

Code of
Student Conduct
For
Premier Arts and Science
Charter School
2020-2021

PARENT AND STUDENT ACKNOWLEDGMENT

TO: PARENTS/GUARDIANS

The Code of Student Conduct has been developed to help you son or daughter succeed in school. It defines the responsibilities and rights of students attending PASCs School and states the consequences of student actions that disrupt learning. Since parents/guardians can be held responsible for the actions of their children, you should be well informed as to what is considered proper behavior while students are in school and participating in extracurricular activities. Learning is enhanced by working together.

TO: STUDENTS

The Code of Student Conduct informs you about your responsibilities, rights, and the rules you must follow. It also states consequences for misbehavior. You are always expected to show responsible behavior.

TO: PARENTS/GUARDIANS and STUDENTS

The schools need your help and cooperation. Parents/guardians and students are asked to please read and discuss this important booklet together. After reviewing the contents of the Code of Student Conduct, please sign the “**NOTICE OF RECEIPT**” sheet and return it to the school. This form will be kept on file at the school. Your signature does not mean that you agree or disagree with the contents, but just that you received a copy of the code and are aware of its contents. Thank you in advance for your attention to this most important document and for returning the signed receipts.

The Notice for Directory Information, attached as Appendix A, explains your rights and obligations about the disclosure of personal information.

PASCs does not discriminate based on race, color, religion, national origin, sex (gender), marital status, disability, sexual orientation, gender identity, age or legally protected characteristics in its educational programs and activities.

NOTICE OF RECEIPT

PLEASE SIGN AND RETURN THIS FORM

Failure to return this form will not relieve you or your parent/guardian from responsibility to know the contents of the Code of Student Conduct and will not excuse your non-compliance with the Code of Student Conduct.

Student Name (Please Print)

Grade

School

I have received a copy and am aware of the contents of the PASCs Code of Student Conduct. I am aware that supervision is provided 30 minutes before school begins and 30 minutes after school ends.

Parent/Guardian (print name)

Date

Parent/Guardian Signature

Parent/Guardian (print name)

Date

Parent/Guardian Signature

Telephone

STUDENT SIGNATURE

I have received a copy of and instruction on the contents of the PASCs Code of Student Conduct.

Student Signature

Date

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INTRODUCTION

This Code of Student Conduct explains the rights, expectations, and responsibilities of students, parents, and the school.

This Code applies to every student (Kindergarten through grade 5) who is under the authority of PASCS.

The Code is in effect on school property, at school-sponsored events, at school bus stops, and on school buses. You may also be subject to discipline for violation of the Code if your misconduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or if your misconduct is directed at a Board official or employee or the property of such official or employee. The principal or designee may take administrative action if your misconduct on the way to or from school has a harmful effect on the health, safety, or welfare of other students.

It is the policy of the School that misbehavior of any kind will not be tolerated. For instruction to occur in a safe environment, there must be a cooperative relationship between students, parents/guardians, and the school system.

STUDENTS are expected to:

- Assume responsibility for the own behavior;
- Be in school and on time every day, if well, and be ready to learn;
- Respect individuals and property;
- Use appropriate, responsible behavior at all time; and
- Help maintain a safe, alcohol-, drug-, and weapon-free environment.

PARENTS/GUARDIANS have a responsibility to encourage their child's career in school by:

- Supporting the schools in requiring their child(ren) to follow all school rules and regulations and to accept responsibility for their willful in-school behavior;
- Sending their children to school clean, appropriately dressed and in good health;
- Having an active interest in their child's schoolwork and making it possible to complete assigned homework by providing a quiet place and suitable conditions for study;
- Reading all communications from the school, signing, and returning documents promptly when requested; and
- Cooperating with the school in attending conferences and sharing information about school personnel.

The **SCHOOL** is expected to:

- Provide and maintain a safe atmosphere which will encourage positive behavior and high achievement;
- Provide courses of study, programs, and activities to meet the needs of all students;
- Show respect for all individuals by treating them fairly and impartially
- Encourage open communication among students, parents/guardians, community agencies, and school personnel;
- Discipline any student under its supervision, subject to limitations of the law and district policies; and
- Treat parents and other members of the public with courtesy and respect.

STUDENTS WITH DISABILITIES

For discipline procedures for students with disabilities, please refer to the following documents made available to parents and school personnel:

SECTION ONE

RIGHTS AND RESPONSIBILITIES

This section summarizes the rights of students. With each right comes a responsibility.

12.1 FREE EDUCATION AND ATTENDANCE

- a) All persons residing in this Commonwealth between the ages of 6 and 18 years are entitled to a free and full education in the Commonwealth's public schools.
- b) Parents or guardians of all children between the ages of 6 to 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. Students who have not graduated may not be asked to leave the school merely because they have reached 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public schools or from extracurricular activities.

KNOWLEDGE AND OBSERVATION OF RULES OF CONDUCT

Effective learning takes place in an atmosphere where students, parents/guardians, teachers, support staff and school administrators know the rules for all students and the consequences for students who violate the Code of Student Conduct.

Student Responsibilities

- To know and observe school rules and procedures which govern your conduct.
- To become familiar with the Code of Student Conduct, school rules, classroom rules, and bus rules.

Student Rights:

- To receive a copy and explanation of the rules of student conduct.
- To expect the rules to be enforced fairly and without discrimination.

RIGHT TO LEARN AND PARTICIPATE

You have the right to be involved in your education. Age, grade, and maturity are factors which determine the level of your involvement. Participation in school activities is part of learning.

Student Responsibilities:

- To request participation in academic programs and extracurricular activities that match with your abilities.
- To cooperate with the teacher and help create a safe environment.
- To cooperate fully and strive to achieve mastery of the basic skills.
- To treat others equitably and fairly.

- To act in a way to not harass others and to report harassment or discriminatory incidents to school administrators.

Students Rights:

- To attend school in a learning environment where all students and adults are treated equitably without regard to race, color, religion, national origin, age, gender, marital status, disability, sexual orientation, or gender identity. This list is not all inclusive.
- To receive instruction under competent teachers.

12.10 FLAG SALUTE AND THE PLEDGE OF ALLEGIANCE

Student Responsibilities:

- It is the responsibility of every citizen to show proper respect for his country and its flag.

Student Rights:

- Students may decline to recite the pledge of Allegiance and may refrain from saluting the Flag based on 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.

RESPECT FOR PERSONS AND PROPERTY

To be safe in public and private are important safeguards. You, your parent(s) and the school's staff should work together to see that these rights are preserved. You are expected to respect other persons and their property.

Student Responsibilities:

- To treat other students, school personnel and campus visitors with respect.
- To respect others' property by not damaging or taking it.
- To treat school property with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and/or safety of others.
- To avoid conflict and to report and seek adult help, first, when conflict arises. Protect yourself from harm if no other options are available.

Student Rights:

- To be treated with respect by other students, school personnel and campus visitors.
- To expect that your property will be respected by other students and school personnel.
- To have a safe and orderly school.
- To protect yourself and your property against some injury attempted by another.

ATTENDANCE

Your parents are responsible for your attendance as defined by the state's Compulsory School Attendance laws. You are required to attend school from age 6 through 16.

The principal may file a truancy petition or child-in-need-of-services petition for students who have fifteen (15) or more unexcused absences in a period of ninety (90) calendar days.

Student Responsibilities:

- To attend and be on time to school and classes daily.
- To provide the school with an adequate explanation of absences.
- To request and complete make-up assignments as required by the school.
- To complete make-up work with honesty and integrity.

Student Rights:

- To be informed of School policies and individual school rules about absences and tardiness.
- To appeal a decision pertaining to an absence.
- To make up work and tests missed due to excused absences within the time required by the school.

EXCUSED ABSENCES: You must be in school unless you have an excused absence for one of the reasons listed below. It is the responsibility of your parent/guardian to explain the absence from school in a way acceptable to the principal.

The reasons for excused absences include:

- Sickness, injury, death in the family, or some other insurmountable condition (up to six (6) absences for illness per semester with a parental note are allowed).
- Documented appointments with health care professionals.
- Documented absence for religious instruction or for religious holidays.
- Participation in an academic class or a school-sponsored activity approved by the principal.
- Court appearances (a copy of the subpoena is required.)
- Absences due to other individual circumstances may be excused by the principal. All other absences are considered unexcused.

FREE SPEECH, STUDENT PUBLICATION, AND ASSEMBLY

Citizens are guaranteed self-expression under the First and Fourteenth amendments of the United state Constitution. One of the basic purposes of education is to prepare you for responsible self-expression and the free exchange of ideas.

Student Responsibilities:

- To recognize the rights of others by expressing yourself in a manner which does not disrupt the process of education, violate school rules, or interfere wit the rights, safety, and/or welfare of others.
- To observe guidelines provided by school administrators and follow the rules of responsible journalism so as not to slander or libel other persons.

Student Rights:

- To express your viewpoints responsibly without jeopardizing your relations with your teachers or school.
- To print and distribute publication only under the supervision of the principal/designee.

PRIVACY

Federal and state laws provide persons with reasonable expectation of privacy in addition to freedom from unreasonable search and seizure of property. Such guarantees are not unlimited and must be balanced by the school's need to protect the health, safety, and welfare of all. The Family Educational Rights and Privacy Act (FERPA) is a federal law pertaining to maintenance and disclosure of student records as explained in Appendix A of this code.

Student Responsibilities:

- Not to carry or conceal any prohibited material.

- To learn how information is gathered, used, and what it means in your school records.

Student Rights:

- To have privacy of your personal possessions unless appropriate school personnel have reasonable cause to believe you have an object or material which is prohibited by law or the School Board.
- To expect that schools will keep your records safe and private.

DRESS CODE

You are expected to dress for school and school activities in a way that contributes to your health and safety, promotes a positive school learning environment and does not disrupt the events and activities of the school

School Uniforms

You are always required to wear a school uniform while attending school or any school-sponsored activity **during** the school day.

Students' uniforms include shirts, blouses, sweaters, jumpers, shorts, skirts, and long pants. Sweaters, jumpers, shorts, skirts, and pants should be navy blue. Shirts and blouses should be white, maize, or light yellow. Ties should be navy blue, maize, or light yellow. Students' shoes and sneakers should be plain (no lights, no wheels, no fancy decorations, etc.). Students will need to wear sneakers for gym classes.

Clothing must be the appropriate size for you, not be oversized or undersized. The waist of the garment shall be worn so that the waistband is worn at the waist and not below the waist. You may not wear baggy/saggy pants.

Shirts/blouses/dresses must cover midriff, back, and sides always; should be fastened with no visible cleavage or undergarments; and may have a small manufacturer's logo.

Shorts/skirts/jumpers/dresses shall be worn no shorter than "mid thigh." Mid thigh is determined by extending the arms to the sides of the body and finding the tip of the longest finger (using normal posture).

In addition to the above basic uniform, the principal may designate:

1. Collared shirts with a school logo;
2. School-sponsored T-shirts with a crew neck; and
3. More restrictive dress code requirements, if approved by the school's Board of Trustees.

PASCS will provide students/parents with a copy of the school's dress code.

Exceptions

If you enter PASCs system after the start of the school year, you will have a grace period of ten (10) school days before being required to wear the school uniform.

You may wear special clothing necessary for a school-sponsored activity, as permitted by the principal.

The Principal may waive the school uniform policy on a case-by-case basis for reasons such as, but not limited to, medical necessity or sincerely held religious belief.

Shoes

Shoes must be safe and appropriate. You may not wear bedroom slippers or shoes with wheels. A manufacturer's logo/image is acceptable. You must wear shoes that are closed toe and closed heel and/or athletic shoes; you may not wear platforms, sandals, flip flops, crocs, or jellies.

Outer Garment

You may wear coats, jackets, sweatshirts, sweaters, or other appropriate outer garments when necessary due to weather conditions or for other legitimate reasons. The outer garments must be of the appropriate size for you and shall not be overly baggy or violate any other provisions of the dress code.

You may not wear:

- A. Clothing that is not properly fastened;
- B. Clothing that is torn, has holes, or pants that are frayed;
- C. Athletic shorts, cut-off pants, short-shorts, or running shorts;
- D. Visible undergarments, sleepwear or outer garments traditionally designed as undergarments such as boxer shorts, or bras;
- E. Outer garments or accessories (such as backpacks, jewelry, and purses) which have slogans, signs, images, or symbols that:
 - Promote drugs, alcohol, tobacco, gang identification, weapons, or lewd sexual behavior or
 - Denigrate or promote discrimination for or against an individual or group based on age, color, disability, national origin, sexual orientation, race, religion or gender.A manufacturer's logo/image is acceptable;
- F. Hats, headgear, or other head coverings inside the school building, except when approved by the principal/designee;

- G. Body piercings, except for earrings on the ears. All other body piercing jewelry must be removed or concealed;
- H. Jewelry or accessories that may be used as weapons, such as chains, spiked jewelry or arm bands;
- I. Combs, curlers, or hair picks; or
- J. Sunglasses inside the school building.

You may wear sunglasses, hats or other sun-protective wear while outdoors during school hours.

General Dress Code Requirements

This general dress code applies to students who are exempt from the uniform requirement **and** to all students while attending school-sponsored activities **after** the regular school day.

You may not:

- A. Wear clothes and accessories that are dangerous to health or safety and are distracting or disruptive;
- B. Dress in a way that reveals private body area(s) or undergarments;
- C. Wear clothing or accessories that have slogans, signs, images, or symbols that:
 - Promote drugs, alcohol, tobacco, gang identification, weapons, or lewd sexual behavior; or
 - Denigrate or promote discrimination for or against an individual or group based on age, color, disability, national origin, sexual orientation, race, religion or gender.

The principal or designee has the authority to decide if your clothing complies with Board policy.

STUDENT RULES FOR RIDING SCHOOL BUSES

It is a privilege to ride a school bus. You may receive a bus misconduct referral for behavior that distracts the driver, disrupts order on the bus, or endangers the health or safety of others. Cameras may be used to record your behavior on the school bus.

You must:

1. Be at the bus stop five (5) minutes before your scheduled pick-up time and follow all school rules.
2. Not cross the road before the bus arrives at the stop or after the bus departs from the stop.

3. Stand off the roadway while waiting for the bus.
4. Cross the road ten (10) feet in front of the bus, when boarding or departing, **after** the driver signals that it is clear to cross.
5. Obey the driver.
6. Sit according to the seating chart.
7. Remain seated when the bus is in motion.
8. Keep your arms, legs, head and objects inside the windows.
9. Remain quiet. Unnecessary conversation with the driver is dangerous.
10. Always observe classroom conduct while aboard the bus.
11. Not eat, drink or have or use tobacco products.
12. Ride only the assigned bus to and from school. You may not get off at a different stop or ride a different bus unless your parent has given written permission, with principal approval, and room is available on the bus. Parents assume responsibility.
13. Not bring large boxes, cages, firearms, knives, glass bottles, animals, reptiles, offensive materials, skateboards, etc., on the bus. Band instruments too large to fit in your lap or under the seat are not permitted.
14. Pay for any damage you do to a school bus or to School Board property within ten (10) days after billing.

***Note:** Your safety is our primary concern. Bus stops are carefully selected so that it is not necessary for you to cross more than two (2) lanes of traffic to reach the bus stop. Therefore, do not cross a road wider than two (2) lanes to reach your stop. **If you need to cross a two (2) lane road to reach the bus stop, wait on your side of the road until the bus arrives.** If your place of residence changes after being assigned a stop, please notify the school so that a new stop can be arranged.

STUDENT RULES FOR COMPUTER USE

You are responsible for appropriate behavior on computers at school. Computer files, including e-mail, are not private. The use of the school's computers and computer networks, computer software, data files, Internet access, and intellectual property is intended for educational purposes only and is a privilege. The privilege may be revoked, or other disciplinary action taken for violation of any of the following rules. You may **not**:

1. Share computer account IDs and passwords, except when authorized.

2. Create, copy, receive, or use data, language or graphics which are obscene, abusive, harassing, or otherwise inappropriate at school.
3. Access, change, or delete computer programs, data files or electronic mail belonging to others, without express permission.
4. Steal or destroy the school's computer hardware or peripherals (printers, mouse, monitors, modems, cables, connectors, etc.).
5. Steal or destroy computer software or data files owned by the school or other persons.
6. Violate or attempt to violate the security of the computer/network systems; you may not attach or install any personal communication device to the District's computer/network systems.
7. Take unauthorized actions which deny access to, disrupt, or destroy the service of the computer/network systems.
8. Make unauthorized or unlawful installation of personal computer software on the school's computers or the computer networks, including, but not limited to, games, virus programs, and applications software. Student-provided software must be used only in accordance with the license agreement.
9. Use computers, computer networks, or computer peripherals (printer, mouse, monitors, modems, etc.) to commit forgery or to create a forged instrument.
10. Reveal personal address, phone numbers, or other personal information of self or classmates without approval of teacher or parent.
11. Use the school network resources or the internet for product advertisement, commercial activities, political campaigning, or solicitation.
12. Use computers, computer networks, computer software, data files or intellectual property in any unauthorized way. Messages relating to or in support of activities that are prohibited by law or Board policy will be reported to the authorities and may result in the loss of user privileges and/or other discipline.

SECTION TWO

DISCIPLINE BY LEVELS

The principal or designee is responsible for discipline and has a reasonable degree of discretion in determining the severity of misconduct and the appropriate consequence. Administrators and teachers may develop specific rules and disciplinary practices which supplement this Code but do not conflict with it. If a principal or designee needs to deviate from the range of consequences shown, he/she will write the rationale and place it in the discipline folder. The principal is authorized to take disciplinary action in response to all misbehavior. Corporal punishment is prohibited by the Board.

For any misbehavior, the teacher or principal/designee will listen to your explanation and, when needed, talk to other persons involved and investigate further. The teacher or principal/designee may contact your parents.

Several factors will be considered in determining the level of misbehavior and the resulting consequences. These factors include, but are not limited to:

- Seriousness of offense
- Planning, impulse, or self-defense
- Age
- Disability, if any
- Strength of evidence
- Cooperation/remorse
- Disciplinary history, if any

Behaviors and their consequences are divided into four levels. Each level represents progressively more serious misbehavior and consequence.

LEVEL IV DISCIPLINE

Level IV offenses are least serious acts of misconduct which interfere with orderly classroom or school procedures, or your own learning. These offenses may be handled first by the teacher or other professional staff members. You may also be referred to the principal or designee.

The following actions may be taken in response to Level IV misconduct:

- Verbal reprimand
- Time out
- Withdrawal of privileges
- Parent notification

- Counseling
- Agreement

LEVEL III DISCIPLINE

Level III offenses are serious acts of misconduct which require administrative action. Such offenses include repeated minor misconduct and acts directed against persons or property. These offenses do not seriously endanger the health or safety of others or yourself.

The following actions may be taken in response to Level III misconduct:

- Time out
- Withdrawal of privileges
- Parent notification
- Counseling
- Work detail/restitution
- Detention
- Behavior contract
- In-school suspension/detention

LEVEL II DISCIPLINE

Level II offenses are more serious acts of misconduct, including repeated similar misbehavior, serious disruptions of school and threats to health, safety, or property. These offenses are reported to the principal/designee and may result in your suspension from school, the school bus, or extracurricular activities.

The following actions may be taken in response to Level II misconduct:

- Behavior contract
- After-school detention
- In-school suspension/detention
- Suspension from extracurricular activities
- Bus suspension
- Out-of-school suspension

LEVEL I DISCIPLINE

Level I offenses are the most serious acts of misconduct; they must be reported immediately to the principal/designee. These violations may require a report to a law enforcement agency. If you commit a Level I offense, you will be suspended from the regular education program and the principal/designee may recommend alternative placement or expulsion. Such acts may also result in criminal penalties.

The following actions may be taken in response to Level I misconduct:

- In-school suspension/detention
- Bus suspension
- Out-of-school suspension
- Recommend long-term bus suspension
- Recommend alternative placement
- Recommend expulsion
- Report of law enforcement

SECTION THREE

PROHIBITIONS AND NOTICES

You are expected to behave appropriately at school. Misbehavior that violates the rights of others, disrupts the school, or interferes with learning is not acceptable. These include, but are not limited to the following misbehaviors as defined in the glossary:

- Abusive language
- Assault/threat
- Battery
- Burglary
- Cheating
- Classroom disruptions
- Computer misuse
- Defiance
- Disorderly conduct
- Fighting
- Forgery
- Gambling
- Harassment
- Public displays of affection
- Robbery
- Sex offenses
- Skipping
- Tardy
- Theft
- Trespassing
- Unsafe actions
- Vandalism

VIOLENCE AGAINST SCHOOL DISTRICT PERSONNEL

Battery or assault against any school personnel by a student is a Level I violation of this Code. If you deliberately and knowingly use force or violence against a school personnel, you will be suspended from school and the principal will recommend that you be expelled.

ZERO TOLERANCE OF SCHOOL-RELATED CRIMES

The School Board has zero tolerance of crimes, violence, weapons and drugs. This includes the reporting of acts that pose a serious threat to school safety whenever and wherever you are under the authority of the School Board. Such acts include, but are not limited to:

- Homicide (murder, manslaughter);
- Sexual battery;
- Armed robbery;
- Aggravated battery;
- Battery or aggravated battery on teachers or other school personnel;
- Kidnapping or abduction;
- Arson;
- Possession, use or sale of illegal drugs;
- Possession, use or sale of any firearm;
- Possession, use or sale of any explosive device; or
- Making a threat or false report about placing or discharging any destructive device, bomb or explosive.

If you are a victim of a crime at school, you have the right to press charges against the offender.

WEAPONS (See Glossary)

Weapons and use of weapons are prohibited on school property, including buses, at school-sponsored activities and in any vehicle brought onto school property or to a school-sponsored activity. You may not possess common pocketknives, plastic knives or blunt-bladed table knives. Violation of this prohibition is a serious breach of conduct.

1. Firearms/Explosives

You may not **have in your possession, sell, distribute, display, transfer or use** any firearm or explosive, whether operable or inoperable. If you do, you will be suspended from school for ten (10) days, and the principal will recommend that you be expelled.

If you **bring or are in possession of** a firearm at school, you will be expelled from regular school for not less than one year and referred for criminal prosecution.

2. Other Weapons

If you **possess, sell, distribute, display** or **transfer** a weapon of any type, other than a firearm or explosive, you will be suspended from school for five (5) to ten (10) days and the principal may recommend that you be expelled. Firecrackers, fireworks and M80s are included in this category.

If you **bring** a weapon, as defined in Act 26 (24PS§-13-1317.2) of PA Code, to school, you will be expelled from the regular school for not less than one year and referred for criminal prosecution.

If you **use** a weapon of any type, including pointed or sharp instruments such as ice picks, penknives or razor blades, you will be suspended from school for ten (10) days and the principal will recommend that you be expelled.

3. Non-Weapons Used as Weapons

If you **use as a weapon** any article or substance not normally considered a weapon (like rocks, pens, pencils), you will be suspended for ten (10) days, and the principal will recommend that you be expelled.

For students with disabilities, the mandatory penalties in this policy are subject to the procedures for discipline of students with disabilities.

ALCOHOL AND DRUGS (See Glossary)

The use of illegal drugs and the unlawful possession and use of alcohol are wrong and harmful and are violations of this Code.

You may not **possess, sell, transfer, distribute** or **use**:

- Any alcoholic beverage,
- Any controlled drugs,
- Hallucinogens, or
- Similar substances

on school property, including buses, and at school-sponsored activities, except those specifically prescribed by a licensed physician.

1. Violation of this prohibition is a serious breach of conduct. The school will notify law enforcement officials and your parent(s) or guardian(s).
2. If you **possess, use** or **are under the influence of** any item listed above, except under the direction of a licensed physician, you will be suspended from school for a period of five (5) to ten (10) days for the first offense and the principal may recommend that you be reassigned to an alternative placement or be expelled. For a second offense, you will be suspended for ten (10) days and the principal will consider alternative placement or expulsion. The principal may consider your record in other schools and school districts.
3. If you **sell** any item listed above or that you represent to be any item listed above, you will be suspended from school for ten (10) days for the first offense and the principal will recommend that you be expelled. If you **solicit a sale, transfer, or distribution** other than selling, you will be suspended from school for five (5) to then (10) days and the principal may recommend that you be expelled. For a second transfer or distribution offense, you will be suspended for ten (10) days and the principal will recommend that you be expelled.
4. You may not **use any illegal substance to attain a mood-altering effect** and you may not **possess** any equipment or device for preparing or taking drugs.
5. If you are found guilty of a felony under PA law, you may be recommended to be expelled.
6. You may be entitled to a waiver of discipline or expulsion if you divulge information leading to the arrest and conviction of the person who supplied such controlled substance to you or if you voluntarily disclose your unlawful possession of such controlled substance prior to your arrest. A waiver also may be granted if you successfully complete a state-licensed drug abuse treatment program.
7. If you are charged with any drug or alcohol offense, you will be referred to a School Board-approved counseling program and you may be granted a reduction in consequence if you satisfactorily participate in and complete such program, i.e., family counseling, substance abuse awareness etc. Failure to complete such program will result in the reinstatement of the original consequence.

If you have a doctor's orders to take prescription medicine at school, it is important to first notify the school principal or designee so that you know the proper procedures to follow.

For students with disabilities, the mandatory penalties provided by this policy shall be subject to the procedures for discipline of students with disabilities.

TOBACCO PRODUCTS (See Glossary)

You may not *use, possess, distribute or sell* tobacco products (including papers used to roll cigarettes) on school property, at school-sponsored events, at school bus stops or on school buses. In addition, it is unlawful for any person under 18 years of age to *knowingly possess* any tobacco product.

MISCONDUCT OF SCHOOL BUS/AT BUS STOP

If you ride a school bus, you are expected to follow the Code of Student Conduct. Disruptive behavior on a school bus or at a school bus stop is a violation of the Code of Student Conduct. You may have your bus-riding privileges suspended and may also be suspended from school if you misbehave on the bus. See Bus Rules on page 9-10.

BULLYING AND SEXUAL HARASSMENT

The School Board will not tolerate bullying or harassment of any type, including sexual harassment

- During any school education program or activity;
- During any school-related or school-sponsored program or activity or on a school bus or school bus stop; or
- Using computers, cell phones or any other electronic means.

If you are found to have committed an act of bullying or harassment, including sexual harassment, or found to have falsely accused another as a means of bullying or harassment, you may receive positive behavioral interventions or be disciplined up to and including suspension or expulsion.

If you or your parent/guardian believes you have been the victim of bullying or harassment, immediately report the situation to your teacher, school counselor, school principal or designee, or other school staff.

Filing of a complaint or otherwise reporting sexual harassment will not affect your status, participation in extracurricular activities, future grades or work assignments.

HAZING (See Glossary)

The Board prohibits hazing activities at any time on school property or at school-sponsored events. Even if you are only a by-stander, you may be deemed to be a participant if you stay present during a hazing incident. Student by-standers are expected to leave the area immediately and are encouraged to report the incident.

FALSE ACCUSATIONS

It is a Level I violation to intentionally make false accusations that jeopardize the professional reputation, employment, or professional certification of a teacher or other member of the school staff.

PERMANENT REMOVAL OF STUDENT FROM CLASS

You may be removed from class by a teacher for chronic misbehavior which interferes with the teacher's ability to communicate effectively with the class or interferes with the

ability of your classmates to learn. The circumstances and facts of your case shall be sent to the school's Placement Review Committee for their consideration. The Placement Review Committee has among its options to permanently remove you from a teacher's classroom.

WIRELESS COMMUNICATION/ELECTRONIC DEVICES (See Glossary)

Rules for Possession, Display and Use:

1. You may possess wireless communication or electronic devices at school, but they may only be used after the final dismissal bell.
2. To avoid classroom disruptions, you may not display, use, or activate wireless communication or electronic devices prior to the final dismissal bell. The prohibited time shall include study halls, lunch breaks, class changes and any other structures or non-structured activity.
3. You are responsible to ensure that your device is turned off and out of sight until the final dismissal bell.
4. After the final dismissal bell, you may use wireless communication or electronic devices except not on school buses.
5. At school-sponsored activities, including extended day and other after-school programs, you may use a wireless communication or electronic device provided the use does not interfere with the activity and follows the directives of the school administration. You may be disciplined for disruptive or inappropriate behavior related to possession or use of wireless communication or electronic devices.
6. On regular school bus runs, you may carry wireless communication or electronic devices, but the devices must be concealed in a backpack, pocket, pocketbook, or other container. You may not use, activate, or display any wireless communication or electronic device on a bus.
7. Under no circumstances should your wireless communication or electronic device be used inappropriately. Such inappropriate use includes, but is not limited to: texting, phoning, or web surfing until the final dismissal bell; taping conversation, music or other audio; photographic or videoing self or others; and any other activity that could in any way infringe on the rights of others including, but not limited to, teachers, students and staff.

The School Board is not responsible under any circumstances for the loss, destruction, damage and/or theft of wireless communication or electronic devices or any communication bill associated with the authorized or unauthorized use of the wireless communication devices. You are responsible for locating any lost or stolen items. The misuse of a wireless communication or electronic device may result in the imposition of disciplinary action by the school and/or criminal penalties if the device is used in a criminal act. Misuse may also result in the confiscation of the device.

THREATS OR FALSE REPORTS

If you are found to have made a threat or false report as defined in 18 PA.C.S § 4906 (a) and 4702 of PA Code, involving school or school personnel's property, school transportation, or a school-sponsored activity, you will be expelled from the regular school for not less than one year and referred for criminal prosecution.

EXCLUSION FROM EXTRA-CURRICULAR ACTIVITIES

Extra-curricular activities are offered in order to extend learning beyond the normal school day. These activities are supplemental to the school's core curriculum and are privileges, not rights. This includes participation in and/or spectator attendance at any extracurricular activity or event. You are always expected to behave appropriately while participating in or attending these activities. All school and Board rules and regulations are in effect during any extracurricular activity, whether held on or away from campus.

In addition to any other disciplinary consequence as a result of misbehavior, the principal may revoke your participation in or attendance at extracurricular activities.

STANDARDS FOR USE OF REASONABLE FORCE

Administrators, teachers, and support staff may use and apply reasonable force and restraint for self-protection or for the protection of other students from physically disruptive students.

VIOLATION OF DRESS CODE

If the principal determines that your clothing does not comply with Board policy, your parent/guardian may be asked to bring an appropriate change of clothes to school or may be asked to leave an after-school activity. You may also receive a disciplinary consequence for violating the school's dress code policy. Repeated violations may result in progressively more serious consequences.

You may appeal the principal's decision through the Student Grievance Procedure.

You will not be denied attendance at school or be otherwise penalized for failing to wear clothing that complies with the school uniform, if such failure is due to financial hardship. Your parent/guardian should notify the principal if assistance is needed.

SECTION FOUR

PROCEDURES

STUDENT DETENTION, SEARCH AND SEIZURE

You may be temporarily detained and questioned about possible violations of School Board rules. The principal or designee may search your locker or other storage areas upon reasonable suspicion that a prohibited or illegally possessed substance or object is contained within the area. In addition, metal detectors and trained dogs may be used to screen for prohibited weapons and substances.

12.14 SEARCHES

- a) Illegal or prohibited materials seized during a student search may be used as evidence against the student in a school disciplinary proceeding.
- b) Prior to a search on personal items, students shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the personal item contains material that pose a threat to the health, welfare, or safety of students in the school, students' personal items may be searched without warning.

OUT-OF-SCHOOL SUSPENSION (See Glossary)

The principal or administrative designee has the right to suspend you from school for a serious act of misconduct (Level I or II offense under the Code). The procedure below shall be followed for suspension from school:

1. You will receive oral and written notice of the charges and an explanation of the evidence against you. In a conference, you will have an opportunity to respond to the charges and to explain your behavior.
2. If the principal or designee determines that there are enough grounds for suspension, then you will be informed that you are being suspended from school and for what length of time. You will normally be suspended effective at the end of the school day.
3. The principal or designee will make a good faith effort immediately to contact your parent or guardian by telephone and will also send written notice to your parent or guardian. The notice will state the length of the suspension and the reasons for it.
4. If suspended, you will be released to your parents/guardians with specific homework assignments to complete.
5. You or your parent may appeal a suspension decision through the Student Grievance procedure. See Section Five of this Code.
6. In an emergency the principal may temporarily suspend you prior to a conference when the safety or health of students, staff or other persons in the school may be threatened by your continued presence. When temporary suspension is necessary, the principal will inform your parent or guardian by the most rapid means (including telephone). As soon as feasible under the circumstances, the principal will hold a conference with you and your parents. Following the

conference, the principal may formally suspend you; however, in no case shall the principal's temporary and formal suspensions exceed ten (10) days for the same offense.

If you are a student with a disability, the principal will follow the discipline procedures for students with disabilities.

EXPULSION

1. Expulsion shall mean exclusion from school for an offense for a period exceeding ten (10) school days and may mean permanent expulsion from the school rolls.
 - a. All expulsions require a prior formal hearing
 - b. During the period prior to the hearing and decision of the Board of School Trustees in an expulsion case, the student can be suspended, but shall first be informed of the reasons and given an opportunity to respond.
 - c. The student may be suspended from school for more than ten (10) school days if the formal hearing is not reasonably delayed. Any student so excluded shall be provided with alternative education which may include home study.
 - d. Student and parent(s) should be advised of this process and their right to obtain legal counsel.
2. The following of offenses are designated by the Board of Trustees of PASCS as offenses which subject a student to exclusion from school (suspension up to ten (10) days or expulsion, which may be permanent)
 - a. A flagrant or persistent misbehavior on school property, in school vehicles or buildings, including but not necessarily limited to fighting, stealing, excessive tardiness, leaving school grounds without permission, disorderly conduct, violation of this Code of Student Conduct and any other school regulations, interfering with the rights of others and/or the orderly administration of the school.
 - b. Misbehavior with respect to school property, including, but not necessarily limited to entering a school building without proper authorization, and defacement or destruction of school property. Repair costs for damage caused by vandalism or misconduct shall be paid by the person(s) and/or legal parent or guardian of the student causing the damage.
 - c. A criminal act, as defined in the Pennsylvania Crimes Code, committed on school property, vehicles or buildings.

Hearings

1. A formal hearing is required in all expulsion actions. This hearing may be held before the Board of Trustees or a duly authorized committee of the board, or

- a qualified hearing examiner appointed by the Board. Where the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student. The following due process requirements are to be observed regarding the formal hearing:
- a. Notification of the charges shall be sent to the student's parent(s) or guardian by certified mail-Sufficient notice of the time and place of the time and place of the hearing must be given.
 - b. The hearing shall be held in private unless the student or parent requests a public hearing.
 - c. The student has the right to be represented by counsel.
 - d. The student has the right to be presented with the names of witnesses against the student and upon request, copies of any existing statements and affidavits of those witnesses.
 - e. The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.
 - f. The student has the right to testify and present witnesses on his or her own behalf.
 - g. A record must be kept of the hearing, either by a stenographer or by a tape recorder. The student is entitled at the student's expense, to a copy of the transcript.
 - h. The processing must be held with all reasonable speed.
 - i. Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate Federal District Court.
2. In those instances where an informal hearing is required, an informal hearing with an appropriate school official will be held to enable the student to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is meant to encourage the student's parent(s) or guardian to meet with the principal to discuss ways by which future offenses can be avoided. The following due process requirements are to be observed regarding the informal hearing.
- a. Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.
 - b. Enough notice of the time and place of the normal hearing shall be given.
 - c. A student has the right to speak and produce witnesses on his or her own behalf.
 - d. The Board of Trustees shall schedule the informal hearing within the first three (3) days of the suspension, and if said hearing is postponed at the

request of the student or parent(s), or if the student fails to attend, the suspension may be continued.

SUSPENSION FROM BUS-RIDING PRIVILEGES

The principal or designee has the right to suspend a student from bus-riding privileges for a period up to ten (10) days. On recommendation of the principal, the Board may suspend your bus riding privileges for a longer period. Long-term suspension of bus privileges will be based on persistent misconduct which disrupts order on the bus and endangers the health, safety, or welfare of other students riding the bus, or on a single incident of conduct which shows reckless or willful disregard of the safety of the driver or others.

1. If you have received three (3) or more bus misconduct referrals within a school year, the principal can suspend the student for longer. Your parent or guardian will receive written notice of the principal's decision.
2. If you are recommended for long-term suspension of bus privileges, the principal will notify your parent or guardian of the time and place when the Board will consider the matter. Your parent or guardian may request a hearing before the Board-designated hearing agent, within ten (10) calendar days from receipt of the principal's notice.
3. When Board action on a recommendation for long-term bus suspension is pending, the principal may extend the bus suspension beyond ten (10) days until the next meeting of the Board. Your parent or guardian will be notified in writing of any extension.
4. When the Board reaches a decision concerning suspension of bus riding privileges, notice of that decision will be sent to all parties by hand delivery or U.S. mail. The decision of the Board is final.

If you are a student with a disability, the principal will follow the discipline procedures for students with disabilities.

SECTION FIVE

GREIVANCE PROCEDURES FOR STUDENTS AND PARENTS/GUARDIANS

Student Right

You have a right to file a complaint if you feel that you have been treated in an unfair way.

Student Responsibility

You have a responsibility to learn about and follow procedures for filing a complaint.

A grievance procedure is used when a student believes there has been a violation of the procedures in the Code of Student Conduct. Unless otherwise provided, a student grievance may be pursued in order through three levels:

LEVEL I—INFORMAL DISCUSSION

You or your parent/guardian should discuss your complaint with the person responsible for what you or your parent/guardian believes to be unfair treatment under the Code of Student Conduct. A meeting and discussion should occur within five (5) school days after the time of the alleged unfair treatment. No grievance will be processed until after such informal discussions have taken place.

LEVEL II—SCHOOL PRINCIPAL

If the grievance has not been resolved at Level I, the informal level, you and/or your parent/guardian may submit a completed Student Grievance Form to the principal within five (5) school days after the Level I discussion. The principal will have five (5) school days after the receipt of the grievance in which to hold a conference and provide a written decision.

LEVEL III—SCHOOL BOARD OF TRUSTEES

If the grievance has not been resolved at Level II, you and/or your parent/guardian may, within five (5) school days after the receipt of the principal's decision, submit the Student Grievance Form to the School Board of Trustees designee, who will review the grievance and will respond in writing to all parties within ten (10) school days after receipt of the grievance form.

Student Grievance Forms are available in the office.

GLOSSARY OF TERMS

Abusive Language: Using insulting/offensive language, swearing, cursing, or vulgar words.

Aggravated Battery: When a person intentionally or knowingly causes great bodily harm or permanent disfigurement or uses a deadly weapon.

Alcohol: Possession, sale, purchase, or use of alcoholic beverages.

Arson: Intentionally setting fire on/with school property.

Assault/Threat: See **Threat/Intimidation** below.

Battery: The willful use of force or violence on another person.

Breaking and Entering/Burglary: The unlawful entry into a building or other structure or vehicle with the intent to commit a felony or theft.

Bullying: Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment or unreasonably interfere with the individual's school performance or participation. May involve teasing; threat; intimidation; stalking; cyberstalking; cyberbullying; physical violence; theft; sexual, religious, or racial harassment; public humiliation; or damage to or destruction of property.

Cheating: Willful or deliberate unauthorized use of the work of another person for academic purposes, or inappropriate use of notes or other materials in the completion of an academic assignment or test.

Classroom Disruptions: Any act which disrupts the orderly learning environment.

Computer Misuse: Inappropriate use, including but not limited to breaking into restricted accounts or networks, modifying files without permission, illegally copying software, and entering or distributing unauthorized files.

Cyber-bullying: Includes tormenting, threatening, taunting, ranking, degrading, harassing, humiliating or otherwise targeting a student or staff member using the Internet, interactive and digital technologies or cell phones or inviting others to join in these acts.

Defiance: Boldly resisting or openly challenging school authority.

Detention: Remaining after school as an alternative to suspension for certain misconduct.

Disruption on Campus: Disruptive behavior that poses a serious threat to the learning environment, health, safety, and/or welfare of others.

Drugs (excluding alcohol): Violation of the Board's prohibition of the possession, sale, transfer, distribution, or use of any controlled drugs. (Also prohibited are sale of any substance represented by the student to be a controlled substance; the use of any legal substance to attain a mood-altering effect; and the possession of any equipment or device for preparing or taking drugs.

Expulsion: The removal of the right and obligation of a student to attend a public school for a period not to exceed the remainder of the term or school year and one additional year of attendance.

Electronic Devices: See **Wireless Communication Devices** below.

Fighting (Mutual altercation): At least two students mutually participating in a physical fight.

Forgery: The making of a false or misleading written communication to a school staff member with either the intent to deceive the staff member or under circumstances which would be reasonably calculated to deceive the staff member.

Gambling: Any participation in games (or activities) of chance of money and/or other things of value.

Gang Identification: Grooming, accessories or clothing which local law enforcement or other community agencies currently consider to be gang related are prohibited. These may include but are not limited to items with gang names, initials or monikers, gang related tattoos or scars, and any manner of grooming or dress which by its color, arrangement, trademark or other attribute is gang related.

Harassment: Any threatening, insulting or dehumanizing gesture that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, has the effect of substantially interfering with a student's educational performance, opportunities or benefits, or has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes a substantial emotional distress in such person and serves no legitimate purpose.

Hazing: Any action or situation, whether on or off school premises, that recklessly or intentionally, endangers the mental or physical health or safety of a student for purposes such as, but not limited to, initiation or admission into or affiliation with any school-sanctioned activity or organization.

Homicide: The unlawful killing of one human being by another.

In-School Suspension/Detention: The temporary removal of a student from the student's regular school program and placement in an alternative program, under the supervision of school district personnel, for a period not to exceed ten (10) school days. The student remains in attendance for the school day(s) assigned and can continue appropriated curriculum standards without academic penalty.

Kidnapping: Forcibly, secretly or by threat confining, abducting or imprisoning another person against their will.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle, including, but not limited to, cars, trucks, motorcycles, and mopeds.

Out-of-School Suspension: The temporary removal of a student from all classes of instruction on public school grounds and all other school-sponsored activities, except as authorized by the principal/designee, for a period not to exceed ten (10) school days, beginning at the end of the school day.

Progressive Discipline: When a student commits the same offense repeatedly, the consequence may become more serious.

Public Display of Affection: Inappropriate public display of affection (PDA) on a school campus or at a school-related activity is not allowed. Any such display may be subject to disciplinary action. PDA may include, but is not limited to, kissing, fondling, "dirty dancing," sitting on laps, inappropriate touching, etc.

Restitution: Restoring or paying for damaged or stolen property.

Robbery/Extortion (Using force): The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force, or threat of force or violence, and/or by putting the victim in fear.

Sex Offenses: Sexual behavior or conduct without force or threat of force. Includes, but is not limited to, lewd, sexual gestures, and indecent exposure.

Sexual Battery (Includes attempted): Any sexual act of attempted or actual forcible penetration.

Sexual Harassment: Consists of unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written, or physical contact of a sexual nature when such conduct substantially interferes with a student's academic performance or creates an intimidating, hostile or offensive school environment. It includes, but is not limited to, verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome or inappropriate touching, or suggesting or demanding sexual involvement accompanied by implied or explicit threats.

Skipping: Intentionally missing class(es) or days of school without knowledge or permission of parent/guardian.

Smoking/Tobacco: The use, possession, distribution, or sale of tobacco products on school property, at school functions, on school buses, or at extracurricular/co-curricular activities.

Stealing: See **Theft/Larceny** below.

Tardy: Unexcused lateness to school or class.

Theft/Larceny (\$300 or more): The unlawful taking, carrying, concealing or riding away with property of another person.

Theft/Petit Larceny (less than \$300): The unlawful taking, carrying, concealing or riding away with property of another person.

Threat/Intimidation: Placing another person in fear of physical harm with or without the use of a weapon. Must include all the following elements: intent, fear of physical harm, and capability (also may be know as “assault”).

Tobacco Products: Cigars, cigarettes, pipe tobacco, chewing tobacco, snuff or any matter or substances that contain tobacco, and papers used to roll cigarettes.

Trespassing: To enter or remain on public school property or at a school sponsored event without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion.

Unsafe Act/Action: Any behavior which compromises the safety of any individual, including, but not limited to, hitting, kicking, slapping, or use of laser pointers.

Vandalism (\$1000 or more): The intentional destruction, damage, or defacement of public or private property, without the consent of the owner or the person having custody or control of it including, but not limited to, graffiti.

Vandalism—Minor (less than \$1000): The intentional destruction, damage, or defacement of public or private property, without the consent of the owner or the person having custody or control of it including, but not limited to, graffiti.

Weapons: Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether operable, inoperable, loaded or unloaded), sword, sword cane, knives (except common pocket knives, plastic knives and blunt-bladed knives), box cutters, razors, clubs, electric weapons or devices, metallic knuckles, martial arts weapons, ammunition, destructive devices, and explosives and look-alike items that closely resemble weapons or operate similarly. The term “weapon” also means any object which, capable of inflicting serious bodily harm, as well as endangering the health and safety of persons. Weapons are

prohibited in vehicles at school-sponsored events and in vehicles on the property of the school.

Wireless Communication/Electronic Devices: Portable telecommunication devices, including cellular telephones, beepers, walkie-talkies, personal digital assistants, electronic computing devices, games and mp3 players. This term will also include any new technology developed for similar purposes.

Work Detail: Supervised activities related to the upkeep and maintenance of school facilities, as an alternative to other disciplinary action. May only be used after parental approval.

APPENDIX A

Family Educational Rights and Privacy Act (FERPA) Notice for Directory Information

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the School Board, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. The School Board may, however, disclose appropriately designated directory information without written consent unless you have advised the school to the contrary in accordance with school procedures. The primary purpose of directory information is to allow the School Board to include this type of information in certain school publications. Examples include:

- A playbill showing your child's role in a production
- The yearbook
- The honor roll or recognition lists
- Graduation programs
- Sports activity sheets, e.g., for a wrestling meet, showing weight/height of team members
- Photographs and videotapes

Directory information, which is information that is generally not considered harmful or an invasion of privacy if release, can be disclosed to outside organizations without a parent's prior consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish year books.

A parent or eligible student may file a written complaint with the Family Policy Compliance Office (U.S. Department of Education, 400 Maryland Avenue SW, Washington DC 20202-5920) if it is believed that a violation of the act has occurred.

You must notify the school in writing by September 27, 2019 or within six (6) weeks of school enrollment, which ever is later, if you do not want the School Board to disclose directory information from your child's education records without your prior written consent.

The Board designates the following personally identifiable information contained in school education records as "Directory Information."

1. Student's name
2. Student's address
3. Student's telephone number if it is a listed number
4. Major field of study
5. Date and place of birth
6. Date of attendance
7. Participation in officially recognized activities and sports
8. Degrees and awards received
9. Weight/height of members of athletic teams

10. Most recent previous educational agency or institution attended