

BLUE MOUNTAIN MIDDLE SCHOOL



Student - Parent Handbook
2006 - 2007

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**PLAINTIFF'S
EXHIBIT**
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Promotion

Students must earn 5 units to be promoted to the next grade. While two units may be earned in rotational courses, 4 of the 5 units must be earned in major subjects.

Assignment to grade level is also considered in the grade level promotion process. The principal evaluates such factors as chronological age, and social/physical development in determining what grade level is most appropriate for the student.

Class Attendance

If students are absent for thirty days during the school year, they may be subject to failure for the course(s) in which they are enrolled during that period. For semester courses, fifteen days will apply, and all other courses meeting less than a full year will use the same fractional time (1/6) for this policy. A review committee appointed by the principal will review each case individually and will make recommendations to the principal for the disposition of each case.

Summer School

Failure of three or more major subjects would prevent a student from being promoted. Students failing two subjects may be able to repeat those subjects in summer school and be eligible for promotion.

Records Policy - Parental Notification

The Blue Mountain School District records policy allows a student's school records to be forwarded to another school, Intermediate Unit, or State educational agency either with parental permission or without such permission if the student is enrolled in another educational setting and is no longer a student in the Blue Mountain Schools.

Parents are hereby notified that necessary student records will be forwarded to the school where the child is enrolled upon request of the receiving school. Parents have the right to examine student records and be given a copy if desired. Written parental permission to forward records will be obtained whenever possible.

Student Behavior

SECTION ONE

In this Section You Will Find:

- Statement of Purpose
- Statement of Authority
- Student Rights
- Student Responsibilities
- Student Rules
- School District Rules

STATEMENT OF PURPOSE

Student behavior is not merely convenient conformity by the students to the wishes of adults, but the conscious development of self-discipline and self-direction toward socially desirable ends. Schools, to be effective, must give all students the opportunity to learn; disciplined behavior is an outcome of education. Students must be taught that the advantages of group living demand that individual actions be tempered and limited.

If a pupil elects to evade his/her responsibility for good citizenship, he/she may be referred to the principal. The principal takes into consideration the individual and his/her personal adjustment as well as the impact of the pupil's behavior will have on the school community. The great majority of pupils meet their responsibility and never become involved in any disciplinary action. All things considered, the principal's action may range from friendly discussion to suspension. In extreme disciplinary cases, a student may be expelled by the Board of School Directors.

In each discipline situation, it is a primary aim of school officials to impress each student, by effective faculty counseling and guidance, of the need, value and advantage of good conduct.

STATEMENT OF AUTHORITY

All the students enrolled in the Blue Mountain School District are expected to conduct themselves in accordance with the rules of the system and individual schools.

Principals and teachers are directed to maintain order in the schools so that learning can occur. Maintenance of order applies during those times when students are under the direct control and supervision of school district officials. This authority is granted in Section 1317 of the Pennsylvania Public School Code. It states:

Every teacher, vice-principal and principal in the public schools shall have the right to exercise the same authority as to conduct the behavior over the pupils attending his 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." (In loco parentis)

The Board of School Directors has granted authority to its principals and teachers to exercise necessary authority to maintain appropriate decorum within the buildings and classrooms. Building level principals and their designees will act in a loco parentis manner to ensure the safety and welfare of all students.

Teachers shall have the authority, and it shall be their duty to make and enforce by reasonable means rules and regulations to govern the behavior and promote learning in their respective classes. Principals and teachers of the Blue Mountain School District are directed to maintain such order in the schools as will facilitate learning by the pupils.

In the event that any provision of this Behavior Code is found to be in conflict with the Public School Code of 1949, as amended or PA Code Title 22, PDE Regulations, school district policy, administrative procedures, or any other applicable constitutional, statutory or regulatory provision, such statute or provision shall govern, and the conflicting portion of this Behavior Code shall be considered null and void, but the remainder of the Behavior Code shall remain in full force and effect.

School principals are authorized, subject to approval of the Superintendent, to summarize or restate the provisions and/or omit selected provisions of this Behavior Code when publishing school handbooks in an effort to concisely convey to students and parents the Behavior Code. This authority is not, nor should it be, construed as any attempt to withhold information, for the provision of this Behavior Code prevails over statements published in school handbooks.

STUDENT RIGHTS

This section summarizes the basic principles of student rights. With each right comes a responsibility, and that right must be viewed in relationship to the health, safety, and welfare of the majority of students within each school. The principal, under the supervision of the Superintendent and within School Board policies, shall assume administrative responsibility and instructional leadership of the school to which he or she is assigned. The faculty and staff shall assist in the orderly operation of the school and ensure the following rights of students.

- To be informed of School Board policies and individual school rules.
- To appeal a decision in an orderly manner.

- To be treated with respect by other students, school personnel, and visitors.
- To expect that their property will be respected by other students and school personnel.
- To have a safe and orderly school
- To expect the rules to be enforced without discrimination.
- To receive district curriculum descriptions that will help one make informed choices.
- To have equal opportunity with regard to academic programs and extracurricular activities.
- To have privacy of one's personal possessions unless appropriate school personnel have reasonable cause to believe a student has any object or material which is prohibited by law or school board.
- To expect that schools will keep student records safe and confidential.
- To wear clothes of one's choice, or the school uniform, as long as clothes are appropriate for school. Clothing should adhere to the school dress code. Clothing should not disrupt the learning environment or pose any threat to the health and safety of students.
- To attend school and learn in an environment free of sexual harassment or malicious harassment

STUDENT RESPONSIBILITIES

Every student shall:

- Attend school regularly and be on time for class.
- Be diligent in his or her studies.
- Conform to the rules of the school approved by the Board of Education and submit to such discipline as would be exercised by a kind, firm and judicious parent.
- Provide the school with adequate explanation and appropriate documentation to explain an absence.
- Request makeup assignments from teachers upon return to school and complete them within an appropriate length of time.
- Treat other students, school personnel, and visitors with respect.
- Respect others' property by not damaging, or taking it.
- 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 health and/or safety of others.
- Seek help first, to avoid a fight.
- Become familiar with the Code of Student Conduct, all school rules, and all classroom rules.
- Ask for assistance from school personnel in selecting courses
- Request participation in academic programs and extracurricular activities that match with your abilities.
- Cooperate with the teacher and contribute to a free unprejudiced atmosphere.

- Cooperate fully and exert every effort to achieve mastery of the curriculum
- Come to school in wear clothes which are not dangerous to health or safety, do not disrupt the learning process, and stay within school dress code.
- Not carry or conceal any such material prohibited by law or that would detract from the educational process and to accept the consequences for any contents stored within the lockers.
- Treat others equitably and fairly.
- Conduct yourself and your activities so as not to harass others and to report harassment or discrimination situations to school administrators.

STUDENT RULES

Attendance * Please call 628-6000 ext. 7503 to report an absence

The school law of Pennsylvania requires the regular attendance of all pupils between ages eight and seventeen years of age. Once a student has enrolled, his/her school attendance is governed by the following guidelines:

- The parents of any pupil who is under seventeen years of age and who has been absent illegally for a total of three days or six half days, are guilty of truancy from school which is a violation of the state attendance law. Any pupil aged seventeen or older who is absent for five days for inexcusable reasons may be suspended up to 10 days. If a student does not return to school, expulsion procedures may be recommended.
- Students are expected to be in school on time every day and to be on time to all classes. All students arriving tardy to school must report to the office immediately and sign in the tardy book. Excessive (four or more per year) unexcused tardiness to school is a punishable offense.
- Students who are truant (e.g., absent from school without permission of parents and school authorities) will be disciplined. A telephone contact may be made to verify students' absences.
- Students arriving after 10:00 a.m. (high school/middle school) 10:50 a.m. (elementary school) will be considered absent 1/2 day; moreover, students leaving prior to 1:00 p.m. (high school/middle school)/1:35 p.m. (elementary school) will be considered absent 1/2 day.
- When students return to school after an absence, they will bring a signed statement from their parent or guardian stating the date and reason for the absence. If an excuse is not brought in for classification within three days, it will automatically be classified as unexcused. If students have been absent three or more consecutive days or an excessive amount of days, they may be required to bring along a physician's note stating the reason for the absence. If an examination is to be made up because of absence, the students must make arrangements with the teacher concerned within two days after they return to school.
- After an excessive number of absences (i.e., excused or unexcused), a phone call shall be made to the parents to make them aware of the total days

absent. If there is no improvement in the attendance, a letter shall be sent to the parent requiring a doctor's excuse for all future absences. Failure to present a doctor's excuse will result in unexcused absence procedures.

• The fact that a parent has sent a written explanation to the school does not excuse the absence. An absence becomes excused only when the administration has classified the absence as such. **Under no circumstance is a student permitted to sign a parent's name.**

• **NOTE: Each excuse must have the student's full legal name or it can not be credited to the right file. Each excuse must have the CORRECT dates of absence or it can not be credited to the right dates. Each excuse must show a reason for the absence. Each excuse must be signed by the parent/guardian. Please put your child's homeroom number and grade on the excuse.**

Excused Absences: Reasons for excused absences include:

- Sickness, injury, death in the family, or some other insurmountable condition.
- Documented appointments with health care professionals.
- Documented absence for religious instruction or religious holiday.
- Participation in an academic class or school-sponsored activity approved by the principal.
- Court appearances (copy of subpoena required).
- Prior approved non-school sponsored educational field trips (one per year).
- Unavoidable emergencies (reviewed by principal).
- Out of School Suspension (OSS).

Unexcused Absences:

- Oversleeping.
- Missing the bus.
- Routine baby-sitting.
- Refusing to come to school.
- Hunting.
- Take a trip (vacation) without an approved educational field trip form by administration.
- Failure to turn in an excuse within three (3) school days, when required
- Failure to provide a doctor's excuse within three (3) school days, when required
- Any other circumstances deemed unexcused by the principal.

Educational Leave Policies and Procedures: Parents/guardians may request an educational field trip for their child(ren) during the school year. Parents/guardians should consider a request on the following conditions:

- Trips may not exceed the maximum of five (5) days per school year.
- All days beyond the maximum of five (5) days will be considered unexcused and/or unlawful for students.
- Parents are encouraged not to plan trips the first ten (10) days of school or the last ten (10) days of school.
- The purpose of the trip must be stated and how it supplements district's curriculum.

- The request must be made by the parent/guardian five (5) days prior to the student's requested leave. Forms are available at building offices. Administrative responses to submitted forms by parents/guardians will be made within 48 hours of submission.
- Each request will be reviewed by the principal prior to approval. The following will be taken into consideration by the principal in granting permission for the trip.
 - Student's academic standing.
 - Student's attendance record.
 - Student's disciplinary record.
- If approval is given prior to the trip, the student's absence will be listed as excused. If prior approval is not received, the absence will be classified as unexcused/unlawful. Should the student's absence extend beyond the approved time, those days will be classified as unexcused/unlawful.
- The student is expected to complete all school work that is assigned during the School absence. Such assignments will be provided to the student by the teacher prior to the trip. It will be the student's responsibility to contact teachers and make up, any missed assignments.
- Permission will not be granted for trips/tours during the district's standardized testing periods, the state's testing periods and the secondary school examination periods at the end of the first and second semester.

School Bus Rules: It is a privilege to ride a school bus.

Students must:

- Obey the driver.
- Stand off the roadway while waiting for the bus.
- Be at the bus stop on time.
- Sit according to the seating chart assigned by the bus driver.
- Remain seated when bus is in motion.
- Keep arms, legs and head inside the windows.
- Remain quiet. Unnecessary conversation with the driver is dangerous.
- Observe classroom conduct at all times while aboard the bus.
- Not eat or drink while on the bus.
- Whenever boarding or departing, cross the road 10 feet in front of the bus when the driver signals that it is clear to cross. Always check traffic when getting on or off the bus.
- Pay for damage to school buses or property
- Follow discipline code.

Students and Parents please note:

- From time to time the Blue Mountain School District may place a video camera on selected school buses. The placement of the camera(s) will be determined by administration as needed.
- The camera may record a video of activity on the bus. The video may be used for investigative and/or disciplinary purposes.
- The camera will not record audio. The audio component on the camera will be disabled at all times.

- Students will ride only their assigned bus to and from school. Written parental permission, with principal approval, is required to get off at a different stop.
- **Except in an emergency situation, students are not permitted to ride a different bus. All such requests must be approved by the principal.**

General Computer Usage: Students are responsible for good behavior on school computers, both in school and at home (sign-out equipment). Computer files, including email, are not private. The use of the school's computer and computer networks, computer software, data files, and intellectual property is a privilege. It may be revoked or other action may be taken for violations of any of the following rules:

- School Classroom and Lab Computers should be used for educational purposes, that is, report writing, information retrieval, research, and Internet access. They may not be used for personal objectives.
- Only authorized software should be used on school computers. Authorized software refers to those applications and packages that have been placed in the classroom or on the hard drives by school officials. Students may not load other software that has been placed there by school officials.
- Students are not permitted to change titles of folders, the names of hard drives or printers, desktop patterns, or any other setting that has been configured by school officials.
- Students are not permitted to change the configurations of the hard drives, or to move folders or applications in or out of any folders, including System Folders and Preferences Folders. Students should not access, change or delete files or other intellectual property belonging to others, including programs and/or data files not owned by the user, without their expressed permission.
- Students are not permitted to add, delete, or change passwords to any application folder, except when authorized to do so by the school administration.
- Students may not create, copy, receive, or use data, language or graphics which are obscene, threatening, abusive, or otherwise inappropriate at school or on sign out equipment at home.
- Students may not violate or attempt to violate the security of any computer (including sign-out equipment) or the computer networks.
- Students may not steal or destroy any of the school's computer hardware or peripherals, or steal or destroy computer software, data files, or intellectual property owned by the school or other persons.
- Students may not take any unauthorized actions which deny access to, disrupt or destroy the service of a computer or the computer networks.
- Students may not use computers, computer networks, e-mail systems, computer software, data files, or other intellectual property in any unauthorized way.

Internet Usage The use of the Internet computer network for illegal, inappropriate, unacceptable, or unethical purposes by students or employees is prohibited. The activities listed below are strictly prohibited by all users of the network. The Blue Mountain School District reserves the right to determine if any activity not appearing on the list below constitutes an acceptable or unacceptable use of the network. These prohibitions are in effect any time school district resources are accessed in any way whether in school, indirectly through another internet service provider. **Each student and parent will be required to sign a CSI Acknowledgement and consent form prior to internet usage.**

- Allowing an unauthorized person to use an assigned account.
- Use of the network for non-work or non-school related purposes.
- Use of network to access or transmit obscene or pornographic materials.
- Use of the network to access or transmit material likely to be offensive or objectionable to recipients.
- Use of the network to participate through e-mail for non-educational purposes or activities.
- Use of the network to participate in inappropriate and/or objectionable discussions or news groups.
- Use of the network to transmit hate mail, harassment, discriminatory remarks, and other anti-social communications.
- Use of the network to order or purchase in the name of the school district or in the name of any individual any type of merchandise or service. All costs to the district or any individuals incurred because of this type of violation will be the responsibility of the user.
- Use of the network to access any fee-based on-line/internet service. All costs incurred to the district or any individual because of the type of violation will be the responsibility of the user.
- Use of the network which results in any copyright violation.
- The illegal installation, distribution, reproduction or use of copyrighted software on district computers.
- Use of the network to intentionally obtain or modify files, passwords or data belonging to other users.
- Use of school technology or the network for fraudulent copying, communications or modifications of materials in violation of local, state and federal laws.
- Loading, downloading, or use of unauthorized games, programs, files, or other electronic media.
- Malicious use of the network to develop programs that harass other users or infiltrate a computer system and/or damage the software components of a computer system.
- Destruction of district computer hardware or software.
- Use of the network to participate in unauthorized Internet Relay chats (online real-time conversations).
- Use of the network to facilitate any illegal activity.

- Use of the network to misrepresent others using the network.
- Use of the network for commercial or for-profit purposes.

Dress Code: The following items are prohibited during the school day:

- Excessively large, sagging, or improperly fitting clothing.
 - Muscle shirts, half shirts, bare midriff clothing.
 - Tank tops (Blue Mountain Middle School).
 - Undergarments worn as outer garments.
 - See through, provocative or excessively tight clothing.
 - Halter tops, strapless shirts or spaghetti strap garments.
 - Shorts will not be permitted from the beginning of November to the end of March.
 - Jewelry such as earring, studs or rings worn in areas other than the ears.
 - Clothing which bears offensive, disruptive logos or messages, pictures, drawings which are drug, alcohol or sexual in nature or relative to violence.
 - Hats, hoods, bandannas or sunglasses in the building.
 - Torn or unsafe clothing.
 - Chains, chain wallets, straps or any other item which may cause harm to another person.
 - Studs, rivets on clothing.
 - Clothing not worn as designed/intended.
 - Unsafe footwear such as flipflops, sandals without support straps, clogs, etc.
 - Clothing of unacceptable length.
- Administrators on a building level have the authority to judge the appropriateness and safety of apparel, and/or appearance.

SCHOOL DISTRICT RULES

Search and Seizure

- Lockers and desks are school property and are provided for the convenience of the student. Students may use the lockers and/or desks to store their school supplies and personal belongings.
- School authorities may search a student's locker or desk and seize any illegal/prohibited materials. Such material may be used as evidence against the student in disciplinary proceedings. Prior to the search students shall be notified and given an opportunity to be present. However, where school authorities have a reasonable suspicion that the locker or desk contains materials which pose a threat to the health, welfare and safety of students and/or other school personnel, student lockers or desks may be searched without prior warning.

Search of Individual: A search must be justified at its inception on the basis of reasonable suspicion, and it must be reasonable in scope. If a principal or designee has reasonable suspicion to believe that a student is in possession of illegal/prohibited materials, he or she may conduct a search.

Corporal Punishment: Corporal punishment as a response to a rule infraction is not used in the Blue Mountain School District, however, reasonable force may be used by teacher and school authorities under the following circumstances:

- To quell a disturbance.
- To obtain possession of weapons or other dangerous objects.
- For the purpose of self-defense.
- For the protection of persons or property.

Academic Restriction

- If students receive two failing grades (high school/middle school) in a marking period, in major subjects, they will be placed on Academic Restriction.
- Students whose names appear on the restriction list are restricted from all ninth period non-graded activities. They will report to homeroom to work on their academic deficiencies. Students may report to a teacher for work or help with a pass issued by that teacher.
- Progress will be re-evaluated every three weeks. Students, who have improved to the administrator's satisfaction, will be released from restriction and have full privileges restored.

Middle School/High School Detention

- Daily detention, if needed, may be held at the high school or the middle school. IT shall begin at 3:00 p.m. (or earlier), when needed, and end at 4:30 p.m. (or earlier). One (1) calendar day notice may be given to the student prior to beginning of serving detention.
- Saturday detention, if needed, may be held at the high school or middle school from 8 a.m. to 11 a.m. A two (2) days notice may be given to the student prior to serving Saturday detention.
- Students assigned will bring work to do; if not, they will be given work. Free reading is not acceptable work. No talking and sleeping. Detention may be rescheduled only for cases of extreme emergency or previously scheduled doctor's appointments. Work, athletic practices and games, hand practices, etc., are not considered emergencies.
- If a student is absent the day of his/her detention, he must serve the next scheduled detention after his/her return to school.

Elementary, School Detention

- Detention may be assigned in the elementary school to students in grades three through five.
- Detention will be considered only after other disciplinary actions have been taken and deemed as ineffective in changing undesirable behavior. Detention may also be issued to a student with no prior discipline problems as a response to an extreme disciplinary infraction.
- Detention may only be assigned by the principal or assistant principal

- Detention will be scheduled by the principal/assistant principal with the student's parents/guardians.
- Detention will be held in the child's school building from 3:30 - 4:30 p.m.
- Parents are responsible for transporting their children home after their detention time has been served.
- Parents will be given a written confirmation of their child's detention assignment in the form of a written letter from the principal's/assistant principal's office.

Flag Salute and Pledge of Allegiance

- It is the responsibility of every student to show proper respect for his/her country and its flag. Students may decline to recite the Pledge of Allegiance and may refrain from saluting the flag on the basis of personal belief or religious convictions.
- Students who choose to refrain from such participation shall respect the rights an interest of classmates who do wish to participate.

*** Backpacks or backpacks will not be permitted to be carried between classes. However, they will be permitted to be brought to school and taken home. Students will be given additional time to go to their lockers during the school day. Gym bags may be used for physical education classes.**

SECTION TWO

In This Section You Will Find:

- Discipline Codes by Levels
- Level I
- Level II
- Level III
- Level IV

DISCIPLINE CODES BY LEVELS

To establish reasonable consistency in the schools, a uniform Discipline Code has been developed. Definitions of terms used can be found in the Glossary of Terms. School and teachers may develop individual rules and disciplinary practices which supplement the Code but do not conflict with it. The Code applies to all students enrolled in the Blue Mountain Schools in kindergarten through grade 12 and adult education.

Infractions and the responses to them are divided into four levels. Each level represents progressively more serious behavior and consequences. One of any combination of responses may be applied to any infraction. This section

of the Code of Student Conduct identifies example infractions for which a student may be disciplined and sets forth example responses. Note, however, that this list is not all-inclusive and a student committing an act of misconduct not listed will be subject to discretionary authority of the principal. **Consistent with this Code, it is the responsibility of the principal or designee to determine the level of the offense and its appropriate response.** The principal, assistant principal, teachers, bus drives, and other supervisory personnel are responsible for student discipline. Discipline should be applied after consideration of the eventual effect on the behavior of the student and it should promote improved conduct.

It is the policy of the School Board that there shall be zero tolerance of misbehavior of all kinds.

LEVEL I - DISCIPLINE CODE

Level I offenders are acts of misconduct which interfere with orderly classroom procedures, school functions, extracurricular programs, approved transportation, or a student's own learning process.

Level I offenses will be handled first by the teacher or other staff member involved. When the teacher or other staff member involved determines that additional action is necessary because of continued violation or other concerns, the student will then be referred to the principal or designee for appropriate disciplinary action. The teacher or school administrator/designee, after review of the student's explanation, consultation with school personnel involved, and further investigation (when needed) will determine the appropriate disciplinary action, consistent with this code.

Example Infractions

- Hall pass violation.
- Lunch room infractions.
- Cheating (elementary school).
- Classroom/school disruption. ↗
- Dress code violation.
- Harassment/Intimidation.
- Playground violation.
- Late to class.
- Electronic devices.
- Failure to follow classroom management rules.
- Failure to bring in notes/excuses.
- Public affection.
- Out of assigned area.
- Eating, drinking, outside of designated area.
- Bookbag violation.

Example Responses

- Teacher's educational assignments.
- Mandatory tutoring/peer counseling.
- Parental contact by teacher.
- Verbal reprimand.
- Counseling.
- Return of property or restitution.
- Withdrawal of privileges.
- Behavioral contracts.
- Grade point deduction (cheating).
- Classroom management plan.
- School Service Work (SSW).
- Detention.
- Instructional Support Team (IST).
- Warning of referral to Level II.

LEVEL II - DISCIPLINE CODE

Level II offenses or intermediate acts of misconduct may include acts of misconduct previously identified which require administrative intervention. It may also include repeated acts of misconduct and acts directed against persons or property but which do not seriously endanger the health and safety of others. Level II offenses must be reported to the school administrator/designee (e.g. dean, behavioral resource teacher) because the seriousness or frequency of misconduct requires another level on intervention. School support staff and/or community resource agencies may be involved. The school administrator/designee, after review of the student's explanation, consultation with school personnel involved, and further investigation (when needed), will determine the appropriate disciplinary action, consistent with this Code, and attempt to contact parents.

Example Infractions

- Repeated Level I Offenses.
- Truancy.
- Failure to follow driver/rider procedure.
- Destruction of property.
- Disruptive behavior.
- Cheating/plagiarism (middle school/high school).
- Forgery.
- Gambling.
- Misconduct on school bus or at bus stop.
- Stealing/theft (less than \$20).
- Unauthorized assembly, publication, etc..
- Unsafe acts/actions.
- Cutting Classes.

- Tardy to school.
- Computer misuse.
- Cutting detention.
- Merit work pass, work study or work release violation.
- Written derogatory comments about students/teachers/staff.
- Insubordination.
- Inappropriate behavior.
- Deceiving school personnel.

Example Responses

- Level I response.
- Parental contract (by teacher or administrator).
- Verbal reprimand.
- Assigned bus seat.
- Behavior contract.
- Withdrawal of privileges.
- Confiscation of unauthorized material.
- Return of property or restitution for damages.
- Referral to student services.
- School Service Work.
- Suspension from bus.
- Suspension from extra curricular-activities.
- Detention.
- Saturday detention.
- Fines/Citations.
- Suspension of driving privilege.
- Assigned/reassigned bus seats.
- Warning of referral to Level III.

LEVEL III - DISCIPLINE CODE

Level III offenses are serious acts of misconduct. They include but are not limited to : repeated acts of misconduct, those acts with prior warning of referral to Level III Action, serious disruptions of the orderly conduct of school, threats to the health, safety, and property of self or others, and other acts of serious misconduct.

Level III offenses must be reported immediately to the school administrator/designee and will follow the established investigative procedure and the assignment of disciplinary action. When an emergency exists, procedures for handling it shall be put into effect immediately to protect the safety of all students. The school district must immediately initiate prosecution for Level III offenses.

NOTICE: Use, possession, distribution, and sale of tobacco products are prohibited on school property and on school buses. School district must initiate prosecution.

Example Infractions

- Repeated Level II Offenses.
- Unsafe Driving Acts.
- Abusive Language or gestures to school personnel.
- Assault.
- Breaking and entering.
- Defiance.
- Disorderly conduct.
- Destruction of property/vandalism.
- Extortion/threats.
- Fighting.
- Harassment/Intimidation of a more serious nature.
- Repeated misconduct of a more serious nature.
- Sexual Harassment.
- Smoking/Tobacco possession or use.
- Theft (more than \$20).
- Trespassing.
- Leaving school without permission.
- Student hazing.
- Abusive language or gestures.

Example Responses

- Parental contract by administration.
- Behavioral contract (written).
- Referral to Support Services.
- Return of property or restitution for damages.
- In-school suspension.
- Long-term bus suspension.
- Out-of-school suspension.
- Referral to alternative discipline programs.
- Temporary removal from participation extra-curricular/co-curricular activities.
- Referral to appropriate prevention or treatment program.
- Referral to law enforcement.
- Saturday detention.
- School Service Work.
- Fines/Citations.
- Referral for student assessment.
- Warning of referral to Level IV.

LEVEL IV - DISCIPLINE CODE

The most serious acts of misconduct are included in this level. Committing any of these acts may be sufficient grounds for out-of school suspension and/or consideration for expulsion. Major acts of misconduct must be reported immediately to the school administrator/designee. These violations

are so serious that they may require district administrators, outside agencies, and/or fines. **Such acts may also result in criminal penalties.** The principal/designee may recommend the expulsion of any student who has committed a **serious breach of conduct.**

NOTICE: ZERO TOLERANCE OF VIOLENCE IN SCHOOL INCLUDING PROHIBITION OF VIOLENCE AGAINST SCHOOL DISTRICT PERSONNEL. Violence in schools or on school buses will not be tolerated. Battery against any school personnel by a student is a Level IV violation of the Code of Student Conduct. A student who deliberately and knowingly commits an act of battery against school personnel will be suspended from school up to ten (10) days. The principal may recommend expulsion and will offer to assist the staff member in pressing such charges as are appropriate. Subject to federal and state mandates, any student charged with a violation such as bomb threat, aggravated assault, battery, or aggravated battery upon a school employee will be removed from the classroom immediately and may be placed in an alternative school setting pending disposition. Any student found to have committed a violation of Act 26 of Pennsylvania (i.e., weapons prohibited policy) may be expelled or may be placed in an alternative school setting.

NOTICE: PROHIBITION OF WEAPONS. Violation of weapons is a Level IV violation of the Code of Student Conduct. Weapons and the use of weapons are prohibited on school property, including buses.

A student who possesses, sells, intends to sell, distributes, intends to distribute, displays, intends to display, transfers, intends to transfer, or uses any firearm/explosive, or weapons of any type, or any article or substance not normally considered to be a weapon, including a look-alike will be suspended up to ten (10) days, and the principal will request a formal hearing by the Board of Education to determine the term of expulsion. In addition, the principal will refer the matter to the local police for criminal prosecution.

"A weapon does not include any device which is authorized by the school for legitimate educational purposes, such as tools, scissors, compasses, pencils, implements for art class, and the like. Any student, however, using any such common item in an aggressive, threatening and/or intimidating manner shall be considered in possession of a weapon, unless the student can demonstrate that the item was/is used in a manner reasonably understood to be its common purpose. The Principal shall be given considerable latitude to determine the intent of the student in such matters."

NOTICE: PROHIBITION OF ALCOHOL AND DRUGS. The use, possession, sale, intending to sell, transferring, intent to transfer, distributing or intending to distribute illicit drugs and alcohol is not permitted and is a Level IV violation of the Code of Student Conduct. Board Policy prohibits its use, possession, sale, intending to sell, transferring, intent to transfer,

distribution or intending to distribute alcohol or controlled substances. Drugs which require a physician's prescription or the possession of which is prohibited by law, or those classified as "Designer Drugs" under Pennsylvania statutes. Also prohibited are the use, possession, sale, intending to sell, transferring, intent to transfer, distribution or intending to distribute any substance to attain a mood-altering effect, and the possession of any equipment or device for preparing or taking drugs.

A student using, possessing, selling, intending to sell, transferring, intending to transfer, distribution, or intent to distribute under the influence of any item listed above, will be immediately suspended from school for up to ten (10) days. Following an informal administration hearing, the principal will request a formal hearing by the Board of Education to determine the term of expulsion. In addition, the principal will refer the matter to the local police for criminal prosecution.

NOTICE: PROHIBITION OF MISCONDUCT ON SCHOOL BUS/AT BUS STOP - Violation of Board transportation policies, including disruptive behavior on a school bus, may be Level IV violation of the Code of Student Conduct.

NOTICE: PROHIBITION OF SEXUAL HARASSMENT/INDECENT EXPOSURE - Violation of sexual harassment policy may be a Level IV violation of the Code of Student Conduct.

Example Infractions

- Repeated Level III Offenses.
- Aggravated battery.
- Alcohol.
- Arson.
- Assault.
- Battery.
- Breaking and entering.
- Drugs.
- Firearms/explosive.
- Homicide.
- Inciting, leading, or participating in acts that substantially disrupt orderly conduct at a school or school function.
- Kidnapping.
- Making false accusations about school staff member/another student.
- Robbery.
- Serious breach of conduct.
- Serious misconduct on school bus or at bus stop.
- Sex offenses.
- Sexual Battery.

- Sexual harassment of a more serious nature.
- Stolen property: possession, use, distribution, or sale.
- Grand larceny.
- Unsafe act/actions.
- Weapons (other than firearms).
- Bomb threat.
- Fire Alarms.

Example Responses

- Parental contact (mandatory).
- Return of property or restitution for damages.
- Referral to student support services.
- In-school suspension.
- Out of school suspension.
- Referral to law enforcement.
- Recommendation for expulsion.
- Long-term bus suspension.
- Referral of students to alternative placement.
- Referral for student assessment.
- Fines/Citations.

SECTION THREE

In This Section You Will Find:

- **Grievance Procedure for Students and Parents.**

GRIEVANCE PROCEDURES FOR STUDENTS AND PARENTS

Student Rights

- Students have the right to present a complaint regarding unfair treatment.

Student Responsibility

- Students have a responsibility to learn and follow procedures for filing complaints.

Grievance procedures are used to handle serious problems when students believe there has been a violation of the code of Student Conduct, including due process. Except in instances where there is a clearly defined procedure other than the one described here, a student grievance should be pursued sequentially through four levels.

Level I - Informal Discussion: The student should discuss the problem with the person who is responsible for what the student believes to be a violation of the Code of Student Conduct.

Level II - School Principal: If the problem has not been resolved at the informal level, the parent and/or student should discuss it with the principal or the

principal's designee within five school days of the Level I discussion.

Level III - Superintendent's Office: If the problem has not been resolved at Level II, the parent and/or student may within ten (10) school days, present the grievance to the Superintendent or designee. The student and principal will submit summary positions to the Superintendent. The Superintendent or designee will respond to both parties within fifteen (15) school days after receiving the written statements.

Level IV - School Board: If the problem has not been resolved at Level III, the parent and/or student may request, in writing, a meeting with a Committee of the Board of School Directors. The student, principal, and Superintendent will submit summary positions to this School Board Committee. The Committee of the School Board will respond to all parties by arranging a meeting within fifteen (15) days of the written request.

SECTION FOUR

In This Section You Will Find:

- Exclusion from School.
- Procedures for Suspensions (Exclusions from school).
- Procedures for Expulsion.
- Procedures for Hearings.

Exclusions From School

Suspension, which is a function of the school administrator, and expulsion, which is a function of the board of directors, are serious disciplinary sanctions which may be imposed against students under procedures conforming with due process of law. Suspensions may be either in school or out-of-school. The administration will determine which is best for not only the student but also the rest of the student body.

Students are not permitted to attend school activities (co-curricular or extra-curricular) during their term of ISS/OSS. Students serving OSS are not permitted on school district property.

Procedures for Suspension (Exclusion from school)

The principal or teacher in charge of a public school may suspend any pupil for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall report to the suspension to the Superintendent as soon as possible thereafter.

No student may be suspended without notice of the reasons for which he/she is suspended. The student and parent(s)/guardian will be given the opportunity for an informal hearing with the designated school official.

A student may be suspended up to ten (10) school days following a hearing by the principal or designee.

No student may receive an in-school suspension without notice for which she/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent(s)/guardian shall be informed of the suspension action taken by the school.

Should the in-school suspension exceed ten (10) consecutive school days, the student and his/her parent(s)/guardian shall be offered an informal hearing with the designated school official. Such hearing shall take place prior to the 11th day of the school suspension.

PROCEDURES FOR EXPULSION

The Board may either expel for a period exceeding ten (10) school days or may permanently expel from the rolls of this district any student whose misconduct and disobedience is such as to warrant this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board of School Directors.

The student under 17 years of age who is expelled forfeits his/her right to an education in the school of this district, but has not been excused from compliance with the compulsory attendance statutes.

Parents or guardians who are unable to provide an education for their child shall submit a written statement within thirty (30) days that they are unable to do so. The district shall then make provisions for the student's education. If thirty (30) days pass without satisfactory evidence that the required education is being provided to the student, the district shall re-contact the parent and make provisions for the student's education. The Board shall continue to be responsible for the education of the student expelled, and shall provide an alternate education for any student suspended for more than ten (10) days.

PROCEDURE FOR HEARINGS

Education is a statutory right, and students must be afforded all appropriate elements of 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, which is a fundamental element of due process.

A formal hearing is required in all expulsion actions. This hearing may be held before the Board of School Directors or a duly authorized committee of the Board, or a qualified hearing examiner appointed by the Board. When 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 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.