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# CASD ELEMENTARY CODE OF STUDENT CONDUCT

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**2021-2022**

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## **Introduction**

The purpose of the Elementary Discipline Code is to assist students in developing a positive attitude toward self-discipline, regular attendance and socially accepted behavior. The Elementary Discipline Code is intended to ensure that each student has the opportunity to benefit from the maintenance of a learning environment that is safe, conducive to learning and is free from unnecessary distractions.

Further, the Discipline Code serves as a communication tool between home and school and ensures that students and families are aware of District expectations. The Coatesville Area School District believes that an environment where each student shows respect for authority and peers, follows District rules and policies, and follows state and federal laws regarding conduct in school, is one in which all students can learn. Parents/guardians and students play an integral role in establishing an environment that is conducive to learning and academic success. Developing academic behaviors often requires moments of self-redirection/reflection by students, coupled with adult support and redirection. As such, the support of parents, guardians, students, and staff during times of redirection and correction is critical in the development of a learning community.

Learning is a right to which all students are entitled. No one person should be permitted to interrupt or distract from the learning of others. To this end, teachers will use the resources available to them to handle classroom engagement-related discipline problems. In instances where there is a classroom disruption, teachers will notify the parents/guardians of the disruptive student. If the efforts of the teacher do not result in appropriate the elimination of the disruptive behavior and academic re-engagement of the student, building level administrators will be asked to provide additional support.

## **Mission Statement**

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

It is the District's hope that this document will serve as a resource for creating an environment conducive to learning and academic success.

# Adoption of Student Code of Conduct

## 1. Statutory Authority *(School Board policy No. 000)*

The Board of School Directors of the Coatesville Area School District (CASD) adopted this Code of Student Conduct to detail its expectations regarding school climate and pupil conduct. All of this being followed in accordance with the Regulations of the State Board of Education; [22 Pa. Code §12.3\(c\)](#), the Board has the authority to make necessary and equitable rules governing the conduct of students in school which can be found in the “Publication of Rules” [Section 510](#) of the Pennsylvania Code.

This general authority is extended to administrators and teachers in [Section 1317 of the Code](#). This section gives school personnel *In Loco Parentis* (in place of the parent) status:

*“Every teacher, vice-principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his 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.”*

Additionally, students must understand that administrators shall have the authority to enforce other reasonable disciplinary action which they find warranted by situations not covered.

## 2. Rules of Construction.

- A. Notwithstanding anything herein to the contrary, nothing in this Code shall be interpreted in a way that violates Applicable Law.
- B. If any provision contained in this Code of Conduct is ambiguous—i.e., capable of being given one or more reasonable interpretations—and one or more reasonable interpretations would render the provision unlawful or unconstitutional, the School District intends only those interpretations that are lawful and constitutional.
- C. **Conflict with Policy.** This Code and School Board Policy and Administrative Regulations are intended to be complimentary and what is required by one shall be deemed to be required by all. If there are any irreconcilable conflicts between these terms and conditions of this Code and any provision(s) contained in any Policy, the terms contained in the Policy or the version of the Code last adopted by the Board shall control. If there are irreconcilable conflicts between any Administrative Regulations or the terms of any Policy or this Code, the terms of Policy and this Code shall control. For purposes of clarity, the terms of any Administrative Regulation shall never control over conflicting terms in Policy or this Code.

# Rights, Expectations & Responsibilities

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

## 1. Expectations and Responsibilities of Students (School Code §12.2) (School Board policy No. 235)

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

A. All students are **expected** to:

- Support everyone's right to learn
- Choose ways to resolve conflict without fighting
- Accept others for who they are and respect differences
- Show proper respect for:
  - 1) Themselves
  - 2) Other students
  - 3) Adults
  - 4) School Property
  - 5) Personal property

B. Student responsibilities include regular school attendance, conscientious effort in classroom work and homework, and conformance to School Rules.

C. Students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living.

D. No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process.

E. Students should express their ideas and opinions in a respectful manner.

F. It is the responsibility of each student at school to conform to the following:

- Be aware of all rules for student behavior and conduct himself/herself in accordance with these rules.
- Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

- Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
- Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.
- Assist the school staff in operating a safe school for the students enrolled therein.
- Comply with applicable law.
- Exercise proper care when using public facilities and equipment.
- Attend school daily and be on time at all classes and other school functions.
- Make up work when absent from school.
- Pursue and attempt to complete satisfactorily the courses of study prescribed by the District.
- Report accurately in student media.
- Not use obscene language in student media or on school premises.

## **2. Expectations and Responsibilities of Parents/Guardians**

Parents are vital members of their child's academic team and can positively impact their child's school experience by being intentional about these three (3) key responsibilities:

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

Parents are required to know and understand what the Code requires of our students and should familiarize themselves with the disciplinary measures that may result from violations of the Code. By supporting and reinforcing this Code, it cultivates a positive and safe learning environment for all students.

## **3. Expectations and Responsibilities of Teachers**

It is the expectation of the administration and the community that teachers exercise their professional skills in establishing and maintaining a respectful and dignified learning environment that supports the work of individual students and the class as a whole by:

Addressing both academic and social discipline in their classrooms. Teachers are encouraged to exercise their fundamental right of expecting students to be prepared for class and to be active learners during class time.

Instituting their own disciplinary consequences for classroom infractions in accordance with their team or department's approach and Board policy. This should be sufficient to correct the problem. However, continuous classroom misbehavior may require a discussion or conference with the Parent. If resolution of the problem is not found among the teacher, student, guidance counselor, Parent, team or department, then administrative intervention may be necessary. At this level of misconduct, teachers utilize their anecdotal records of the student's infractions, records of their own attempts at correction, and the involvement of the Parents as information in seeking further resolution.

#### **4. Expectations and Responsibilities of Administrators**

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

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

## **Student Discipline**

### **1. General Discipline Procedures** *(School Board policy [No. 218](#))*

Discipline should, as a minimum, have three objectives in mind:

1. PRESERVE the optimum environment in which to deliver instructional services.
2. RESPOND to disruptive influences with corrective measures in a firm and consistent manner while attempting to correct deviant behavior and keep disrupters in school.
3. REMOVE, as a last resort, the disrupters from the educational environment so that the majority may pursue their educational goals.

The Board finds that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school district during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities. The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.

As present law now stands, it is the responsibility of the Board to continue with the education of the student until age 18, whether in the formal educational setting or in a setting outside that environment.

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

The **Instructional Support Team** is available within each elementary school. The process used by the Instructional Support Team draws expertise to design and implement intervention strategies. Collaborative consultation offers a systematic method for data gathering and problem solving when challenged with the individual academic and behavioral needs of children. The Instructional Support Team, through leadership of the principal, has the responsibility to obtain consultative help from all staff who have received specialized intensive training.

In addition to the Instructional Support Team, the District employs a Home and School Visitor. The **Home and School Visitor** provides consultation and follow-up with families regarding the education, social, and emotional needs of students who are experiencing serious personal problems which significantly impede on the students' attendance and progress in school. The role of the Home and School Visitor encompasses efforts to serve as an advocate, liaison, case manager and consultant for students, parents, school staff, and community agency personnel. The Home and School Visitor is available to participate in various school conferences, make home visits, and initiate phone contacts with parents and agency personnel. The Home and School Visitor can provide information on issues of abuse/neglect, homelessness, compulsory attendance law, policy and procedures, parental involvement, family resource centers, parenting issues, utilization of student assistance program, community resources, etc.

## 2. **Positive Behavioral Interventions & Supports (PBIS)**

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

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

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



### 3. **Corporal Punishment** (School Code [No. §12.5](#))

Corporal Punishment is prohibited. Notwithstanding anything in this Code to the contrary, teachers and school authorities may use reasonable force under the following circumstances:

1. To quell a disturbance;
2. To obtain possession of weapons or other dangerous objects;
3. For self-defense; or
4. For the protection of persons or property.

### 4. **Disciplinary Consequences and Exclusions from School** (1949 Act 14 [Section 1318](#))

A. **Types of Discipline.** Any student who violates this Code or class rules established by the teacher shall be subject to discipline. Discipline may take the form of:

- Class discipline as determined by a teacher
- Suspension of privileges
- Detention before or after school
- Restitution
- Student conference
- Community service
- Assignment to the in-school suspension room
- Suspension from school
- Assignment to an alternative school
- Reflective assignment
- Expulsion
- Exclusion from extra-curricular or co-curricular activities
- Removal from Honor Society
- Confiscation of contraband
- Removal or exclusion from a particular class, program or activity; or
- Such other discipline as may be appropriate. Additional conditions may be assessed with any discipline that is imposed. In the case of exclusions from school or activities, conditions may be imposed for readmission to School.

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

- Parent contact
- Referral to SAP Team
- Peer mediation
- Referral to law enforcement
- referral to Juvenile Court
- Restorative measure
- referral to guidance counselor or other support service

- required and successful training
- requirement for an evaluation to ensure that the student does not present a threat to himself/herself or others; and
- Other actions as deemed necessary by the District.

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

- The egregiousness of the student’s conduct;
- The student’s academic record;
- The student’s past disciplinary record;
- Mitigating factors; and
- Aggravating factors. The egregiousness of the student’s conduct may be determined in accordance with the levels of offenses as described subsequently in this Code. Although the levels of offenses shall be considered, they are not determinative. Instead, they are just one of the factors that will be considered.

D. **In-School Suspension, Exclusion from classes**

- A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.
- Communication to the parents or guardian shall immediately follow the suspension action taken by the school.
- When the in-school suspension exceeds ten (10) consecutive school days, an informal hearing with the principal shall be offered to the student and the student’s parent or guardian prior to the eleventh (11<sup>th</sup>) school day In Accordance with Applicable Law.
- The District has the responsibility to make provision for the student’s education during the period of the in-school suspension.
- In-school suspension is dependent upon availability of appropriate staffing.

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

F. **Suspensions.** (School Code No. [§12.6](#))

- “Suspension” means exclusion from school for a period of from one (1) to ten (10) consecutive school days.
- Suspensions may be imposed by the Principal, Assistant Principal, the Director of Pupil Services, the Director of Elementary and Secondary Schools or the Superintendent.
- A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond; provided however, prior

notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

- The Parent(s) and the Superintendent be notified immediately in writing when a student is suspended.
- When a suspension exceeds three (3) school days, the student and Parent(s) shall be given the opportunity for an informal hearing consistent with Applicable Law.
- Suspensions may not run consecutively beyond the ten (10) school day period for any one infraction.
- Students are responsible to make up exams and missed work while being disciplined by suspension and shall be permitted to complete these assignments as determined by the Principal, Assistant Principal, Director of Pupil Services, Director of Elementary and Secondary Schools or Superintendent.

#### G. **Expulsion** (*School Code No. [§14.143](#)*)

- “*Expulsion*” means an exclusion from school for a period exceeding ten (10) school days and may be permanent expulsion.
- Expulsions may be imposed only by the Board after a hearing In Accordance with Applicable Law.
- During the period prior to the hearing and decision of the Board in an expulsion case, the student shall be placed in his normal class except as allowed under Applicable Law.
- Students who are under eighteen (18) years of age are subject to the compulsory school attendance law even though expelled.
  - The initial responsibility for providing the required education rests with the student’s Parent(s), through placement in another school, tutorial or correspondence study, or another educational program approved by the Superintendent.
  - Within thirty (30) days of action by the Board, the Parent(s) shall submit to the Superintendent written evidence that the required education is being provided In Accordance with Applicable Law or that they are unable to do so. If the Parent(s) is unable to provide the required education, the District shall, within ten (10) days of receipt of the notification, make provision for the student’s education.
  - A student with a disability shall be provided educational services as required by Applicable Law, including the Individuals with Disabilities Education Act ([20 U.S.C.A. §§ 1400 to 1482](#)).

#### 5. **Searches**

Searches shall be conducted In Accordance with Applicable Law. Principals, Assistant Principals, the School Resource Officers, school police, the Director of Pupil Services, Special Education Supervisors, the Director of Special Education, the Assistant to the Superintendent, the Director of Elementary and Secondary Schools and the Superintendent may conduct searches. No other District official may conduct a search, unless the search is necessary to protect the health and safety of students and others, such as when there is a search for a weapon, and it is reasonably believed

that waiting for a person authorized to conduct a search may lead to injury.

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

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

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

## 6. Hearings

- A. **General.** Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.
- B. **Formal Hearings.** A formal hearing is required in all expulsion actions. This hearing may be held before the governing board or an authorized committee of the board, or a qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire governing board is required to expel a student. The following due process requirements shall be observed regarding the formal hearing:
- Notification of the charges shall be sent to the student's Parent(s) by certified mail.
  - At least three (3) days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
  - The hearing shall be held in private unless the student or parent requests a public hearing.
  - The student may be represented by counsel, at the expense of the parents, and may have a parent(s) attend the hearing.
  - The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses if there are any.
  - The student has the right to request that the witnesses appear in person and answer

questions or be cross-examined.

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

C. **Informal Hearings.** The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

- The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.
- The following due process requirements shall be observed regarding the informal hearing:
  - Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
  - Sufficient notice of the time and place of the informal hearing shall be given.
  - A student has the right to question any witnesses present at the hearing.
  - A student has the right to speak and produce witnesses on his own behalf.
  - The school entity shall offer to hold the informal hearing within the first 5 days of the suspension.

## 7. Rules of Conduct/Infractions

In addition to using the Positive Behavioral Interventions & Supports framework to guide discipline in our classrooms and schools, CASD supports a progressive discipline approach that utilizes a continuum of prevention programs, interventions, supports, and

consequences to address inappropriate student behavior and to build upon strategies that promote and foster positive behaviors.

When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. The District has identified specific infractions along with a level of severity designation for each to serve as guidelines.

Repeated infractions may move from one level to the next levels with more significant consequences for repeated or severe offenses.

The following is not intended to be inclusive of all acts of misconduct. Consequences listed may be subject to administrator discretion.

**A. Levels of Infractions.** Infractions are divided into the following four (4) levels:

- 1) **Level 1 Infractions.** Level 1 infractions are **minor incidents** that generally do not involve or affect other Persons. It includes student behaviors that impede orderly classroom procedures or interferes with school operation to a minor or negligible extent. Except where there are repeated instances of Level 1 infractions or other aggravating circumstances, Level 1 infractions generally do not result in suspension, in-school suspension or expulsion.
- 2) **Level 2 Infractions.** Level 2 infractions are infractions that are **more serious** than Level 1 infractions and that can be described as repetitive or frequent or that cause a serious disruption to the learning climate of the school or affect other persons. Except where there are repeated instances of Level 1 or 2 infractions or other aggravating circumstances, Level 2 infractions generally do not result in suspension, in-school suspension or expulsion.
- 3) **Level 3 Infractions.** Level 3 Infractions are serious infractions which result or could result in the violation of the legal rights of other, violence to another person, damage or destruction of property, conduct that poses a direct threat to the safety of others in school, or conduct that may constitute a criminal offense where exclusion from school would be justified. Level 3 Infractions can also include repeated Level 1 or Level 2 Infractions where progressive discipline does not appear to be working.
- 4) **Level 4 Infractions.** Level 4 infractions are infractions that are serious, perhaps criminal in nature, where expulsion from School is justified or intervention by law enforcement is justified. Level 4 Infractions can also include repeated Level 1, Level 2 or Level 3 Infractions where progressive discipline does not appear to be working.
- 5) **Specific Infractions.** Notwithstanding anything herein to the contrary, certain infractions, such as with regard to violations of the dress code, carry specific consequences, absent aggravating circumstances.

**B. Prohibited Conduct: Guidance as to Levels of Infractions.** The conduct described in the following chart is prohibited At School or, where indicated, Outside-of-School. Conduct outside of school that is prohibited will not consist of a suspension, in-school suspension, or expulsion, unless Applicable Law allows it. To the extent that conduct

outside of School is prohibited, and Applicable Law does not allow a suspension, in-school suspension or expulsion, the student may be subject to the other forms of discipline as may be allowed by Applicable Law. Notwithstanding anything herein to the contrary, any student who violates any of the rules is subject to discipline, including possible expulsion. As a guide, the following chart sets for the minimum infraction level a violation would justify, absent any relevant mitigating or aggravating circumstances.

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

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

**Items with one asterisk (\*) indicate an automatic referral to school board hearing.**

<b>Prohibited Conduct at School: Infraction Levels</b>
<b>Level1 Infractions</b>
Engaging in an unsafe act(s) or omission(s)
Failing to be aware of all rules for student behavior and conduct himself/herself in accordance with them
Using obscenities or profanities
Riding a bike to School without required approvals (See Policy 223)
Use of cell phone during school hours.
Engaging in horseplay/pranks
Disrupting the operations of the school district or the educational activities of the school district
Inciting any person(s) to disrupt the operation of the school district, provided, however, that this does not apply to any conduct that is protected under applicable law
Violating copyright
Loitering in hallways or other areas
Violation of dress or grooming rules
Failing to comply with a directive

Leaving class without permission
Minor physical contact
<b>Level 2 Infractions:</b>
Retaliating against any individual
Lying to school authorities and/or withholding information which could impact school safety
Bringing or possessing medication in violation of the rules set forth in the Code or in applicable policy of the district, including Policies 210 and 210.1.
Horseplay/pranks resulting in injury
Violation of safety rules or practices
Possession of tobacco or vaping materials
Gambling
Failing to cooperate in any district investigation or to answer questions
Bringing a drone and operating it without the authority of an administrator. Operating a drone without legally required credentials as may be required by and in accordance with applicable law
Breaching school security
Attempting to collect money for personal benefit through the sale of goods
Taking a fire extinguisher off its fixture without justification
Verbal confrontation with profanity
Repeated leaving class without permission
Repeated minor physical contact
<b>Level 3 Infractions</b>
Stealing or attempting to steal
Sexually harassing any person
Unlawfully intimidating or harassing any person because of race, ethnicity, nationality, disability, sexuality, religion, gender or gender identity
Injuring any student, employee or other person at school through negligence or willful misconduct
Bullying
Engaging in or allowing the hazing of any student
Bringing pornography or nude pictures to school, in paper form, electronic form or any other form; bringing an electronic device to School that has pornography downloaded to it; displaying pornography



Using threatening language directed toward anyone
Fighting
Engaging in sexual conduct or activity
Using tobacco or vaping materials
Unauthorized recording or dissemination of audio or video
Significant or repeated violation of safety rules or practices
Repeated use of profanity, obscenities or abusive language
Horseplay/pranks resulting in injury that requires outside medical attention
Possession of a toy weapon.
Physical contact with intent to harm
Destruction or defacing of school property
Having knowledge of and failing to report a gun/weapon or look alike gun/weapon.
<b>Level 4 Infractions:</b>
*Assault or battery
Terroristic threat on any platform
Committing or attempting to commit arson
Inappropriately discharging or attempting to discharge a fire extinguisher
Setting off a false alarm or attempting to set off a false alarm
Extortion or attempted extortion
*Bringing, possessing, selling, transferring or consuming intoxicants or controlled substances
*Bringing, possessing, selling, or transferring drug paraphernalia
Misrepresentation of any drug, pill, look-alike drug or medication
*Attending school while under the influence of a controlled substance or alcohol
Refusing to take a drug or alcohol test when requested or required
Willful destruction or defacing of school or personal property
*Possession firearms or other weapons

*Possessing look-alike weapons
Repeated use of tobacco and vaping materials
Repeated physical contact with intent to harm

<sup>1</sup>Tobacco includes “vaping” and vaping juice or liquids. See Definitions.

<sup>2</sup>Tobacco includes “vaping” and vaping juices or liquids.

<sup>3</sup>Tobacco includes “vaping” and vaping juice or liquid.

## **Attendance** (School Board policy [No. 204](#))

### **1. Free Education and Attendance** (School Code [§12.1](#) & [§11.11](#))

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

A. Parents of all children between the ages of 6 and 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused.

B. B. A student may not be excluded from school or because:

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

### **2. Compulsory Attendance** (School Code [§11.13](#))

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

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

### **3. Exclusions from Public School Attendance** (School Code [§11.32](#))

In accordance with the Public School Code and State Board Regulations, the District will excuse

the following children from attendance in public schools:

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

- N. Students in a Home Education Program that has been approved in accordance with Applicable Law and that meets the standards of Applicable Law.

**4. Acceptable Reasons for Absences, Lateness or Early Dismissal** (School Code §11.34)

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

**5. Unacceptable Reasons for Absences, Lateness or Early Dismissals**

Children will not be excused from school for other than compelling reasons. The following are non-exclusive examples of unacceptable reasons for absences, lateness or early dismissals:

- A. Baby-sitting.
- B. Running errands.
- C. Shopping.
- D. Missing the school bus/ride or suspension from school bus.
- E. Participating in private lessons or hobbies.

- F. Failure of car to start.
- G. Weather conditions.
- H. Oversleeping.

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

- A. A note from a parent is required following any absence. The sending of a note, in and of itself, does not make an absence, lateness or early dismissal excusable.
- B. Absences for three or more consecutive days may require a physician's excuse. The District will make such a determination.
- C. Parents/guardians and students should submit written excuse within three (3) school days of the absence. If written explanation is not submitted within this period, the absence becomes unlawful.
- D. ***Cumulative Lawful Absences.*** After an accumulation of ten (10) days of absences in one school year, a physician's excuse and parental conference may be requested. If such a request is made but not complied with, all subsequent absences will be unexcused/illegal. A physician's excuse may also be required for any consecutive absence of three (3) or more school days. Funerals and pre-approved educational trips will not be included in the ten-day limit after which a physician's excuse could be required. Other exceptions: Extenuating circumstances as determined by the Principal.

## **7. School Responses to Unlawful Absences**

### **First Unlawful Absence**

Parent/guardian is sent notice via regular mail of unlawful absence.

### **Second Unlawful Absence**

Parent/guardian is sent second notice via regular mail of unlawful absence.

### **Third Unlawful Absence**

Parent/guardian is sent third notice of unlawful absence by certified mail providing "official notice of child's third illegal absence."

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

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

**Act 138 of 2016** provides that parents, guardians, or person in parental relation, having charge of any child of compulsory school age who fails to comply with the provisions of this act regarding compulsory attendance may be fined: (1) up to three hundred dollars (\$300.00) per offense plus court costs for the first offense; (2) up to \$500 for the second offense; and (3) up to \$750 for a third and any subsequent offenses. or be sentenced to complete a parenting education program, and in default of payment of such fines, costs or completion of the parenting education program by the person so offending shall be sentenced to the county jail for a period not exceeding three (3) days.

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

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

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

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

## **8. Truancy** (School Code ACT 14 [Section 1333](#))

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

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

Children, Youth, and Families Services.

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

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

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

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

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

This process may be repeated throughout the semester.

## **Rules & Procedures**

### **1. Bullying** (School Board Policy [No. 249](#))

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

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

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

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

- School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school
- The Board prohibits all forms of bullying by district students.
- The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

- The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.
- Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

## 2. Conduct on Buses and at Bus Stops.

- A. School bus transportation is a privilege. It can be denied to any student who violates any of the offenses described in any section of this Code. **NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THIS CODE APPLIES ON SCHOOL BUSES IN THE SAME WAY THEY APPLY IN SCHOOL BUILDINGS OR AT SCHOOL. STUDENTS MAY BE SUBJECT TO SUSPENSION OR EXPULSION FOR CONDUCT ON THE BUS, AT BUS STOPS, OR WHILE COMING TO OR GOING FROM BUS STOPS.**
- B. Parents shall provide transportation for any pupil whose privileges have been suspended or terminated. Students who fail to attend school during bus suspension will be marked illegally absent.
- C. Students must obey and cooperate with the bus driver, teachers, or any other persons assigned to supervise the bus or any part of the school transportation system.
- D. Assigned seats will be mandatory on each bus grades "K-8." Students will be required to sit in their assigned seat unless otherwise directed by the driver or other supervisor. A school administrator or school bus driver may also assign seats to any student in grades 9-12 and for any period.
- E. The bus driver has the authority to discipline the pupils on his/her bus.
- F. Procedures for Misconduct on the Bus.
  - The bus driver is expected to be in complete control of the bus and its passengers.
  - When serious misconduct occurs or when misconduct is repeated, the school bus driver is expected to report such action to the school Principal or designee. Forms are provided to each driver for this purpose.
  - The Principal will take whatever action he/she deems necessary to correct the situation. This action will be consistent with this Code.
  - Parents will be advised by the Principal when reports of misconduct are made.
  - The Principal and Assistant Principal are the only ones with the authority to suspend transportation privileges.
  - A parent of a student, whose transportation privileges is suspended, must confer with the school administration before the privilege is restored.
  - Students will be removed from the school bus by the building Principal if a bus must return to the school due to the student's involvement in an unsafe or uncontrollable situation. Parents will be notified immediately to pick up the student at the school.



G. Conduct at The Bus Stop:

- Students are expected to arrive at the school bus stop at least five (5) minutes prior to pick-up time.
- Students should wait off the street or roadway and conduct themselves in a responsible manner.
- Students must wait on the opposite side of the street or road until the bus has stopped, engaged it's flashing lights and stopped all traffic.
- Students should never accept rides from strangers.
- PARENTS ARE RESPONSIBLE FOR STUDENTS AT THE BUS STOP.

H. The following are non-exclusive examples of offenses which will result in suspension or termination of transportation privileges and possibly other disciplinary action:

- Fighting, provoking or instigating a fight
- Assaulting a fellow student(s) or other person on the bus
- Smoking or possessing tobacco
- Eating or drinking
- Damaging property
- Standing, walking, refusing to remain seated
- Throwing items on or out of the vehicle
- Hanging any body part out of the window
- Excessive noise or disruptive behavior
- Tampering with emergency doors
- Profane or obscene language
- Refusing to ride assigned vehicle or riding on an unassigned vehicle without permission
- Boarding vehicle at unassigned stop
- Leaving vehicle at unassigned stop
- Discourteous behavior, refusing to obey the driver, teachers or other supervisory personnel
- Threatening, harassing, bullying, teasing or intimidating the bus driver or other students on the bus
- Refusing to sit in assigned seat
- Actions detrimental to safety or to the effective operation of the school bus or vehicle
- Any other violations of this Code
- Pursuant to Act 65 of 1998, a person who enters a school bus without prior authorization of the driver or a school official with intent to commit a crime or disrupt or interfere with the driver; a person who enters a school bus without prior authorization of the driver or a school official who refuses to disembark after being ordered to do so by the driver commits a misdemeanor of the third degree.

I. The following are guidelines for suspension of privileges. The suggested disciplinary action may be modified in accordance with the mitigating or aggravated circumstances:

- The first offense will result in a written warning. Parent contact required.

- The Principal may suspend bus privileges for three (3) days for second disciplinary offense. A Parent conference is required. Bus driver may be present.
- The Principal has authority to suspend bus privileges for one full week for third disciplinary offense. Parent conference required. Bus driver may be present.
- The Principal has authority to suspend bus privileges for ten (10) days for the fourth (4th) disciplinary offense. Parent conference required. Bus driver may be present.
- The Principal has authority to suspend bus privileges for one full month (i.e., up to thirty-one (31) calendar days) for fifth (5th) disciplinary offenses. Parent conferences required. Bus driver may be present.
- Referrals may be made for additional discipline as may be warranted under the circumstances

J. Large Articles on Buses. The Pennsylvania Department of Transportation mandates, in 67 PA Code S171.58 that the interior of a school bus must be free of objects, which could cause injury. Objects must be secured, and the aisles and emergency exits open and free of blockage. The following rules must be adhered to at all times:

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

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

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

### 3. Confidential Communications *(School Board policy [No.207](#))*

- A. Use of a student's confidential communications to school personnel in legal proceedings is governed by Applicable Law. See, for example, [42 Pa.C.S. § 5945](#) (*relating to confidential communications to school personnel*).
- B. Information received in confidence from a student may be revealed to the student's Parents, the principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.

### 4. Discrimination *(School Code [No. §12.4](#))*

Consistent with the [Pennsylvania Human Relations Act \(43 P. S. §§ 951— 963\)](#), and other

Applicable Law, a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability or any other legally protected characteristic.

## **5. Freedom of Expression** *(School Board policy [No.220](#)) & (School Code No. [§12.9](#))*

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

- A. Subject to the terms, conditions, limitations and exceptions set forth in Applicable Law, students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, teachers, administrators, students or others, or encourages unlawful activity or interferes with another individual's rights.
- B. Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of communication, provided that the Using of public school communications facilities shall be In Accordance With the regulations of the District or the rules established by the Principal or Superintendent.
- C. Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their e x p r e s s i o n .
- D. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.
- E. Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials.
- F. School officials may require students to submit for prior approval a copy of materials to be displayed, posted or distributed on school property, subject to Applicable L a w .
- G. Bulletin boards must conform to the following:
  - The District may restrict the use of bulletin boards
  - Bulletin board space may be provided as determined by the District for the use of students and student organizations;
  - School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.
- H. The wearing of buttons, badges or armbands shall be permitted as a form of expression, but it is subject to the terms, conditions, limitations and exceptions set forth in Applicable Law.
- I. The District may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.
  - A proper time and place set for distribution is one that would give the students

the opportunity to reach fellow students.

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

## 6. **Flag Salute and the Pledge of Allegiance** *(School Code [No. §12.10](#))*

It is the responsibility of every citizen to show proper respect for his/her country and its flag. However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag because of personal belief or religious convictions; and (2) students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

## 7. **Hair and Dress** *(School Board policy [No. 221](#))*

The Board may establish dress codes or require that students wear school uniforms. Policies may apply to individual school buildings or to all school buildings.

- A. Students have the right to govern the length or style of their hair, including facial hair. Any limitation of this right must include evidence that length or style of hair causes disruption of the educational process or constitutes a health or safety hazard. When length or style of the hair presents a health or safety hazard, some type of covering shall be used.
- B. Students may be required to wear certain types of clothing while participating in physical education classes, shops, extracurricular activities or other situations when special attire may be required to insure the health or safety of the student.
- C. Notwithstanding anything in this Code to the contrary, rules prohibiting certain dress do not apply to such dress as worn pursuant to religious belief, unless the dress presents a safety danger to a specific activity *(such as loose clothing around mechanical equipment used by the student)* or where the activity requires the wearing of specific clothing, such as a team sport.
- D. Specific Rules:
  1. **Special Events.** In the cases of special ceremonies, concerts, dances, etc., the Principal has the right to establish standards of dress for special school related events, including, but not limited to, graduation ceremonies, music concerts, induction ceremonies, award ceremonies, and other school related functions.
  2. **Certain Specific Items.** Students may not wear muscle shirts, spiked collars, spiked bracelets, spiked belts, long metal chains, or other potentially dangerous articles at school. Students may not wear clothing with the midriff is visible or clothing with only spaghetti straps. Leggings are permissible.

3. **Head covering, Clothing, And Expensive Personal Items.** The wearing of head coverings by students of either sex while indoors is prohibited. This includes all interior areas of school building such as classrooms, corridors, auditoriums, offices, etc., during school related events, as well as during the school day. Exceptions will be granted for medical reasons or as part of a religious practice.
4. **Buttons and Badges.** In addition, buttons, badges, patches, shirts, jackets, hats or other articles displaying messages referring to alcohol, drugs, sex, gangs or a cult are prohibited.
5. **Footwear.** Students are prohibited from wearing flip-flops and sliders.
6. **General Procedures.** Generally, students violating the dress code will be sent to an administrator. Students will be sent home after parental contact or the parent/guardian must bring in a change of clothes. Continued violation of the Student Dress & Grooming Policy will be regarded as insubordination and the student may be suspended.
7. **Expensive Clothing or Articles.** Students are discouraged from bringing expensive personal property i.e., electronic devices to school or wearing expensive clothing or jewelry. The School District shall not be responsible for the loss or theft of any such items.
8. Failure to comply with the dress code will result in the following progressive disciplinary action being taken:

**1<sup>st</sup> Offense:** Student conference and Student's Parent/Guardian Contacted

**2<sup>nd</sup> Offense:** Detention with Mandatory Parent/Guardian Conference

**3<sup>rd</sup> Offense:** Two (2) Detentions and Parent/Guardian Contact

**4<sup>th</sup> Offense:** One (1) In-School Suspension and Parent/Guardian Conference

**5<sup>th</sup> Offense:** Two (2) Days - Out of School Suspension

**6<sup>th</sup> Offense:** Two (5) Days - Out of School Suspension and Administrative Review Team Hearing

**Subsequent Offence(s):** referral to School Board for expulsion.

Notwithstanding the foregoing schedule of progressive discipline, if there are aggravating factors in addition to the failure to comply with the dress code, more serious discipline may be applied.

## 8. Liabilities

The District shall not be liable for the loss, damage, theft or misuse of any electronic device or other student property. The student and Parent/Guardian assumes all risks for damage to or loss of any property brought to School by any student or Parent/Guardian. The District also shall not be responsible for any accidents or injuries to a student or any other person or persons except as may be permitted under Applicable Law. (*School Board policy [No. 224](#)*)

## 9. **Technology** (P.L. 1556, [No. 197](#)) (School Board Policy 815 )

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

- A. **“Digital Technology”** shall mean all forms of digital technology, including Data, hardware, the School District’s network and all components of the School District’s network; and Digital Services of any nature and kind, that is based on digital technology and that is:
- Owned, leased or licensed to the School District;
  - That is accessed by or through Digital Technology that is owned, leased or licensed to the School District, and that is supplied by the School District to students, employees or volunteers. *“Digital Technology”* includes Computers; Data; networks; the Internet; cell phones; modems; voicemail; e-mail; collaboration tools; chat-rooms; instant messaging; user groups; and such similar technologies.
- B. **“Data”** shall mean all forms of digital or electronic data, Including digital or electronic:
- Records
  - Material
  - Data
  - Documents
  - Files
  - Script
  - Code
  - Software
  - Programs
- C. **“Computer(s)”** shall mean and Include District owned, leased, operated or provided:
- Desktops
  - School or Work Stations
  - Electronic readers or devices in the nature of an iPad or tablet
  - Laptops
  - Smart phones
  - Smart watches
  - Any other digital device in the nature of or with the functionality of any of the foregoing.
- D. **“Digital Services”** shall mean any service or resource available Including such services or resources as virtual servers or any electronic storage, including such things as a Google™ or Google Chrome™ account; OneDrive™, Adobe Creative Cloud™; Dropbox™; Evernote™; and other similar services on the internet that is outside of the School District’s Firewall.
- E. **“Malicious Code”** shall mean any code in any part of a software system or script that is intended to or that does cause undesired effects, security breaches, degradation to system speed or functionality to or damage to a system; INCLUDING attack scripts, viruses,

malware, worms, Trojan horses, backdoors, time bombs, and malicious active content.

F. **"Pornography" or "Pornographic" Includes:**

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

G. **"Storage Device"** shall mean any device capable of storing data, code, or programs, including CD's, thumb or flash drives, DVD's, hard drives, RAM devices or anything or item that has the function of storing or maintaining electronic data of any nature or type.

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

I. **"User"** shall mean a student, employee or visitor who is using any Digital Technology.

J. **"User ID"** shall mean the identification number(s) or letter(s) that is unique and that is assigned to the individual student or employee.

**Computer Prohibitions. Students shall not engage in any of the following conduct or behaviors:**

Prohibited Conduct and Use of District-Owned Technology	Minimum Infraction Levels
When using the District's Digital Technology, violating any applicable policy of the District or rule contained in this Code	See Board Policy 197 <i>(P.L. 1556, No. 197)</i>
Violating any applicable School rule when using the School District's Digital Technology	See Board Policy 197 <i>(P.L. 1556, No. 197)</i>
Using any Digital Technology of the District for any purpose other than for the legitimate educational purposes of District's students	1
Using any of the District's Computers or Data unless and until a confidential User ID and password has been assigned to the student	2
Using any of the District's Computers or Data without using his/her User ID and password;	2
Disclosing his/her User ID or password to any other Person unless directed by a properly authorized District administrator to do so	2
Using or utilize the User ID and/or password belonging to or assigned to any other individual, or impersonate, in any manner, any other person	2

Opening or logging on to any Computer, software, program or application using, utilizing or inputting the User ID and/or password of any other Person, or Using any default or preset User ID and/or password without express authority	2
Misrepresenting his/her identity when using the District's Computers	2
Using any Computers unless and until the student has signed an acknowledgment in the form prescribed by the School District attesting to the employee's understanding of the rules governing the Using of Digital Technology	2
Using any software or Internet site in violation of any applicable licensing agreement or applicable terms of Using	2
Failing to report to the building administrator and School District's technology administrator any time when he/she inadvertently visits or accesses a pornographic site at School or through any School District Computer or Digital Technology	2
Disconnecting any hardware from any computer without prior explicit direction to do so, except with respect to laptop computers issued with the expectation that they will have hardware, such as a printer as a charger, connected and disconnected	2
Bypassing any blocking or security software that may be used or installed by the District	3
Visiting or accessing pornographic websites at School or through any District Computer or Digital Technology	3
Violating the legal rights of others	3
Using Digital Technology to violate any applicable law, Including the Wiretap and Electronic Surveillance Control Act	3
Incurring any charges or costs of any nature or type to the School District in connection with Digital Technology or your Using of Digital Technology; except as specifically and expressly authorized In Accordance With applicable procurement requirements established by the School District or by Applicable Law	3
Intentionally, willfully, maliciously or through reckless indifference damaging or corrupting the functioning of any Digital Technology or any data stored, either temporarily or permanently on any Digital Technology	4
When using the District Digital Technology, engaging in sexual acts or sending any nude pictures	4
Intentionally entering, cracking, or hacking into any secure or confidential area of the District's systems, network(s) or Computers	4
Knowingly or willfully infecting any Computer with any virus	4
Knowingly or willfully placing any Malicious Code in any Computer, software, or network or network component	4
Using any Digital Technology to hack, crack, or gain access into anyone else's Computers or network(s) in any way or manner that is not	4
Using any data mining, (ro)bots, or similar data gathering and extraction methods in violation of any person's or entity's rights	4
Deleting or removing any program, application, security feature, or virus protection from any School District Computer without express authorization in writing from an administrator in the technology	4



Hacking or cracking into any hardware and/or software owned or licensed by the School District for any purpose	4
Violating any applicable criminal statute pertaining to computers, property or electronic devices, Including Chapter 76 of the Crimes Code, relating to computer offenses. 18 Pa.C.S.A. §7601 <i>et seq.</i>	4
Planting any virus, Malicious Code, pornography or other prohibited content or software on anyone's Computer, Including the School District's network or Computer(s), or any component of the School District's	4
Accessing another's Computer for any improper or unlawful purpose, Including to activate the audio or video functions of the Computer or to search the Computer's files, documents or codes, without the person's prior permission and authority	4

**Student-Owned Electronic Devices.** (School Board Policy 237) (1949 Act 14 Section 1317.1) & 47 CFR § 54.520

A. **“Electronic Device(s)”** means and Includes all devices that belong to a student or that is brought to School or possessed in School and that is not owned or leased by the District and that can:

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

B. Student Electronic Device(s) Prohibitions. Students shall not engage in any of the following conduct or behaviors:

Prohibited Conduct at School for Student-Owned Electronic Devices	Minimum Infraction Levels
Disrupting the educational environment or a school activity or program with an Electronic Device	1
At the elementary level, failing to conceal the Electronic Device(s) at School, except as stated in this Code	1
Having an Electronic Device out or using an Electronic Device in class without the teacher's permission	1
Having an Electronic Device out or using an Electronic Device at School in a manner not approved or authorized At School	1
Using an Electronic Device At School to initiate or respond to a voice or video call	1
Using an Electronic Device to engage in any conduct that is prohibited by any of the provisions of this Code	1

Taking photographs, videos or audio recordings (when the audio recording is not a crime) with an Electronic Device at School	2
Using an Electronic Device(s) to harass or threaten a student or other person	3
Recording any conversation with an Electronic Device at School when not authorized in an IEP, Service Plan, or by a Principal or higher ranking individual in writing and consistent with educational needs	3
Violating Applicable Law with the use or possession of an Electronic Device	4
Using an Electronic Devices for taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, Including texting and e-mailing	4

C. Permitted Uses of Electronic Devices. Notwithstanding anything herein to the contrary, Electronic Devices may be used In Accordance With the following terms, conditions and limitations:

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

## **Definitions** (School Code [No. §10.2](#))

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

- A. **“Applicable Law”** means and includes all federal, state and local statutes, ordinances, resolutions and regulations, Including the rules and regulations of any government authority, District rules, regulations and policies applicable to the District, and Includes all applicable case law, court orders, injunctions and consent decrees.
- B. **“At School”** and “School” means when students are at school and during such time as they are under the supervision of the District and teachers, including the time necessarily spent in coming to and returning from school. The term “At School” Includes:

- (i) When participating in or attending any District Program(s), Including a Program(s) that take place:
  - Before or after the school day
  - On non-school days
- (ii) While on District buses or other vehicles going to or coming from school or any Program(s)
- (iii) When going to or coming from School or a Program(s)
  - While at any school bus stop
  - While going to or coming from any school bus stop
- (iv) While under the supervision of the District on any Trips
- (v) Conduct that occurs outside of or way from School that has a nexus to School because it or its consequences causes a disruption at School or comes into school via the Internet or by other means.

C. **“Board”** means the Board of School Directors of the District.

D. **“Board Policy”** means any policy that has been adopted or approved by the Board at a public school board meeting, that is applicable to the conduct under consideration, and that is in effect on the date(s) when the conduct under consideration occurred. ([School Board Policies](#))

E. **“Bullying”** (*School Board policy No. 249*): means an intentional electronic, written, verbal or physical act, or a series of acts:

- 1) Directed at another student or students
- 2) That is severe, persistent or pervasive
- 3) That has the effect of doing any of the following:
  - (i) Substantially interfering with a student's education
  - (ii) Creating a threatening environment
  - (iii) Substantially disrupting the orderly operation of the school; provided that any expressive conduct outside of school is not protected by the First Amendment.

F. **“Code”** means this Code of Student Conduct.

G. **“Contraband”** means any goods, property, tools, equipment, drugs, weapons or other thing whose possession or use In School or At School is prohibited by Applicable Law or this Code.

H. **“Controlled Substance(s)”** shall mean and Include all: (*School Board policy No. 227*)

- (1) Controlled substances prohibited by Applicable Law
- (2) Look-Alike Drugs

- (3) Alcoholic beverages
  - (4) Anabolic steroids
  - (5) Drug paraphernalia
  - (6) Volatile solvents or inhalants, Including glue and aerosol products
  - (7) Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by Applicable Law
  - (8) Medication(s), except those Medications for which permission for use in School has been granted In Accordance With Board policy. The term Controlled Substance(s) does not include any prescription medication that is properly prescribed by a health care professional In Accordance With Applicable Law, or any over-the-counter medication when such medication is being used In Accordance With the prescription or medication instructions, and when its possession at School is In Accordance With Board Policy
- I. ***“Corporal Punishment”*** means physically punishing a student for an infraction of the Code.
  - J. ***“Dating Partner”*** means a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.
  - K. ***“Dating Violence”*** means behavior or conduct where one person uses threats of, or uses, physical, sexual, verbal or emotional abuse to control the person's Dating Partner.  
*(School Board policy [No. 252](#)):*
  - L. ***“Discipline”*** means the disciplinary action that may be imposed on any student who violates the rules contained in this Code. There are two types of “Discipline”—(1) “School Discipline;” and (2) “Out-of-School Discipline.” “School Discipline” means any discipline that is authorized for the District to impose by Applicable Law for conduct that occurs At School. “Out- of-School Discipline” means discipline that is allowed by Applicable Law for conduct that does not occur At School. The types of Discipline that may be imposed are set forth subsequently in this Code.
  - M. ***“Discrimination”*** means any discrimination, retaliation or harassment that is unlawful under Applicable Law.
  - N. ***“District”*** means the Coatesville Area School District, Including all its schools and Programs.
  - O. ***“Drug Paraphernalia”*** means and Includes any equipment, product, or material that is used for or modified for making, using, or concealing Controlled Substances. The term includes user-specific products and dealer-specific products. The term also Includes glass hashish pipes, crack cocaine pipes, smoking masks, hashish bongs, cocaine freebase kits, syringes, roach clips, fluorescent grow-lights, hollowed-out cosmetic

cases or fake pagers or products purported to cleanse an individual's system of drug residues, digital scales, vials, and small zipper storage bags.

P. **"Harassment"** (School Board policy [No. 248](#)): means conduct or words defined by Applicable Law as unlawful harassment, including Sexual Harassment, racial intimidation or Sexual Violence. Harassment includes Harassment by students, employees or third parties because of race, color, age, creed, religion, sex, ancestry, national origin, pregnancy, handicap/disability, or any other legally protected status or classification, or for participation in reports of, opposition to, or investigations of alleged Discrimination. Harassment may consist of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance and which relates to an individual's or group's race, color, age, creed, religion, sex, ancestry, national origin, marital status, pregnancy, handicap/disability or other status protected under Applicable Law when such conduct is:

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

Q. **"Hazing"** (School Board policy [No. 247](#)): means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization or team or Program. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

R. **"Improper Conduct"** means any conduct that is prohibited by an applicable Code of Student Conduct or work rule, but that does not rise to the level of Discrimination, Harassment or Retaliation. Improper Conduct includes conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be

harmful or humiliating or interfere with a person's school or school- related performance and which relates to an individual's or group's race, color, age, creed, religion, sex, ancestry, national origin, marital status, pregnancy, handicap/disability or other status protected under Applicable Law, but does not rise to the level of Harassment, Discrimination or Retaliation under Applicable Law, because, for example, the conduct is not sufficiently severe, persistent or pervasive under Applicable Law.

- S. ***"In Accordance With"*** means to be compliant with the applicable rule and all its terms, conditions, limitations and exceptions as applicable.
- T. ***"Includes"*** and ***"Including"*** mean:
- (i) By way of example and not limitation
  - (ii) Inclusive of and not limited by.
- U. ***"Infraction"*** means a violation of this Code, a failure to comply with a directive from a teacher or administrator, or a violation of the rules established by a teacher for his/her class or by a Principal for his/her school.
- V. ***"Look-alike Drug"*** means and Includes any pill, capsule, tablet, powder, plant matter or other item or substance that is:
- (i) Designed or intended to resemble a Controlled Substance prohibited by this Code
  - (ii) Is used in a manner likely to induce others to believe the material is a Controlled Substance
  - (iii) Represented to be a Controlled Substance.
- W. ***"Medication"*** means medicines legally prescribed by a licensed health care provider and over-the-counter medicines, Including asthma inhalers, epinephrine auto-injectors, vitamins and other pills, pastes, fluids or other substances sold in a store or over the Internet. *(School Board policy [No. 210](#))*
- X. ***"Parent(s)"*** means:
- (i) a natural, adoptive, or foster parent of a child (unless a foster parent is prohibited by State law from serving as a parent)
  - (ii) a guardian (but not the State if the child is a ward of the State)
  - (iii) an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare
  - (iv) Except as used in sections [20 U.S.C.A. 1415\(b\)\(2\)](#) and [1439\(a\)\(5\)](#) of this title, an individual assigned under either of those sections to be a surrogate parent.
- Y. ***"Person"*** means any natural person, Including students, Parents, District employees, contractors, District officials, volunteers and visitors.
- Z. ***"Policy(ies)"*** means a policy that has been adopted by the Board at a public meeting.

AA. ***“Principal(s)”*** means all principals and assistant principals employed or retained by the District, including interim or substitute Principals, or the designee(s) of any of them.

BB. ***“Program(s)”*** means and includes

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

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

DD. ***“School Authority”*** means any teacher, aide, administrator, school resource officer (*“SRO”*), or school police officer of the District.

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

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

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

GG. ***“Sexual Conduct”*** means any sexual act or conduct engaged in At School. Sexual Conduct includes rape, sexual assault, sexual battery and sexual coercion.

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

II. ***“Terroristic Threat(s)”*** means a threat communicated either directly or indirectly to

commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience. (See Policy 233)

JJ. **“Tobacco”** means a lighted or unlighted cigarette, cigar, pipe, incendiary device, vaping, e-cigarette, any vaping device, any vaping juice or liquid, or other smoking product or material and smokeless tobacco in any form. (School Board policy [No. 222](#))

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

LL. **“Under the Influence”** means any consumption or ingestion of a Controlled Substance(s) by a student.

MM. **“Weapon”** means and Includes any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury. Notwithstanding anything herein to the contrary, when considering the removal of a student with disabilities In Accordance With Applicable Law, the term “Weapon” means any device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, cause death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length. (School Board policy [No. 218.1](#))



# PARENT/STUDENT ACKNOWLEDGMENT STATEMENT

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The Coatesville Area School District requires that the statement(s) printed below be signed and returned to the Principal by September 15<sup>th</sup>, 2021.

**I have received, read, and reviewed with my child a copy of the Coatesville Area School District's Code of Student Conduct.**

Student's Name Printed \_\_\_\_\_

Grade \_\_\_\_\_

Signature of Student \_\_\_\_\_

Date \_\_\_\_\_

Signature Parent/Guardian \_\_\_\_\_

Date \_\_\_\_\_



As Director of Educational Services, Mr. Palaia supervises discipline in all buildings and works to analyze discipline data, in addition to other responsibilities. To see the responsibilities and job description please click [here](#).

His focus continues to be on the academic, social, and emotional growth of the students he serves on a daily basis. He values the relationships he has built over the past 22 years with the district and looks forward to his continued service to the students, parents, and community members of the Coatesville Area School district. Mr. Palaia is available via email at [palaiaj@casdschools.org](mailto:palaiaj@casdschools.org). Mr. Palaia can be reached by phone at 610-466-2400.