, parents and guardians can access the portal to view their child's classwork, attendance, and discipline records. Parents who are unable to access the Home Access Center should contact their child's principal for additional support.

Parents/Guardians also have the responsibility to support student academic and behavioral progress from home, and those responsibilities include:

- Creating a home atmosphere that supports learning by encouraging reading activities;
- Stressing the importance of education, discuss and set goals, and working with your child and school personnel to determine an educational plan that best supports their post-graduation goals;
- Monitoring assignments, progress reports, school and class attendance;
- Contacting your child's teachers, school administrators, guidance counselors, or central office administrators if you are having difficulty getting your child to come to school;
- Being responsible for any financial obligations incurred by your child at school including lost books, lost or broken technology, or damage to school property;
- Supporting the rules and regulations set forth by the district, the school, and by your child's classroom teacher;
- Requesting meetings with your child's teachers and principals to discuss classroom/school concerns; and
- Reporting concerns early and being prepared to work as a team to find solutions and resolve conflicts.

Parents/Guardians are also expected to:

- Refrain from using profanity and abusive language and actions when interacting with school personnel;
- Obey all laws and regulations on and around school property;
- Comply with all school guidelines for arrival and dismissal;
- Review all school communications and respond promptly;
- Be involved in school activities and encourage your child to become involved in school activities and groups;
- Attend school functions and conferences;
- Encourage your child to demonstrate respect for his/her classmates, school personnel, and school property;
- Participate in decisions relating to the education of your child;
- Review the Student Code of Conduct as a family, especially attendance, school dress code, discipline, and bullying prevention procedures; and
- Teach your child respect for the law, others, and public property.

## Expectations and Responsibilities of Teachers

The administration and the community expect teachers to exercise their professional skills in establishing and maintaining a respectful and dignified learning environment that supports the work of students by:

- Addressing behavior in their classrooms that requires discipline.
- Exercising their right to expect students to be prepared for class and to be active learners during class time.
- Instituting their own disciplinary consequences for classroom infractions in accordance with their team or department's approach, this Code of Conduct, or School Board policies.
- These actions should be sufficient to correct problems. At the classroom level, misconduct can be resolved through teachers' use of anecdotal records of the student's infractions, records of their own attempts at correction, and the involvement of parents/guardians as information to use towards the goal of resolution. Continuous classroom misbehavior, however, may require administrative intervention.

## Expectations and Responsibilities of Administrators

Administrators are charged with the responsibility of managing a safe and healthy environment in the District. Administrators set expectations for all students to reach their highest potential, strive to reinforce each person's personal worth and dignity, and oversee implementation of this Code of Conduct.

While administrators are advocates for students and are partners with teachers and parents, the final authority regarding inappropriate behavior, violations, and disciplinary action rests with the building Principal. In response to certain actions or behaviors by students as set forth in this Code of Conduct, the Principal will refer disciplinary action to central administration for further action by the School Board.

## Definitions

Except as expressly provided otherwise in this Code of Conduct or in Applicable Law, capitalized terms shall have the meanings specified herein. Such meanings shall be applicable to both the singular and plural of the term defined. Whenever the context requires, words used in the singular shall be construed to mean or include the plural and vice versa, and pronouns of any gender shall be deemed to include and designate the masculine, feminine, and neutral genders. "Or" shall include "and/or". "Report" and "Complaint" shall be deemed to have the same meaning and shall be treated the same.

"Applicable Law" means and includes all federal, state and local statutes, ordinances, resolutions and regulations, including the rules and regulations of any government authority, District rules, regulations and policies applicable to the District, and includes all applicable case law, court orders, injunctions and consent decrees.

"At School" and "School" mean when students are at school and during such time as they are under the supervision of the District and teachers, including the time necessarily spent in coming to and returning from school. The term "At School" includes:

- Times when participating in or attending District Programs, including Programs that take place before or after the school day or on non-school days;
- While on District buses or other vehicles going to or coming from School or any Programs;
- When going to or coming from School or Programs;
- While at any school bus stop; or
- While going to or coming from any school bus stop;
- While under the supervision of the District on any Trips; and
- Conduct that occurs outside of or way from School that has a nexus to School because it or its consequences causes a disruption at school or comes into School via the Internet or by other means.

"Board" or "School Board" means the Board of School Directors of the District.

"Board Policy" or "Policy" means any policy that has been adopted or approved by the Board at a public school board meeting, that is applicable to the conduct under consideration, and that is in effect on the dates when the conduct under consideration occurred.

"Bullying" means an intentional electronic, written, verbal or physical act, or a series of acts:

- Directed at another student or students;
- That are severe, persistent, or pervasive; and
- That has the effect of doing any of the following:

- Substantially interfering with a student’s education;
- Creating a threatening environment; or
- Substantially disrupting the orderly operation of the school; provided that any expressive conduct outside of school is not protected by the First Amendment.

“Code” means this Code of Conduct.

“Contraband” means any goods, property, tools, equipment, drugs, weapons or other thing where the possession or use of the object in School or At School is prohibited by Applicable Law, Board policy, or this Code of Conduct.

“Controlled Substances” shall mean and include all:

- Controlled substances prohibited by Applicable Law;
- Look-Alike Drugs;
- Anabolic steroids;
- Drug paraphernalia;
- Volatile solvents or inhalants, Including glue and aerosol products;
- Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by Applicable Law; and
- Medications, except those Medications for which permission for use in School has been granted In Accordance with Board policy. The term Controlled Substance does not include any prescription medication that is properly prescribed by a health care professional in accordance with Applicable Law, or any over-the-counter medication when such medication is being used in accordance with the prescription or medication instructions, and when its possession at School is in accordance with Board Policy.

“Corporal Punishment” means physically punishing a student for an infraction of the Code.

“Dating Partner” means a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious, or long-term.

“Dating Violence” means behavior or conduct where one person uses threats of, or uses physical, sexual, verbal or emotional abuse to control the person’s Dating Partner.

“Discipline” means the disciplinary action that may be imposed on any student who violates the rules contained in this Code. There are two types of “Discipline”: (1) “School Discipline;” and (2) “Out-of-School Discipline.” “School Discipline” means any discipline that is authorized for the District to impose by Applicable Law for conduct that occurs At School. “Out-of-School Discipline” means discipline that is allowed by Applicable Law for conduct that does

not occur At School. The types of Discipline that may be imposed are set forth subsequently in this Code.

“Discrimination” means any discrimination, retaliation or harassment that is unlawful under Applicable Law.

“District” means the Coatesville Area School District, including all its schools and Programs.

"Drug Paraphernalia" means and includes any equipment, product, or material that is used for or modified for making, using, or concealing Controlled Substances. The term includes user-specific products and dealer-specific products. The term also includes glass hashish pipes, crack cocaine pipes, smoking masks, hashish bong, cocaine freebase kits, syringes, roach clips, fluorescent grow-lights, hollowed-out cosmetic cases or fake pagers or products purported to cleanse an individual's system of drug residues, digital scales, vials, and small zipper storage bags.

“Harassment” means conduct or words defined by Applicable Law as unlawful harassment, including Sexual Harassment, racial intimidation, or Sexual Violence. Harassment includes Harassment by students, employees or third parties because of race, color, age, creed, religion, sex, ancestry, national origin, pregnancy, handicap/disability, or any other legally protected status or classification, or for participation in reports of, opposition to, or investigations of alleged Discrimination. Harassment may consist of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance and which relates to an individual's or group's race, color, age, creed, religion, sex, ancestry, national origin, marital status, pregnancy, handicap/disability or other status protected under Applicable Law when such conduct is:

- Sufficiently severe, persistent, or pervasive; and
- A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

“Hazing” means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person, or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization or team or Program. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced

conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be “forced” activity, the willingness of an individual to participate in such activity notwithstanding.

“Improper Conduct” means any conduct that is prohibited by an applicable Code of Student Conduct or work rule, but that does not rise to the level of Discrimination, Harassment or Retaliation. Improper Conduct includes conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person’s school or school-related performance and which relates to an individual’s or group’s race, color, age, creed, religion, sex, ancestry, national origin, marital status, pregnancy, handicap/disability or other status protected under Applicable Law, but does not rise to the level of Harassment, Discrimination or Retaliation under Applicable Law, because, for example, the conduct is not sufficiently severe, persistent or pervasive under Applicable Law.

“Infraction” means a violation of this Code of Conduct, a failure to comply with a directive from a teacher or administrator, or a violation of the rules established by a teacher for his/her class or by a Principal for his/her school.

“Intoxicant” means any substance that is known to have or in fact has intoxicating effects, and it includes, without limitation, alcohol, marijuana, or any other controlled substances.

“Look-alike Drug” means and includes any pill, capsule, tablet, powder, plant matter or other item or substance that is:

- Resembles a Controlled Substance prohibited by this Code of Conduct;
- Is used in a manner likely to induce others to believe the material is a Controlled Substance; or
- Is represented to be a Controlled Substance.

“Medication” means medicines legally prescribed by a licensed health care provider and over-the-counter medicines, including asthma inhalers, epinephrine auto-injectors, vitamins and other pills, pastes, fluids or other substances sold in a store or over the Internet.

“Parent” or “Parents” means:

- a natural, adoptive, or foster parent of a child (unless a foster parent is prohibited by State law from serving as a parent);
- a guardian (but not the State if the child is a ward of the State);

- an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child’s welfare; and
- Except as provided under 20 U.S.C.A. § 1415(b)(2) or § 1439(a)(5), an individual assigned under either of those sections to be a surrogate parent.

“Person” means any natural person, including students, Parents, District employees, contractors, District officials, volunteers and visitors.

“Physical Assault” follows the standard definition as provided in Applicable Law, and includes actions such as punching, kicking, slapping, or otherwise intentionally causing physical harm or unwanted physical contact to another person. The term “Assault” follows the same definition, but it includes the threat or attempt to cause physical harm or unwanted physical contact to another person. If an attempt is made to physically assault a person and in that act another person is unintentionally harmed, the intent to harm the first person *transfers* to the persons harmed during the incident. For example, if a student assaults another student, and a teacher intervenes in an attempt to prevent or stop the assault, and in so doing the teacher is unintentionally harmed by the first student, then that student’s intention to assault another student *transfers* to the teacher, and the student will be found to have assaulted a teacher.

“Principals” means each or every (as the usage dictates) principals and assistant principals employed or retained by the District, including interim or substitute Principals, or the designees of any of them.

“Programs” means and includes:

- exercises, athletics (including practices), or games of any kind, school publications, debating, forensic, dramatic, musical, and other activities related to the school program, including raising and disbursing funds for any or all of such purposes and for scholarships;
- Organizations, clubs, societies, and groups of the members of any class or school; and
- all extra-curricular activities and programs of the District, all intramural programs and activities of the District and any other program or activity that has been approved by the Board at a public meeting.

“Retaliation” shall have the meaning set forth in Applicable Law.

“School Authority” means any teacher, aide, administrator, school resource officer, or school police officer of the District.

“School Rules” means any rule contained in Applicable Law, this Code and any rule or requirement imposed by a Principal or teacher that is applicable to the student.

“Sexual Harassment” shall have the meaning set forth in Applicable Law. It may consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of a student’s status in any educational or other programs offered by a school; or
- Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting a student; or
- Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or
- Such conduct is sufficiently severe, persistent, or pervasive that a reasonable person in the complainant’s position would find that it unreasonably interferes with the complainant’s performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant’s access to or participation in school or school-related programs.

“Sexual Conduct” means any sexual act or conduct engaged in At School. Sexual Conduct includes rape, sexual assault, sexual battery and sexual coercion, or any other acts as described in Applicable Law.

“Superintendent” means the Superintendent, or any substitute superintendent or interim superintendent employed by the District, or his/her delegate.

“Serious Threat of Violence” means the direct or indirect communication of a statement that contains a threat against person or property and that either:

- Causes serious public inconvenience or terror, or
- Causes an evacuation (in whole or in part) of a building (including a school building), place of assembly, or item of public transportation.

\*\*Statements that contain a “Serious Threat of Violence” **include** statements that are made with reckless disregard of the risk of causing either evacuation of a building (including a school building or any portion thereof) or causing serious public inconvenience or terror. Thus, if a student makes and communicates a statement containing threat or language that can be reasonably interpreted as a threat that disrupts the school environment, then the statement may qualify as a “Serious Threat of Violence” under this definition, regardless of the student’s intentions in making the statement.

“Tobacco” means a lighted or unlighted cigarette, cigar, pipe, incendiary device, vaping, e-cigarette, any vaping device, any vaping juice or liquid, or other smoking product or material and smokeless tobacco in any form.

“Trip” means any trip that has been approved by the Board at a public meeting or by the Principal.

“Under the Influence” means any consumption or ingestion of a Controlled Substance or intoxicant, including alcohol, by a student.

“Weapon” means and includes any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury, *including mace or pepper spray*, or a replica or look-alike of any of those items. If an item is a replica or look-alike of an item that is capable of inflicting serious bodily harm, it does not matter whether that item is not actually capable of inflicting serious bodily harm—the item will qualify as a “Weapon.” Thus, a seemingly harmless item can constitute a “Weapon” if it is a replica or a look-alike of an item capable of inflicting serious bodily harm. Notwithstanding anything herein to the contrary, when considering the removal of a student with disabilities, the term “Weapon” shall be construed in accordance with Applicable Law.

## **Rules of Construction**

A. Notwithstanding anything herein to the contrary, nothing in this Code of Conduct shall be interpreted in a way that violates Applicable Law.

B. If any provision contained in this Code of Conduct is ambiguous—i.e., capable of being given one or more reasonable interpretations—and one or more reasonable interpretations would render the provision unlawful or unconstitutional, the School District intends only those interpretations that are lawful and constitutional.

C. This Code and School Board Policy and Administrative Regulations are intended to be complimentary and what is required by one shall be deemed to be required by all. If there are any conflicts between these terms and conditions of this Code and any provisions contained in any Policy, the terms contained in the Policy or the version of the Code last adopted by the Board shall control. If there are conflicts between any Administrative Regulations or the terms of any Policy or this Code, the terms of Policy and this Code shall control. For purposes of clarity, the terms of any Administrative Regulation shall never control over conflicting terms in Policy or this Code.

# Student Discipline

## General Disciplinary Requirements and Procedures

The Code of Student Conduct applies to any student conduct that creates a substantial disruption to the learning environment and/or orderly operation of the school. “The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the School District during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities.” ([School Board Policy 218](#))

The School Board believes that student conduct is intertwined with learning. An effective educational program requires a safe and orderly school environment. Student discipline should pursue three objectives:

- Preserving the optimum environment in which to deliver instructional services to students.
- Finding the appropriate response to disruptive influences or behaviors.
- Removing students from the educational environment, when appropriate and pursuant to due process, so that other students may pursue their educational goals.

The School Board has established establish fair, reasonable, and nondiscriminatory rules and regulations (that will be revised and amended annually) regarding the conduct of all students in the District during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, or while traveling to or from school and school-sponsored activities. The School Board has adopted this Code of Conduct to govern student discipline. Each student must adhere to Board policies and the Code of Student Conduct. It is the policy of this District that students will not be subject to disciplinary action because of their race, sex, color, religion, sexual orientation, national origin or handicap/disability status.

Serious offenses and repeated incidents which interrupt the learning of others and require large amounts of teacher time to be diverted from the class as a whole may signify the need for varied/increased support. These incidents will be referred to a building administrator and any serious disciplinary case in the elementary school shall be referred to guidance and other administrative personnel in an effort to ensure that students have the support needed to resolve the problems that interfere with learning.

## Discipline of Students in Elementary School

When discipline (including expulsion) is considered for a student in elementary school, teachers and administrators should consider the distinctions in behaviors between students in elementary school and older, more mature students. Teachers and administrators should strive to best determine student culpability for the relevant behavior in light of the student's age, grade, awareness of consequences, and developmental status.

## Positive Behavioral Interventions & Supports (PBIS)

CASD advocates for the adoption and implementation of the PBIS framework in the teaching of social competencies and the development of safe and effective school environments.

PBIS is a broad range of systemic and individualized strategies for achieving important social and learning outcomes in school communities while preventing problematic behavior. The key attributes of PBIS include preventative support and activities, data-based decision making, incentive programs, and a problem-solving orientation.

Positive behavioral support strategies are available in each District school. The staff in each school are responsible for being aware of the PBIS strategies and implementing them as appropriate and within the sound discretion of staff. However, no student may use the failure of having or implementing positive support strategies as an excuse or defense for violating this Code. Any student who violates this Code shall be subject to discipline in accordance with this Code notwithstanding the absence of behavioral support strategies or implementation of same.

## Corporal punishment

Corporal punishment is **prohibited**. To avoid confusion, however, the following uses of force do not constitute corporal punishment, and teachers and appropriate school authorities may use reasonable force towards students under the following circumstances:

- To quell, resolve, or stop disturbances;
- To obtain possession of weapons or other dangerous objects;
- For self-defense; or
- For the protection of persons or property.
- Disciplinary Consequences and Exclusions from School

## To address inappropriate school behavior, school staff should:

1. ***Redirect and correct inappropriate behavior.*** All adults in the school setting have the responsibility to supervise, correct, and redirect students' inappropriate behavior and minimize the likelihood of the behavior escalating or recurring.

2. ***Intervene to minimize disruption and resolve conflict as necessary to keep students and staff safe.*** If a student has been injured, refer the student to the school nurse and make every reasonable effort to notify parents/guardians immediately. The school safety officers should be called immediately to intervene and support building staff and administration during and after physical confrontations between students.
3. ***Gather information by talking to all students, teachers, school staff, or other witnesses to the incident.*** When student misbehavior is reported to the school principal or designee, an investigation must begin no later than the next school day. Identify factors that may have contributed to the incident and seek to understand the full context. If a search of the student, personal belongings, locker and/or desk need to be conducted, building administration should follow School Board policy 226.
4. ***Analyze whether the student's alleged behavior falls within the Code of Student Conduct using the information gathered.*** If so, determine the level of infraction as well as the disruption caused by inappropriate behavior. Identify the inappropriate behavior listed and consider the possible range of interventions and consequences.
5. ***Discuss their initial findings with the student and provide the opportunity to explain his/her actions.***
  - Inform the student of the inappropriate behavior he/she may have exhibited, the applicable Code of Student Conduct infraction level, and the range of possible interventions and consequences.
  - Allow the student to respond and explain his/her actions. Ask the student to provide a written statement regarding the alleged behavior and the circumstances involved.
  - Make reasonable efforts to contact the parent/guardian and discuss the incident with them before assigning interventions and consequences.
6. ***Make a determination and assign interventions and consequences according to the Code of Student Conduct.***
  - The principal or designee has the final authority to assign interventions and consequences based on his/her independent assessment of the best interest of the school community, including available resources, the needs of any student or staff harmed, and the rights of the student engaged in the inappropriate behavior, in alignment with the Student Code of Conduct.
  - Follow the procedures and guidelines contained in the School Board policy regarding Discipline of Students with Disabilities (Policy 113.1), students with Section 504 Plans, and Pa State regulations regarding disciplinary exclusion (suspension and expulsion) of students who are eligible for special education.
  - Avoid consequences that will remove the student from class, if possible. Use out-of-school suspensions as a last resort and only when in-school

interventions and consequences are insufficient to address the student's inappropriate behavior.

- If a student is suspended, the principal or designee may choose to give the student a combination of out of school suspension and in-school suspension days. The out-of-school suspension must be served first and the combined total of in-school and out-of-school suspension must not exceed 10 days.
- School staff members must not use public disciplinary techniques and must respond to inappropriate student behavior as confidentially as possible. When addressing student behavior, students **MUST** be addressed individually and in private. Rules are public but consequences are private.
- No student may be disciplined or threatened with discipline for speaking his/her native or first language when under the District's supervision. The District regards our students' multilingual skills as genuine assets that need to be acknowledged, valued, and developed.
- Utilization of "whole class" disciplinary procedures by teachers is highly discouraged.
- Excessive and imposition of additional subject-oriented academic work or lowering of report grades for specific infractions other than subject-related ones such as cheating, are not to be considered valid disciplinary actions and are forbidden.

**7. Document behavior infractions identified in the Code of Student Conduct for levels 2, 3, and 4.** All documentation will be mailed to the student's address or hand delivered to the parent/guardian.

**8. No student will be sent home before the end of the school day unless the school has established contact with the parent/guardian and provided notice of suspension.** All students must be picked up by a parent or guardian unless the parent or guardian has given permission for the student to leave the building under another arrangement (e.g., pick up by an authorized person, walk home, ride bike, drive car).

**Types of Discipline.** Any student who violates School Board policy, this Code of Conduct, or class rules or directives established by administrators or teachers, or Applicable Law, shall be subject to discipline. Discipline may take the form of:

- Class discipline as determined by a teacher
- Restorative measures (e.g., meeting with involved parties, conflict resolution, teacher/student check-in and mentoring, PBIS, and further discussed below)
- Confiscation of contraband
- Suspension from school
- Assignment to an alternative school
- Suspension of privileges
- Detention before or after school

- Restitution
- Student conference
- Community service
- Reflective assignment
- Expulsion
- Exclusion from extra-curricular or co-curricular activities
- Removal from Honor Society
- Referral to special education case manager
- Referral to mental health specialist
- Reverse suspension (where a parent/guardian accompanies student during the school day)
- Removal from bus
- Removal or exclusion from a particular class, program or activity; or
- Such other discipline as may be appropriate.
- Additional conditions may be assessed with any discipline that is imposed. In the case of exclusions from school or activities, conditions may be imposed for readmission to school.

**Additional Consequences.** In addition to discipline, the District may take the following actions:

- Parent contact
- Referral to the Student Assistance Program (SAP Team)
- Peer mediation
- Referral to law enforcement
- Referral to Juvenile Court
- An apology
- Referral to guidance counselor or other support service
- Required and successful training
- Requirement for an evaluation to ensure that the student does not present a threat to himself/herself or others; and
- Other actions as deemed necessary by the District
- Formal School Board hearing

**Referrals by Teachers.** Whenever a teacher makes a disciplinary referral, the teacher shall contact that student's parent within one workday of the referral.

**Determination of Discipline and Other Consequences.** Notwithstanding anything in this Code to the contrary, the disciplinary consequence will be determined based upon the consideration of relevant factors, which may include any one or more of the following:

- The seriousness of the student's conduct;
- The student's academic record;
- The student's past disciplinary record;
- Mitigating factors; and
- Aggravating factors.

The seriousness of the student's conduct may be determined in accordance with the levels of offenses as described subsequently in this Code. Although the levels of offenses shall be considered, they are not determinative. Instead, they are just one of the factors that will be considered.

**Restorative Practice Centers (exclusion from classes).** The Restorative Practice Center should be viewed:

- as an opportunity to heal and find a way to restore relationships that may have been impacted through inappropriate behaviors/actions.
- Assignment to the center is not punishment,
- being assigned to the restoration center is a consequence and an opportunity to learn skills that may be underdeveloped
- and it does send a message that the behavior demonstrated is not acceptable and will not be tolerated.

Students who attend the restoration center are there by **administrative assignment only**. This is typically after a behavioral incident has occurred. It is restorative in nature and seeks to help students learn skills to prevent the behavior from re-occurring, think about their actions, and take responsibility for the decisions they made. The room is staffed by a behavioral diagnostician because the role includes reviewing the student's record, identifying patterns of behavior that may need to be addressed, getting to the root cause of the problem through discussion and intervention during the time assigned to the restoration center, and creating a plan for addressing the issue.

A student may not receive an assignment to the Restorative Practice Center unless the student has been informed of the reasons for the assignment and has been given an opportunity to respond before the assignment becomes effective.

Communication with the parents or guardians shall immediately follow the assignment to the restorative practice center.

The dates and times of assignment to the restorative practice center depend on appropriate staffing availability.

**Suspensions.** “Suspension” means exclusion from school for a period of from one to ten consecutive school days. Suspensions may be imposed by the Principal, the Director of Pupil Services, the Director of Special Education, the Assistant Superintendent, or the Superintendent. ([School Board Policy 233](#))

A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond; provided however, prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

The student’s parents/guardians will be notified immediately in writing when a student is suspended.

When a suspension exceeds three school days, the student and parents/guardians shall be given the opportunity for an informal hearing consistent with Applicable Law.

Suspensions may not be made to run consecutively beyond the ten (10) school day period for any one infraction.

Students are responsible to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments as determined by the Principal, Director of Pupil Services, Director of Special Education, Assistant Superintendent, or Superintendent.

Suspensions or expulsions affecting students with disabilities shall be governed by Applicable Law, including 22 Pa. Code § 14.143 (relating to disciplinary placements) and 34 CFR 300.519—300.529 (relating to discipline procedures).

**Expulsions.** “Expulsion” means an exclusion from school for a period exceeding ten (10) school days and may include a permanent expulsion. Expulsions may be imposed only by the Board after a hearing in accordance with Applicable Law.

During the period prior to the hearing and decision of the Board in an expulsion case, the student shall be placed in his normal class except as allowed under Applicable Law.

§5.3.1 The formal hearing may be waived in writing by the **Parents**, or by the student who is 18 years of age or older, on an approved waiver form (“the waiver”). The waiver form must be approved by counsel for the **School District** and shall state that it is subject to approval by the **School Board**.

Students who are under eighteen (18) years of age are subject to the compulsory school attendance law even though expelled.

The initial responsibility for providing the required education rests with the student's parents/guardians, through placement in another school, tutorial or correspondence study, or another educational program approved by the Superintendent.

Within thirty (30) days of action by the Board, the parents/guardians shall submit to the Superintendent written evidence that the required education is being provided In Accordance with Applicable Law or that they are unable to so provide. If the parents/guardians are unable to provide the required education, the District shall, within ten (10) days of receipt of the notification, make provision for the student's education.

A student with a disability shall be provided educational services as required by Applicable Law, including the Individuals with Disabilities Education Act (20 U.S.C.A. §§ 1400 to 1482).

**Searches.** Searches shall be conducted in accordance with Applicable Law ([CASD School Board Policy 226](#)). Principals, the School Resource Officers, school police, the Director of Pupil Services, Director of Special Education, Special Education Supervisors, the Assistant Superintendent, and the Superintendent may conduct searches. No other District official may conduct a search, unless the search is necessary to protect the health and safety of students and others, such as when there is a search for a weapon, and it is reasonably believed that waiting for a person authorized to conduct a search may lead to injury.

Illegal or prohibited materials seized during a student search may be used as evidence against the student.

Prior to a locker search, the student shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare, or safety of students in the school, student lockers may be searched without warning.

**Reasonable Suspicion Drug and Alcohol Testing.** The District may require drug and alcohol testing if it has reasonable suspicion that the student is Under the Influence. Reasonable suspicion may be based on the student's behavior, medical symptoms, vital signs or other observable factors. Where there is reasonable suspicion the testing may include blood analysis, urine analysis, saliva analysis or the administration of a breathalyzer test.

**Informal hearings.** The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended, or to show why the student should not be suspended. Participants during this meeting may include the students, parents/guardians, staff, witnesses and school officials

The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.

The following due process requirements shall be observed regarding the informal hearing:

- Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
- Sufficient notice of the time and place of the informal hearing shall be given.
- A student has the right to question any witnesses present at the hearing.
- A student has the right to speak and produce witnesses on his own behalf.
- The school entity shall offer to hold the informal hearing within the first 5 days of the suspension.

**Hearings.** Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing. A formal School Board hearing is required in all expulsion actions (when a student is excluded from school for a period of more than ten (10) days). This hearing may be held before the governing board or an authorized committee of the board, or a qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire governing board is required to expel a student. The following due process requirements shall be observed regarding the formal hearing:

- Notification of the charges shall be sent to the student's Parents/Guardians by certified mail.
- At least three (3) days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
- The hearing shall be held in private unless the student or parent requests a public hearing.
- The student may be represented by counsel, at the expense of the Parents, and may have Parents attend the hearing.

- The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses if there are any.
- The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
- The student has the right to testify and present witnesses on his own behalf.
- A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.
- The hearing shall be held within fifteen (15) school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
  - Laboratory reports are needed from law enforcement agencies;
  - Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals with Disabilities Education Act (20 U.S.C.A. §§ 1400—1482); or
  - In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

*\*Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.*

## Progressive Discipline

Viewing and understanding discipline as a “teachable moment” is vital to implementing a positive approach to discipline. Progressive discipline uses incremental interventions to address inappropriate behaviors with the ultimate goal of teaching pro-social behavior. Progressive discipline does not seek punishment. Instead, progressive discipline seeks concurrent accountability and behavioral change. The goal of progressive discipline is to prevent the recurrence of negative behavior by helping students learn from their mistakes.

Every reasonable effort must be made to correct student behavior through counseling and other school-based interventions. Supports and interventions are essential because inappropriate behavior or violations of the Code of Student Conduct may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs. In accordance with State law and as stated above, corporal punishment is expressly prohibited.

Appropriate disciplinary responses should emphasize prevention and effective intervention, foster resiliency, prevent disruption to students’ education, and promote positive school culture. When a student’s misconduct results in a placement out of the classroom, the school should consider, where appropriate, using conflict mediation/resolution or the restorative circle process (secondary level) as an effective strategy to support a successful return to the student’s regular program.

### **Helping Students Learn from Their Mistakes**

Assisting students who have engaged in unacceptable behavior is essential to the implementation of progressive discipline and to:

- Understand why the behavior is unacceptable and the harm it has caused;
- Understand what they could have done differently in the same situation;
- Take responsibility for their actions;
- Be given the opportunity to learn pro-social strategies and skills to use in the future;
- Understand the progression of more severe consequences if the behavior reoccurs; and
- Include parents in discussions with the student and make them aware of the plan for addressing behavior.

## **Discipline for Students with Disabilities [\(School Board Policy 113.1\)](#)**

For a student with disabilities whose behavior impedes his/her participation in school, a functional behavioral assessment (FBA) is an essential tool to understand the causes of the student's behavior. A positive behavior support plan (PBSP) after an FBA provides specific approaches to address the student's behavior.

### **Determining the Disciplinary Response**

In determining which disciplinary measure to impose and how to best address inappropriate student conduct, school officials should evaluate the totality of the circumstances surrounding the misbehavior.

**The following facts should be considered prior to determining the appropriate disciplinary measures:**

- The student's age and maturity
- The student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct, and the disciplinary and guidance intervention measures applied for each)
- The nature, severity, and scope of the behavior
- The circumstances/context in which the conduct occurred
- The frequency and duration of the behavior
- The number of persons involved in the behavior
- The social/emotional needs of ALL persons involved in the behavior
- The student's IEP, PBSP, and/or 504 Accommodation, if applicable

# RESTORATIVE PRACTICES

## What are Restorative Practices?

Restorative Practices effectively foster supportive and safe school climates by preventing, addressing, and changing behaviors that hurt individuals, families, schools, and communities. They provide the structures and skills needed to create and maintain positive relationships. Restorative Practices help strengthen the communication between adults and students on campus. They are also the preferred approach to address student behavior issues because they reflect the importance of relationships among students and between teachers and students. These approaches provide students with opportunities to develop self-discipline and positive behaviors in a caring, supportive environment. A restorative approach sees conflict or misbehavior as an opportunity for students to learn about the consequences of their actions, to develop empathy for others, and experience making amends in such a way that strengthens the community bonds that may have been damaged.

On a Restorative Practices continuum, informal practices include affective statements and questions that communicate feelings and allow for reflection on how one's behavior has affected others. Impromptu restorative dialogues and circles are more structured, while formal conferences require more preparation and include more representation from the community such as family members. Restorative Practices are used in the classroom to help create a caring and supportive environment with a focus on relationship building. They are also used to re-enter students into school after suspension, expulsion, or incarceration.

## Examples of Restorative Practices:

**Effective Statements and Questions** – Statements and questions that appropriately communicate one's feelings, and allow for reflection on how their behavior has affected others.

**Restorative Dialogue** – Structured conversation designed to open dialogue and conversation, develop understanding, and work towards coming to consensus agreement about how to make things right.

- From your point of view, what happened?
- What do you remember thinking at the time?
- How have you and others been affected?
- What feelings and needs are still with you?
- What do you think should happen next?

**Classroom Circles** – A group discussion format which is a mainstay of Restorative Practices and can be used in a variety of ways including but not limited to:

- Building community
- Making agreements
- Solving problems

**Restorative Discipline and Other Means of Correction** – More formal actions taken by administration that maintain high behavioral expectations for which all students are held accountable and may be used in lieu of, or in addition to, traditional means of discipline such as suspension. They may include:

- Restorative conferences
- Behavior support plans
- Peer mediation
- Restitution
- Community service
- Referral to counseling, mentoring, or after-school programs

## **LEVELS OF INFRACTIONS & DISCIPLINARY CONSEQUENCES**

In order to protect the right of all students to receive the best education possible within a safe and orderly learning environment, certain types of behaviors **MUST** be prohibited. Student misconduct is grouped into four levels of infractions based on the severity of the misbehavior, place of occurrence, frequency of occurrence, and disruptive effect upon the safety and orderliness of the learning environment. Each level of infraction provides a set of possible supports and interventions as well as a range of possible disciplinary responses that may be imposed by a teacher, principal, or other designee of the Superintendent.

The specified infractions are **NOT** all inclusive. Students who engage in misconduct that is not listed are, nevertheless, subject to appropriate disciplinary measures as indicated within this document and the Code of Student Conduct. The Code of Student Conduct provides progressive disciplinary actions for students who engage in repeated misbehaviors despite prior interventions and/or prior imposition of appropriate disciplinary measures. More severe consequences will be imposed on those students who engage in a pattern of persistent misconduct. Whenever possible and appropriate, prior to imposing such penalties, school officials should exhaust less severe disciplinary consequences in conjunction with supports and

interventions. These are the four levels of infractions, which can generally be characterized as follows:

- Level 1      Teacher referral/possible teacher enforcement - for uncooperative or noncompliant behavior**
- Level 2      Administrator enforcement – for lower-level misbehavior or repetitive disruptive behavior**
- Level 3      Administrative Team enforcement – for higher level aggressive or harmful behavior**
- Level 4      School District enforcement – for seriously dangerous or violent behavior**

Schools are required to provide and document support at all stages of the disciplinary process, including during suspension. When used consistently and appropriately, interventions help improve student behavior, lower the incidence of repeated misbehavior, and contribute to a more positive school environment. Support services may include any of the interventions or a combination of services that best meet the needs of the individual student.

### **Required Documentation**

All interventions and support provided to a student in response to behavioral incidents must be entered in the District’s online system, regardless of whether or not a disciplinary action is imposed. Consequences assigned by an administrator must also be documented.

### **Interventions**

There are three types of intervention strategies that are available to teachers and administrators: Administrative, Restorative, and Skill-based Therapeutic.

- Administrative Strategies are statutory or rule-based interventions, such as detention, suspension, or referral for a School Board hearing for possible expulsion.
- Restorative Strategies are problem solving interventions done with the student. They focus on the harm caused and how it will be repaired. Examples may include:
  - Family group conferencing;
  - Victim-offender mediation
  - Classroom peace circles

- Therapeutic/Resource Strategies are done by the student and require intrinsic motivational behavior change. Such interventions include:
  - Mental health counseling
  - Anger management classes
  - Information mentoring and behavior coaching

**Strategies for using interventions.** Teachers and administrators should consider using different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for the 2<sup>nd</sup> or 3<sup>rd</sup> instances of the same disruptive or inappropriate behavior.

Relevant factors in making discipline decisions. When choosing consequences for students' misbehavior, teachers, administrators, and staff must consider the following factors:

- Age, health, and disability or special education status of the student;
- Appropriateness of student's academic placement;
- Student's prior conduct and record of behavior;
- Student's attitude;
- Student's willingness to repair the harm;
- Seriousness of the offense and the degree of harm caused; and
- Impact of the incident on overall school community.

### **Prohibited Conduct, Guidance as to Levels of Infractions**

The conduct described in the following pages is prohibited At School or, where indicated, outside of school. Conduct outside of school that is prohibited will not consist of a suspension, in-school suspension, or expulsion, unless Applicable Law allows it. To the extent that conduct outside of School is prohibited, and Applicable Law does not allow a suspension, in-school suspension or expulsion, the student may be subject to the other forms of discipline as may be allowed by Applicable Law. **Notwithstanding anything herein to the contrary, any student who violates any of the rules is subject to discipline, including possible expulsion.** As a guide, the following chart sets for the minimum infraction level a violation would justify, absent any relevant mitigating or aggravating circumstances.

The following examples of impermissible conduct **are not intended to be all-inclusive.** At the District's discretion, any violation of the School District's policies or any conduct considered inappropriate or unsatisfactory may subject the student to Discipline, including expulsion.

**Level 1 Infractions:** These infractions include uncooperative, non-compliant behavior, referred, and enforced by teachers.

**Level 2 Infractions:** These infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school on a District provided vehicle (School Bus). Misconduct that meets the definition of a Level 2 infraction is referred to an administrator for appropriate disciplinary action within guidelines established by the building administration.

**Level 3 Infractions:** These infractions include prohibited behaviors during school, during school-sponsored activities, on and off school property, and while students travel to and from school. Due to the seriousness of these infractions, an immediate referral is required to the Building administration. Building administration will immediately notify Central Office staff including the District School Resource Officer and Superintendent.

**Level 4 Infractions:** These offenses include behaviors that represent an immediate danger to safety and well-being of the school community. Due to the seriousness of these infractions, they need immediate referral – within the same day.

The District reserves sole discretion whether to apply progressive discipline in any given situation. The Building Administrator reserves the right to place students on Progressive Discipline for frequent repeated disciplinary code violations. Progressive discipline may include, but is not limited to Detentions, In School Suspensions, Out of School suspensions and referrals for Expulsion from School. Parental notification will be made by phone and mail when such a decision is made.

## Matrix of Disciplinary Consequences

The District will follow all state and federal laws regarding the discipline of students with disabilities as set forth Board Policies [113](#), [113.1](#), [113.2](#), [218](#), and [233](#), as amended, and other Board Policies that may be adopted and become applicable in the future. Nothing in the Code of Student Conduct should be interpreted or applied in conflict with those laws, policies, and regulations.

Infraction	Levels			
<b>Disruptive Behavior</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Classroom Disruption	●			
Dress Code Violation	●	●		
Forging names on passes or other school-related documents	●	●	●	
Academic cheating or plagiarism	●	●	●	
Participating in practical jokes or pranks which cause injury requiring medical attention		●		
Disrespectful behavior towards students, teachers, staff, or administrators	●	●	●	
Repeated violations of Level 1 offenses	●	●	●	
<b>Class Cutting/Elopement</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Class cut (second offense)		●		
Class cut (third offense)			●	
Repeatedly leaving class without permission		●		
Entering or leaving school grounds without permission			●	
Trespassing			●	
<b>Insubordination/Inappropriate Language</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Using obscenities, profanities, or abusive language towards peers (second offense)		●		

Making sexual or lewd comments		•	•	
Verbal confrontation with profanity		•		
Failing to cooperate in any district investigation or to answer questions		•	•	
Falsifying school district records		•	•	•
Unauthorized recording or dissemination of audio or video			•	
Using threatening language to anyone at school			•	
Calling in or making statements that include a “Serious Threat of Violence” (as defined herein)				•
Failure or refusal to serve an administrative detention (lunch, after school, etc.) (First Offense)		•		
<b>Tobacco/Vape Use</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Possession of tobacco, vape, paraphernalia, and/or smoking materials (First Offense)	•			
Possession of tobacco, vape, paraphernalia, and/or smoking materials (Second Offense)		•		
Possession of tobacco, vape, paraphernalia, and/or smoking materials (Third Offense)			•	
Possession of tobacco, vape, paraphernalia, and/or smoking materials (Fourth and Subsequent Offenses)				•
Using tobacco or vaping materials on school property			•	
<b>Controlled Substances/Intoxicants</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Possessing, selling, transferring to another person, or consuming intoxicants, controlled substances, or paraphernalia on school property			•	•
Possession of large amounts of a controlled substance will lead to a charge of possession with intent to sell or distribute – - First offense: 180-day expulsion - Second offense: permanent expulsion				
Being under the influence of a controlled substance and/or intoxicants (including alcohol) while on school property				•
Bringing or possessing medication in violation of the rules set forth in the Code or in applicable Policy of the District		•	•	•
Driving on school property while under the influence of a controlled substance				•
<b>Physical Confrontation</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Minor physical confrontation (Second Offense)		•		

Physical altercation/fight (First Offense)			•	
Physical altercation/fight (Second Offense)				•
Confrontation involving any student/school personnel that results in requiring medical treatment by a physician or hospital as a result of fighting or assault				•
Intimidation/hate crime because of race, gender, ethnicity, nationality, or gender identity				•
Assaulting or battery of any person				•
<b>Safety Violations</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Bringing a drone and operating it without the authority of an administrator/operating a drone without legally required credentials as may be required by and in accordance with applicable law			•	•
Disrupting the operations of the School District or the educational activities or the School District		•	•	•
Lying to school authorities and/or withholding information that could impact school safety		•	•	
Using a laser pointer without prior permission or using it in a way that has not been authorized		•	•	
Breaching school security		•	•	
Taking a fire extinguisher off its fixture without justification		•	•	•
Disorderly conduct		•	•	
Enabling unauthorized persons to enter a District building through an unauthorized door			•	
Inciting any person to disrupt the operation of the School District or any of its school or school activities, provided, however, that this does not apply to any conduct that is protected under applicable law			•	
Driving on school property without a license		•		
Committing or attempting to commit arson				•
Intentionally setting off or attempting to set off a false alarm				•
Extortion or attempted extortion				•
Destruction or defacing of school property			•	
Gambling		•		

Unlawfully retaliating against any individual		•	•	
Stealing or attempting to steal			•	
Bullying any person			•	
Engaging in or allowing hazing of any student			•	•
Significant or repeated violation of safety rules or practices		•	•	
Repeated violation of Level 1 or 2 offenses			•	
Multiple or repeated violation or Level 1, 2, or 3 infractions				•
<b>Sexual or Lewd Behavior</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Engaging in sexual conduct or sexual activity on school property, including modes of transportation			•	•
Bringing pornography or nude pictures to school, in paper form, electronic form, or any other form; bringing an electronic device to school that has pornography downloaded to it; displaying pornography to any person			•	
Sexual assault, rape, sexual battery, or sexual coercion				•
<b>Weapons</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
Possessing weapons or items that look like weapons				•
Having knowledge of and failing to report a gun/weapon or lookalike gun/weapon		•	•	

**Student Responses to Directives.** When physical altercations occur in school between students, students have been seen to disregard both the presence of authority and the directives they give to stop. Students have continued violent behavior when staff tries to break up fights, and due to that behavior, staff persons have been assaulted. This behavior by students is strictly prohibited. Students must immediately cease their aggressive behavior when District staff steps in to break up a fight. Violations of this rule will result in discipline that can include expulsion.

## Attendance

### I. Free Education and Attendance

All persons residing in this District and meet the age requirements established by the District in its Policies shall be eligible to attend school in the District subject to the terms, conditions, limitations and exceptions in Applicable Law.

Parents of all children between the ages of 6 and 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. A student may not be excluded from School because:

- the student is married;
- the student is pregnant;
- the student has a disability as identified by Chapter 15 (relating to protected handicapped students); or
- The student is an eligible student identified under Chapter 14 (relating to special education services and programs).

### Compulsory Attendance

Section 1326 of the Public School Code, 24 P.S. §13-1326, defines “compulsory school age” as “the period of a child’s life from the time the child’s parents elect to have the child enter school, which shall be not later than at the age of six (6) years, until the age of eighteen (18) years.” Once the election to enroll a child in school is made, the child is subject to the Public School Code’s compulsory attendance requirements.

The School Board ([School Board Policy 204](#)) requires that school-aged pupils enrolled in the public schools of this District attend regularly in accordance with Applicable Law. The educational program offered by the District is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation.

## Exclusions from Public School Attendance

In accordance with the Public School Code and State Board Regulations, the District will excuse the following children from attendance in public schools:

- Students attending an approved non-public or private school who have met the requirements of Applicable Law.
- Students sixteen (16) or seventeen (17) years of age enrolled in approved private trade or business school.
- Children of at least fifteen (15) years of age and are engaged in farm work or private domestic work pursuant to a permit approved by the School Board in accordance with the regulations prescribed by the Superintendent of Public Instruction.
- Children fourteen (14) years of age, who have completed elementary school and are engaged in farm work or private domestic work pursuant to a permit approved by the School Board in accordance with Applicable Law.
- Children who are sixteen (16) years of age and regularly engaged in useful and lawful employment during the school session with a valid employment certificate. Regularly engaged means thirty-five (35) or more hours per week of employment.
- Students with the approval of the Superintendent receive private instruction from a properly qualified tutor.
- Students receiving instruction at home, who are temporarily unable to attend school for medical reasons.
- Applications for Homebound Instruction ([School Board Policy 117](#)) must have a physician's signature and all applicants must be approved by the School Board and recommended by the Superintendent.
- Students participating in a work study or career exploration program approved by the School Board.
- Students participating in a work release program, which includes school attendance for a portion of the school day where permission of the Principal has been obtained.
- Senior students taking a combination of college and high school courses.
- Senior students attending a college under an early entrance arrangement with the Principal's approval.
- Students gaining early entrance to military service with the Principal's approval.
- Graduating students participating in supervised commencement preparation, provided that such participation not last more than three (3) days.
- Students in a Home Education Program that has been approved in accordance with Applicable Law and that meets the standards of Applicable Law.

### **Acceptable Reasons for Absences, Lateness or Early Dismissal**

- Observance of religious holidays.
- Religious instruction (maximum of 36 hours per school year).
- Trips to exhibitions, colleges, places of constructive educational interest and planned vacations may be excused, to a total of two (2) weeks duration per year, provided prior written notification is received from the Parents, the student is in good academic standing and approval is granted by the Principal. This two (2) week period may be extended or reduced at the discretion of the Principal or his/her designee.
- Domestic shelters, clinics, medical or dental appointments that cannot be arranged after school hours. Verification from the provider or a note from the Parent is required.
- Tutorial work in a field not offered by the District.
- Illness or recovery from an accident.
- Quarantine of the home.
- Death in the family.
- Court appearance.
- Unavoidable family emergency documented with records required by the Principal.

**Unacceptable Reasons for Absences, Lateness or Early Dismissals.** Students will not be excused from school for other than compelling reasons. The following are non-exclusive examples of unacceptable reasons for absences, lateness or early dismissals:

- Baby-sitting
- Running errands
- Shopping
- Missing the school bus/ride or suspension from school bus
- Participating in private lessons or hobbies
- Failure of car to start
- Weather conditions
- Oversleeping

## **Documentation Required for Absence, Lateness or Early Dismissal**

A note from a parent is required following any absence. The sending of a note, in and of itself, does not make an absence, lateness or early dismissal excusable.

Absences for three or more consecutive days may require a physician's excuse. The District will determine whether a physician's excuse is required.

Parents/guardians and students should submit written excuse within three (3) school days of the absence. If written explanation is not submitted within this period, the absence becomes unlawful.

**Cumulative Lawful Absences.** After an accumulation of ten (10) days of absences in one school year, a physician's excuse and parental conference may be requested. If such a request is made but not complied with, all subsequent absences will be unexcused/illegal. A physician's excuse may also be required for any consecutive absence of three (3) or more school days. Funerals and pre-approved educational trips will not be included in the ten-day limit after which a physician's excuse could be required. Other exceptions: Extenuating circumstances as determined by the Principal.

## **Work Experience for seniors**

A senior may be excused from school after a half day of attendance for work experience purposes, at the discretion of the building Principal.

Any student excused for a work experience program must be enrolled in properly scheduled classes in order to fulfill the graduation requirements of Chapter IV curriculum regulations and District policy.

Any request for participation in a work experience program and early excusal from school must be submitted in writing by the student's parents and must be granted by the Principal.

A senior student must be gainfully employed during the time that he/she is excused for work experience and have proper working papers.

An accurate, up-to-date list of students involved in work experience programs must be on file with the Principal. This listing is to include each student's name, address, and telephone number of employer and any other data appropriate to the work experience program.

The excused student is to leave the school area immediately using his/her own means of transportation and is not to loiter around the school or community.

Once the student is excused, he/she becomes the responsibility of the parent and is no longer a charge of the school district.

A student granted the privilege of participating in a work experience program who loses his/her job, loiters around the school or community, or otherwise violates the spirit of these rules will have his/her permission to participate revoked and will be reassigned to classes.

There should be a periodic review of job status for participating students by the high school Principal or his/her designee.

### **School Responses to Unlawful Absences**

- First Unlawful Absence - Parent/guardian is sent notice via regular mail, phone call or email of unlawful absence.
- Second Unlawful Absence - Parent/guardian is sent second notice via regular mail, phone call or email of unlawful absence.
- Third Unlawful Absence - Parent/guardian is sent third notice of unlawful absence by certified mail providing "official notice of child's third illegal absence."

The Guidance Counselor will schedule a school/family conference with parent/guardian to discuss the cause of the child's irregular attendance and develop a mutually agreed upon School Attendance Improvement Plan (SAIP). Representatives from relevant and/or involved community-based agencies, child services, juvenile probation, school personnel and administration will be invited to participate in meeting.

After the third notice of unlawful absence has been issued and the SAIP meeting has been held, the next time during the school year, that the pupil is illegally absent shall constitute a violation of the compulsory attendance provisions of the Pennsylvania Public School Code.

Act 138 of 2016 provides that parents, guardians, or person in parental relation, having charge of any child of compulsory school age who fails to comply with the provisions of this act regarding compulsory attendance may be fined: (1) up to three hundred dollars (\$300) per offense plus court costs for the first offense; (2) up to \$500 for the second offense; and (3) up to \$750 for a third and any subsequent offenses. or be sentenced to complete a parenting education program, and in default of payment of such fines, costs or completion of the parenting education program by the person so offending shall be sentenced to the county jail for a period not exceeding three (3) days.

Subsequent illegal absences may necessitate the issuance of additional fines. Additional fines shall not be filed if a citation is pending, a Chester County Department of Children, Youth, and Families (CYF) referral is pending, or a dependency petition is pending.

If a child of compulsory school age has attained the age of (15) fifteen years and fails to comply with the provisions of this Act regarding compulsory attendance or who is habitually truant without justification, the school must either: (1) refer the child to a school-based or community-based attendance improvement program or (2) file a citation against the student or parent. If referred to attendance improvement program and child continues to be truant or refuses to participate, the school may refer to CYF. The magistrate may impose community service or require child to attend an appropriate course or program designed to improve school attendance. If child fails to satisfy conditions imposed by magistrate, the court may initiate license suspension process.

The School Police, the Home and School Visitor, and/or the Attendance Officer are authorized by the Pennsylvania School Code to apprehend students in violation of the Compulsory School Attendance Laws of the Commonwealth.

Students who attend school beyond the compulsory education age are required to demonstrate a commitment to regular school attendance and compliance with the Codes of Student Conduct. Non-compulsory students who are absent from school for 10 consecutive school days without an excuse may be removed from the active membership roll.

## **Truancy**

Frequent or prolonged absence, without satisfactory reason, or willful violation of the compulsory attendance laws, shall be handled in conformity with the procedures applicable under federal, state and local law, as well as any applicable Board Policy.

Corrective measures for excessive absence, lateness or truancy, may include counseling, parental conference, reprimand, referral to Holcomb Truancy Program, after school detention or in-school suspension. If these measures do not prove effective, a student may be referred to Children, Youth, and Families Services.

Tardiness will be computed per 90 days, in accordance with a uniform K-12 procedure. The following penalties will be imposed for the following violations:

After 2 instances of being late, a warning letter will be sent to the parent/guardian.

After three (3) instances of being late, or 82 accumulated minutes, the student will receive an administrative detention.

After six (6) instances of being late or 164 accumulated minutes, a student will receive a one-day in-school suspension. A mandatory parent conference is required before the student returns to regular class. In addition, at the discretion of the school administrator and the parents of the student of compulsory school age may be assigned to the Holcomb Truancy Program.

After twelve (12) instances of being late or 328 accumulated minutes a physician's excuse may be required for any subsequent tardiness/lateness.

This process may be repeated throughout the semester.

## Other Rules & Procedures

### **Bullying ([School Policy 249](#))**

The Board is committed to providing a safe, positive learning environment for district students. The board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occur in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing an of the following:

1. Substantial interference with a student's education
2. Creation of a threatening environment
3. Substantial disruption of the orderly operation of the school

### **Bullying, as defined in Policy 249, includes cyberbullying.**

- School setting means 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
- The Board prohibits all forms of bullying by district students.
- 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.
- Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

### **Conduct on Buses and at Bus Stops**

School bus transportation is provided to students. It can be denied to any student who violates any of the offenses described in any section of this Code. ***Notwithstanding anything herein to the contrary, this Code of Conduct applies on school buses in the same way it applies***

***in school buildings or at school. Students may be subject to suspension or expulsion for conduct on the bus, at bus stops, or while coming to or going from bus stops.***

Parents shall provide transportation for any pupil whose privileges have been suspended or terminated. Students who fail to attend school during bus suspension will be marked illegally absent.

Students must obey and cooperate with the bus driver, teachers, or any other persons assigned to supervise the bus or any part of the school transportation system.

Assigned seats will be mandatory on each bus grades "K-5." Students will be required to sit in their assigned seat unless otherwise directed by the driver or other supervisor. A school administrator or school bus driver may also assign seats to any student in grades 6-12 and for any period.

The bus driver has the authority to discipline the pupils on his/her bus.

#### **Procedures for Misconduct on the Bus**

The bus driver is expected to be in complete control of the bus and its passengers.

When serious misconduct occurs or when misconduct is repeated, the school bus driver is expected to report such action to the school Principal or designee. Forms are provided to each driver for this purpose.

The Principal will take whatever action he/she deems necessary to correct the situation. This action will be consistent with this Code.

Parents will be advised by the Principal when reports of misconduct are made.

The Principal and Assistant Principal are the only ones with the authority to suspend transportation privileges.

A parent of a student, whose transportation privileges are suspended, must confer with the school administration before the privilege is restored.

Students will be removed from the school bus by the building Principal if a bus must return to the school due to the student's involvement in an unsafe or uncontrollable situation. Parents will be notified immediately to pick up the student at the school.

## **Conduct at Bus Stops:**

PARENTS ARE RESPONSIBLE FOR THEIR CHILDREN WHILE AT THE BUS STOP.

Students are expected to arrive at the school bus stop at least five (5) minutes prior to pick-up time.

Students should wait off the street or roadway and conduct themselves in a responsible manner.

Students must wait on the opposite side of the street or road until the bus has stopped, engaged its flashing lights and stopped all traffic.

Students should never accept rides from strangers.

**The following is a non-exhaustive list of examples of offenses that will result in suspension or termination of transportation privileges and possibly other disciplinary action:**

- Fighting, or provoking or instigating a fight;
- Assaulting a fellow student or other person on the bus;
- Smoking or possessing tobacco;
- Damaging property;
- Standing, walking, refusing to remain seated;
- Throwing items on or out of the vehicle
- Hanging any body part out of the window
- Excessive noise or disruptive behavior;
- Tampering with emergency doors;
- Profane or obscene language directed towards an individual;
- Refusing to ride assigned vehicle or riding on an unassigned vehicle without permission
- Boarding vehicle at unassigned stop;
- Leaving vehicle at unassigned stop;
- Discourteous behavior, refusing to obey the driver, teachers or other supervisory personnel;
- Threatening, harassing, bullying, teasing or intimidating the bus driver or other students on the bus;
- Refusing to sit in assigned seat;
- Actions detrimental to safety or to the effective operation of the school bus or vehicle;
- Any other violations of this Code of Conduct;

Pursuant to Act 65 of 1998, a person who enters a school bus without prior authorization of the driver or a school official with intent to commit a crime or disrupt or interfere with the driver; a person who enters a school bus without prior authorization of the driver or a school official who refuses to disembark after being ordered to do so by the driver commits a misdemeanor of the third degree.

The suggested disciplinary action may be modified in accordance with the mitigating or aggravated circumstances and will be consistent with the consequences listed on pgs. 22 – 23.

**Large Articles on Buses.** The Pennsylvania Department of Transportation mandates, in 67 PA Code § 171.58, that the interior of a school bus must be free of objects, which could cause injury. Objects must be secured, and the aisles and emergency exits open and free of blockage. The following rules must be adhered to at all times:

- Large band instruments or school project items are not permitted on the bus unless they can be held on the student’s lap safely.
- Items may not be placed under seats as they may become projectiles upon impact.
- Nothing can be carried on the bus that will endanger others, i.e., glass objects, ice skates, large metal objects, weapons, etc.
- Animals are not permitted on the bus (with the exceptions of those used by disabled persons).
- Nothing can be placed in the driver’s compartment, doorway or aisle. In case of an accident, student must be able to exit out of windows and doors.

**Riding Buses Other Than Assigned.** Changes in bus assignment should be permitted only for urgent reasons such as medical services and family emergencies.

**Audio/Video Surveillance.** The School Board authorizes video and audio recordings on school buses in accordance with Applicable Law. These recordings may be used by the District or law enforcement.

**Confidential Communications.** Use of a student’s confidential communications to school personnel in legal proceedings is governed by Applicable Law. See, for example, 42 Pa.C.S. § 5945 (relating to confidential communications to school personnel).

Information received in confidence from a student may be revealed to the student’s Parents, the principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.

**Discrimination.** Consistent with the Pennsylvania Human Relations Act (43 P. S. §§ 951— 963), and other Applicable Law, a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability or any other legally protected characteristic.

**Freedom of Expression.** The right of students to freedom of speech is guaranteed by the Constitution of the United States, the Constitution of the Commonwealth and Applicable Law.

Subject to the terms, conditions, limitations and exceptions set forth in Applicable Law, students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, teachers, administrators, students or others, or encourages unlawful activity or interferes with another individual's rights.

Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of communication, provided that the using of public school communications facilities shall be In Accordance with the regulations of the District or the rules established by the Principal or Superintendent.

Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expressions.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials.

School officials may require students to submit for prior approval a copy of materials to be displayed, posted or distributed on school property, subject to Applicable Law.

The following rules apply to the use of Bulletin Boards:

- The District may restrict the use of bulletin boards;
- Bulletin board space may be provided as determined by the District for the use of students and student organizations;
- School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

The wearing of buttons, badges or armbands shall be permitted as a form of expression, but it is subject to the terms, conditions, limitations and exceptions set forth in Applicable Law.

The District may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.

The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

**Flag Salute and the Pledge of Allegiance.** It is the responsibility of every citizen to show proper respect for their country and its flag. However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag because of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

**Hair and Dress.** The District has the authority to impose limitations on students' dress in school. The District will not interfere with the right of students and their parents/guardians to make decisions regarding their appearance, except when their choices disrupt the educational program of the schools or constitute a health or safety hazard.

Students may be required to wear certain types of clothing while participating in physical education classes, technical education, extracurricular activities, or other situations where special attire may be required to ensure the health or safety of the student.

Notwithstanding anything in this Code to the contrary, rules prohibiting certain dress do not apply to such dress as worn pursuant to religious belief, unless the dress presents a safety danger to a specific activity (such as loose clothing around mechanical equipment used by the student) or where the activity requires the wearing of specific clothing, such as a team sport.

Teachers and/or administrators, in their discretion, may also impose special dress codes appropriate for the occasion or events including, but not limited to, Graduation Ceremonies, Music Concerts, Induction Ceremonies, Award Ceremonies, and other school related functions.

**Liabilities.** The District shall not be liable for the loss, damage, theft or misuse of any electronic device or other student property. Students and Parents assume all risks for damage to or loss of any property brought to School by any student or Parent. The District also shall not be responsible for any accidents or injuries to a student or any other person or persons except as may be permitted under Applicable Law.

## Technology

The following terms, when set forth in this section of Code of Conduct (*relating to Computer Offenses*) in capital letters, shall have the meaning set forth in the following definitions unless the context clearly indicates otherwise:

“Computer” shall mean and include District owned, leased, operated or provided:

- Desktops
- School stations
- Electronic readers or devices in the nature of an iPad or tablet
- Laptops
- Servers
- Routers
- WiFi hotspots and apparatus
- Digital switches
- Smart phones
- PDAs
- Storage devices
- Smart watches
- Any other digital device in the nature of or with the functionality of any of the foregoing.

“Cloud Application” shall mean any service or resource available on the internet including such services or resources as virtual servers or any electronic storage that is outside of the School District’s firewall, including such things as a Google or Google Chrome account; My Drive; SkyDrive; Adobe Creative Cloud; Dropbox; Evernote; and other similar services.

“Data” shall mean all forms of digital or electronic data, including digital or electronic:

- Records
- Material
- Data
- Documents
- Files
- Script
- Code
- Software
- Programs

“Digital Technology” shall mean all forms of digital technology, including Data, software, hardware, the School District’s network and all components of the School District’s network; and digital services of any nature and kind, that is based on digital technology and that is:

- Owned, leased or licensed to the School District;
- Accessed by or through Digital Technology that is owned, leased or licensed to the School District, and that is supplied by the School District to students, employees or volunteers. *“Digital Technology”* includes Computers; Data, servers; networks; the Internet; cell phones; beepers; PDAs; modems; voicemail; e-mail; chat-rooms; instant messaging; user groups; and such similar technologies.

“Malicious Code” shall mean any code in any part of a software system or script that is intended to or that does cause undesired effects, security breaches, degradation to system speed or functionality to or damage to a system; including attack scripts, viruses, malware, worms, Trojan horses, backdoors, time bombs, and malicious active content.

"Pornography" or "Pornographic" includes:

- Any visual or audio depiction, including any photograph, digital image, film, video, picture, recording or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct;
- Nude pictures or images of the genitalia of any male or female or the breasts of any woman, including any photograph, digital image, film, video, picture, or computer or computer-generated image or picture of such; and
- The definition of such terms in any federal or Pennsylvania state statute.

“Storage Device” shall mean any device capable of storing data, code, or programs, including CDs, thumb drives, DVDs, floppys, hard drives, RAM devices or anything or item that has the function of storing or maintaining electronic data of any nature or type.

“Student Record” shall mean any item of information gathered within or outside the District that is directly related to an identifiable student.

“User” shall mean a student, employee or visitor who is using any Digital Technology.

“User ID” shall mean the identification numbers or letters that are unique and that is assigned to the individual student or employee.

## Computer Prohibitions

Students shall not engage in any of the following conduct or behaviors:

<b>Prohibited Conduct and Use of District-Owned Technology</b>	<b>Minimum Infraction Levels</b>			
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
When using the District's Digital Technology, violating any applicable policy of the District or rule contained in this Code (See Board policy 197)				
Violating any applicable School rule when using the School District's Digital Technology (See Board policy 197)				
Using any Digital Technology of the District for any purpose other than for the legitimate educational purposes of District's students	●			
Using any of the District's Computers or Data unless and until a confidential User ID and password has been assigned to the student		●		
Using any of the District's Computers or Data without using his/her User ID and password		●		
Disclosing his/her User ID or password to any other Person unless directed by a properly authorized District administrator to do so		●		
Using or utilize the User ID and/or password belonging to or assigned to any other individual, or impersonate, in any manner, any other person		●		
Opening or logging on to any Computer, software, program or application using, utilizing or inputting the User ID and/or password of any other Person, or using any default or preset User ID and/or password without express authority		●		
Misrepresenting his/her identity when using the District's Computers		●		
Using any Computers when the student has not signed an acknowledgment in the form prescribed by the School District		●		

	Minimum Infraction Levels			
	1	2	3	4
<b>Prohibited Conduct and Use of District-Owned Technology</b>				
attesting to the employee’s understanding of the rules governing the Using of Digital Technology				
Using any software or website in violation of any applicable licensing agreement or applicable terms of use		●		
Failing to report to the building administrator and School District’s technology administrator any time when he/she inadvertently visits or accesses a pornographic site at School or through any School District Computer or Digital Technology		●		
Disconnecting any hardware from any computer without prior explicit direction to do so, except with respect to laptop computers issued with the expectation that they will have hardware, such a printer, connected and disconnected		●		
Bypassing any blocking or security software that may be used or installed by the District			●	
Visiting or accessing pornographic websites at School or through any District Computer or Digital Technology			●	
Violating the legal rights of others via technology			●	
Using Digital Technology to violate any applicable law, Including the Wiretap and Electronic Surveillance Control Act			●	
Incurring any charges or costs of any nature or type to the School District in connection with Digital Technology or your Using of Digital Technology; except as specifically and expressly authorized in accordance with applicable procurement requirements established by the School District or by Applicable Law			●	
Intentionally, willfully, maliciously or through reckless indifference damaging or corrupting the functioning of any Digital Technology or any data stored, either temporarily or permanently on any Digital medium				●

	Minimum Infraction Levels			
	1	2	3	4
<b>Prohibited Conduct and Use of District-Owned Technology</b>				
When using the District Digital Technology, engaging in sexual acts or sending any nude pictures				●
Intentionally entering or hacking into any secure or confidential area of the District’s systems, networks or Computers without proper authorization				●
Knowingly or willfully infecting any Computer with any virus				●
Knowingly or willfully placing any Malicious Code in any Computer, software, or network or network component				●
Using any Digital Technology to hack into anyone else’s Computers or networks in any way or manner that is not authorized				●
Using any data mining, robots, or similar data gathering and extraction methods in violation of any person’s or entity’s rights				●
Deleting or removing any program, application, security feature, or virus protection from any School District Computer without express authorization in writing from an administrator in the technology department				●
Hacking into any hardware and/or software owned or licensed by the School District for any purpose				●
Violating any applicable criminal statute pertaining to computers, property or electronic devices, including Chapter 76 of the Crimes Code, relating to computer offenses. 18 Pa.C.S.A. §7601 <i>et seq.</i>				●
Planting any virus, Malicious Code, pornography or other prohibited content or software on anyone’s Computer, Including the School District’s network or Computers, or any component of the School District’s network or Computers				●
Accessing another’s Computer for any improper or unlawful purpose, including to activate the audio or video functions of the Computer or to search the Computer’s files, documents or codes, without the person’s prior permission and authority				●

## Student-Owned Electronic Devices

“Electronic Device” means and includes all devices that belong to a student or that is brought to School or possessed in School and that is not owned or leased by the District and that can:

- Take or store photographs;
- Record or store audio or video data;
- Store, transmit or receive messages or images; or
- Provide a wireless, unfiltered connection to the Internet, including radios, Walkman, CD players, iPods, MP3 players, DVD players, handheld game consoles, Personal Digital Assistants (PDAs), cellular telephones, smartphones, telephone paging devices/beepers, tablets, ear buds, headphones and laptop computers, as well as any new technology developed with similar capabilities.

## Student Electronic Device Prohibitions.

Students shall not engage in any of the following conduct or behaviors:

	Minimum Infraction Levels			
	1	2	3	4
<b>Prohibited Conduct At School for Student-Owned Electronic Devices</b>				
Using an Electronic Device to harass or threaten a student or other Person	●			
Disrupting the educational environment or a school activity or program with an Electronic Device	●			
Having an Electronic Device out or using an Electronic Device in class without the teacher’s permission	●			
Having an Electronic Device out or using an Electronic Device at School in a manner not approved or authorized at School	●			
Using an Electronic Device at School to make a voice or video call	●			
Using an Electronic Device to engage in any conduct that is prohibited by any of the provisions of this Code	●			
Taking photographs, videos or audio recordings (when the audio recording is not a crime) with an Electronic Device at School	●			
Using an Electronic Device to harass or threaten a student or other Person			●	
Recording any conversation with an Electronic Device at School when not authorized in writing and consistent with educational needs as documented in an IEP, Service Plan, or by a Principal or higher ranking individual			●	
Violating Applicable Law with the use or possession of an Electronic Device				●

	Minimum Infraction Levels			
	1	2	3	4
<b>Prohibited Conduct At School for Student-Owned Electronic Devices</b>				
Using an Electronic Devices for taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including texting and e-mailing				•

**Permitted Uses of Electronic Devices.** Notwithstanding anything herein to the contrary, Electronic Devices may be used in accordance with the following terms, conditions and limitations:

- In class, study hall, advisory, homeroom or at a program or activity of the District in accordance with the rules and directions of the teacher or other persons in charge;
- On a school bus or other vehicle provided by the District in accordance with the rules and directions of the bus driver or other persons in charge; and
- The use does not violate any of the rules set forth in this Code.

