

# **STUDENT CONDUCT POLICY**



## **2020-2021 SCHOOL YEAR**

**PENNSBURY SCHOOL DISTRICT**  
FALLSINGTON, PENNSYLVANIA

*Revised May 2020*

# Pennsbury School District Student Conduct Policy 2020-2021

*Revised May 2020*

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The Pennsbury School District does not discriminate on the grounds of race, color, sex, sexual orientation, religion, ancestry, national origin, handicap or disability, record of a handicap or disability, or relationship or association with an individual with a handicap or disability, use of a guide or support animal, and/or handling or training of support or guide animals in the administration of or admission to any of its educational programs or activities in compliance with the Pennsylvania School Code of 1949, as amended; the Pennsylvania Human Relations Act, 43 P.S. §§ 951-963; the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.; Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; or the Individuals with Disabilities Education Improvement Act ("IDEIA"), 20 U.S.C § 1401 et seq.,.



COMMONWEALTH OF PENNSYLVANIA  
HUMAN RELATIONS COMMISSION

**PUBLIC ACCOMMODATION PROVISIONS  
PENNSYLVANIA HUMAN RELATIONS ACT**

(Act of October 27, 1955, P.L. 744, as Amended)

Under this Act, a public accommodation is any accommodation which is open to, accepts or solicits the patronage of the general public, including government services.

It is unlawful for any owner, lessee, proprietor, manager, superintendent, agent, or employee of any public accommodation to discriminate against any person in the full use and enjoyment of such public accommodation, on the basis of race, color, religion, sex, ancestry, national origin, disability, known association with a person with a disability, use of a guide or support animal due to blindness, deafness or physical disability or because the user is a handler or trainer of such animals.

This notice, which has been prepared and distributed by the Pennsylvania Human Relations Commission, must be posted by any owner, lessee, proprietor or manager of a public accommodation. Notices must be posted conspicuously in easily accessible and well-lighted places at the public accommodation, where they may be readily seen by those seeking or granting any of the accommodations, advantages, facilities or privileges of such public accommodation.

Complaints must be filed within 180 days of the alleged act of discrimination.

**WARNING: Removing, defacing, covering up or destroying this notice is a violation of the Pennsylvania Crimes Code and may subject you to fine or imprisonment.**

For further information, write, phone or visit the Pennsylvania Human Relations Commission:

**Central Office:** 301 Chestnut Street, Suite 300 · Harrisburg, PA 17101  
(717) 787-4410 · (717) 787-4087 (TTY) · [www.phrc.state.pa.us](http://www.phrc.state.pa.us)

**To file a complaint, contact the Regional Office nearest you:**

**Pittsburgh**  
301 5th Ave., Suite 390  
Piatt Place  
Pittsburgh, PA 15222  
(412) 565-5395  
(412) 565-5711 (TTY)

**Harrisburg**  
Riverfront Office Center  
1101-1125 S. Front  
Street, 5th Floor  
Harrisburg, PA 17104  
(717) 787-9784  
(717) 787-7279 (TTY)

**Philadelphia**  
110 N. 8th Street  
Suite 501  
Philadelphia, PA 19107  
(215) 560-2496  
(215) 560-3599 (TTY)

**Photography, ID and Interview Clearances**

Student photographs, identification, and interviews for all forms of print and electronic media occurring inside any Pennsbury school building or on any school premises shall be permissible with advance approval of the School District.

Parents/guardians wishing to have their child(ren) excluded from such activities must notify the school principal in writing at the start of the school year or when the child is first enrolled in the Pennsbury School District if this occurs midyear.

Questions concerning this District Photography, ID and Interview Clearances statement may be directed to the Coordinator of Communications at 215-428-4178.

**PREMISES & STANDARDS OF BEHAVIOR**

- I. The Pennsbury Board of School Directors approved the current edition of the Student Conduct Policy on August 15, 2019. The Board’s first adoption of a Student Conduct Policy was on June 27, 1974. Since that time after proper review, the policy has been updated.
- II. To develop consistency in the process of informing students about the Conduct Policy, the following steps will be considered standard practice and the responsibility of each building principal:
  - A. The principal, or his/her designee, will see that the Student Conduct Policy is reviewed and discussed with students prior to the completion of the first two full weeks of school.
  - B. In addition, both elementary and secondary principals will make arrangements to discuss the Student Conduct Policy With student government as well as with Parent Advisory Groups each year to utilize other methods of informing the Public, such as student letters, school newspapers, parent newsletters, et cetera.
  - C. Individual schools within the Pennsbury School District may adopt additional rules and procedures suitable to their Unique needs. However, these rules and procedures will in no way conflict with this Student Conduct Policy or be less Stringent than this policy. These additional rules and procedures would be reviewed in the same manner as the Student Conduct Policy at the beginning of the school year.
- III. In order to make the schools a place where all students can grow and learn, the Pennsbury School District has standards of Behavior for students and staff. The specific conduct prohibited by this code is not an exhaustive list of violations but provides examples of the kind of conduct that is subject to action under the code.

**EXPECTATIONS FOR STUDENTS**

Students are expected:

- A. to accept the fact that school personnel will act in a manner similar to parents/guardians in school situations (in loco parentis);
- B. to show respect and compliance for Pennsbury School District policies and courtesy toward school personnel;
- C. to treat other students in the same way they would like to be treated;
- D. to respect school property and the property of others;
- E. to behave in a way that does not prevent other students from learning;
- F. to be responsible for their own behavior whether by themselves or as part of a group;
- G. to refrain from the use of abusive or obscene language;
- H. to refrain from making threats to school personnel or other students;
- I. to report problems; and
- J. to work with the proper authorities.

**EXPECTATIONS FOR STAFF**

In order to help students to avoid violations of school standards of behavior, staff are expected:

- A. to meet the needs of individual students while maintaining school standards;
- B. to provide examples of self-discipline and standards of behavior for students to follow;
- C. to maintain order and courtesy by establishing fair and consistent standards for behavior in school, on a school bus, on school property, or at offsite school sponsored activities;
- D. to recognize the need for firm authority in order to develop an atmosphere for effective teaching and learning;
- E. to assume the personal responsibility for solving classroom discipline problems as they arise and to discuss student behavior with the student, parent/guardian, counselor, principal, and appropriate professional personnel and resolve them before they become serious;

F. to recognize the limitations of discipline and apply that action which can be carried out within the framework of policy or legal action.

IV. Students shall be required to conduct themselves in an appropriate manner including proper respect for constituted authority, conformity to school rules and regulations, and such provisions of the law as apply to the conduct of juveniles and minors.

Discipline is more than “making” a student do what is right. As a district of character, Pennsbury staff and faculty encourage students to choose to do what is right. While we realize we have an obligation to protect our students, students need to report a problem to the proper authorities for the common good. It is fully expected students will cooperate in any ongoing investigation with the proper school authorities. Since citizenship in a democracy requires respect for the rights of others, student conduct shall reflect consideration for the rights and privileges of others and shall exhibit cooperation with all members of the school community. High personal standards of courtesy, decency, morality, language, honesty, and wholesome relationships with others shall be maintained. Pride in work and achievement consistent with one’s ability and respect for real and personal property shall be expected of all students.

The Pennsbury Board of School Directors, through the Pennsbury School District Superintendent, shall hold all personnel responsible for the proper control and behavior of students while under the legal supervision of the school. Full support of the foregoing policy shall be expected of all school personnel and the administration. The Pennsbury Board of School Directors shall support the Pennsbury School District Superintendent, the principals, and their staff in the performance of their duties in carrying out this policy.

## SPECIFIC POLICIES

### I. Attendance

#### A. DAILY

1. All students are required by law to attend school. Consistent with School Laws of Pennsylvania, all absences are unexcused or unlawful except for the following reasons:
  - a. Illness
  - b. Obtaining professional health care or therapy from a licensed practitioner
  - c. Quarantine
  - d. Family emergency
  - e. Recovery from accident
  - f. Required court appearance
  - g. Death in family
  - h. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request.
  - i. Observance of a religious holiday observed by bona fide religious group, upon prior written parental request.
  - j. Non-school-sponsored education tours or trips, if the following conditions are met
    - The parent/guardian submits a written request for excusal prior to the absence
    - The student’s participation has been approved by the Superintendent or his/her designee.
2. Absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.
3. All absences shall be treated as unlawful until the Pennsbury School District receives a written excuse explaining the absence, to be submitted within three (3) school days upon return of the student.
  - a. Written excuse cards can be sent in on a hand-written note, emailed to the specific school’s attendance email or written on a provided excuse card (picked up in designated attendance office).
  - b. If students know that they will be missing school for some reason, a note from their parent/ guardian explaining why they will be out of school should be presented to the office.
  - c. Students who present falsified or forged attendance excuses will be subject to consequences up to and including suspension and/or expulsion from school. Students and/or parents/guardians will also be referred to local law enforcement.
  - d. After three days, absences will only be excused if a medical note is provided.
4. If an excuse is not returned within three days of the student’s return to school, then the absence(s) shall be deemed unexcused/unlawful.

5. Once a student has accumulated 10 excused/unexcused absences a medical note is required for any subsequent absence.

**B. LATENESS**

1. All students are expected to be in school on time. All lateness to school are unexcused or unlawful except for the following reasons:
  - a. illness of student;
  - b. death in the immediate family;
  - c. religious holidays and religious instruction as permitted by law;
  - d. other urgent reasons;
  - e. educational trip approved pursuant to Section I.D.
2. Lateness will not be excused without a note from the parent/guardian.
3. Students frequently late to school will receive disciplinary action.
4. Minutes from unexcused lateness may be accrued toward class cuts, truancy and/or disciplinary action.
5. In case of chronic or irregular lateness, school authorities may require a medical statement showing such lateness to be justifiable.

**C. LEAVING SCHOOL EARLY**

1. While we do not encourage early dismissal from school, students who request to leave school before regular dismissal must bring a written note from their parent/guardian requesting that they be permitted to leave early. The note should include a telephone number where parent/guardian can be reached for verification, if necessary. Proper I.D. must be provided by a parent/guardian when signing a student out of school.
2. Transportation arrangements must be made by a personal contact between the parent/ guardian and the school administration.

**D. PLANNED ABSENCES/EDUCATIONAL TRIPS**

1. Parents/guardians may request permission to take one educational trip per year not to exceed five days. Days in excess will be considered unexcused or illegal (depending on the age of the student) and notices may be issued. Only one educational trip will be approved each school year.
2. Parents/guardians requesting permission to take their child(ren) out of school for an educational trip must notify the administration by written request at least ten school days prior to the trip.
3. School administrators may deny a Family Vacation Request or deny part of the request if:
  - a. A student has exceeded 10 excused/unexcused days for the year
  - b. A family trip request was already granted for the current school year

**E. TRUANCY**

1. A truancy is considered an unlawful or unexcused absence from school. Students will receive a cut for each class missed.
2. Students caught off school property without the permission of school personnel during the school day will be considered truant.
3. A Student Attendance Improvement Plan (SAIP) will be implemented for truant students.

**F. NO CUT POLICY**

1. Students are expected to attend every class for which they are scheduled. The following steps will be taken if a student cuts a class:
  - a. FIRST CUT:
    - (i) the teacher whose class is cut will notify the appropriate administrator;
    - (ii) that administrator will contact the student's parent/guardian by telephone or by letter to inform them about the cut and consequences of additional cuts;
    - (iii) after the first cut an office detention will be assigned.
  - b. SECOND CUT:
    - (i) if a student cuts a class a second time, he/she will receive a failure for the class for that marking period in which the cuts occurred;
    - (ii) parent/guardian will be informed by phone or letter to inform them about the cut and consequences of additional cuts;

- (iii) after the second cut an in-school suspension will be assigned.
  - c. THIRD CUT:
    - (i) if a student cuts the same class a third time, he/she will not receive credit for the course.
- 2. The above policy will be modified for students with disabilities if such modification is necessary as a reasonable accommodation and provided that this policy may be waived or otherwise altered as may be necessary for students with disabilities on a case-by-case, student-specific basis.

**G. ATTENDANCE REQUIREMENTS FOR STUDENTS GRADES 9-12**

- 1. Students who miss more than ten days during a semester course will not receive credit for the course provided that this policy will be modified for students with disabilities if such modification is necessary as a reasonable accommodation and provided that this policy may be waived or otherwise altered as may be necessary for students with disabilities on a case-by-case, student-specific basis.
- 2. Students who miss more than seven days during a nine-week course will not receive credit for the course provided that this policy will be modified for students with disabilities if such modification is necessary as a reasonable accommodation.
- 3. Students who do not receive credit for the course for a class due to attendance will have an opportunity to make up five days missed. Make-up hours will need to be served within a reasonable period of time as determined by the administration. For every school day missed, a student must make up three hours of instructional time at a before or after school detention or a Saturday detention when available.
- 4. Students who miss more than fifteen days during a semester course or twelve days during a nine-week course will not be able to make up missed days or receive credit for the course
- 5. For students who miss an entire period due to leaving school early, the same attendance policy applies.
- 6. Students who do not earn course credit due to attendance can file an appeal with their building's attendance committee that will be made up of administrators and teaching staff. Student or parent/guardian appeals for not receiving course credit because of attendance must be filed before the last day of the semester.
- 7. **Examples of Acceptable Excuses:**  
extended illness, family death notices, doctor's notes college visitations, court subpoenas, religious holidays.
- 8. **Examples of Unacceptable Excuses:**  
Second family trip beyond excused days, overslept, missed bus.

**H. LATENESS POLICY FOR STUDENTS GRADES 9-12**

- 1. All students are expected to be in school on time.
- 2. All lateness to school are unexcused or unlawful except for the following reasons: illness of student, death in the family, religious reasons and other urgent reasons deemed acceptable by the administration.
- 3. Lateness will not be excused without a note from a parent/guardian. The note must include a parent or guardian phone number so the lateness can be verified.
- 4. Minutes from unexcused lateness during A-period will be accrued and counted toward a class cut. Ninety (90) minutes of unexcused lateness from a class will result in a class cut for the class. Two (2) class cuts in the same marking period will result in a failure for the class for that marking period. If a student cuts the same class a third time, he/she will not receive credit for the course.
- 5. The first lateness to B, C, or D period will result with the student being issued a warning by the teacher. The second lateness to B, C, or D period will result with the teacher contacting the parent/guardian or a teacher intervention (e.g., teacher detention). The third lateness to B, C, or D period will result in the student being issued a detention.
- 6. Continued lateness will be reported to and dealt with by administration and further disciplinary action will be assessed.
- 7. The above policy will be modified for students with disabilities if such modification is necessary as a reasonable accommodation and provided that this policy may be waived or otherwise altered as may be necessary for students with disabilities on a case-by-case, student-specific basis.

**II. Dress Code**

- A. Clothing which is obscene, displays profanity, or advertises an illegal activity or product is prohibited. Clothing which substantially disrupts the educational process or constitutes a health or safety hazard is prohibited. Students may be required to wear certain types of clothing while participating in physical education classes, labs, extracurricular activities, or other situations where special attire may be required to ensure the health and safety of the student. The type of clothing listed below are considered not appropriate for school and not permitted to be worn in school.

1. Outdoor clothing (coats, heavy jackets, etc.) unless climatic conditions warrant exceptions. Full length trench coats are prohibited; length should not exceed 3/4 length. High school students may wear coats when walking in between Campus buildings.
2. Clothing that is designed especially for highly physical or out-of-school activities (swimwear, etc).
3. Tank tops are permissible but must have minimally a 2 inch shoulder strap.
4. Clothing that exposes any part of the midriff (midriffs, shrinks, halters, bra tops, etc), cleavage (front & rear) OR any clothing that is excessively revealing, short and/or tight. Ensure that underwear is completely covered with outer clothing.
5. Clothing or patches on clothing which can be interpreted as obscene by message or placement.
6. Clothing that advertises alcohol, drugs, or sexual double entendres.
7. No sleepwear or bedroom slippers to be worn at any time, unless pre-approved as part of the instructional program.
8. No wearing of hats, bandanas and other headwear in school, except for a medical or religious purpose or as otherwise directed by health authorities. Hair bands and hair accessories are permitted.
9. Footwear is to be worn at all times. Due to steps and outdoor recesses, footwear that is a safety hazard will not be allowed, such as sneakers with skates and slippers (except as specified above) at all levels. Elementary and middle school students must wear footwear with straps or backs (no open heeled shoes or flip flops allowed).

**B. DRESS CODE DISCIPLINE MEASURES**

1. First Offense: Student is sent to the office, where the Principal or his/her designee will attempt to correct the dress code violation. If the dress code violation cannot be corrected at that time, the parent or guardian will be contacted to bring appropriate clothing to the school or to take the student home.
2. Second Offense: A second violation will result in a two hour detention for high school students, an after school detention for middle school students and a recess detention for an elementary student.
3. Third Offense: A third violation may result in a four hour Saturday detention for high school students, a two-day after school detention for middle school students and a four-day recess detention for an elementary student.

If there is a question regarding the appropriateness of dress, the Principal or his/her designee will be the final judge. The parent/guardian may be requested to bring in suitable clothing before the student may return to class. No student will be returned to class until the mode of dress is deemed appropriate by the Principal or his/her designee.

**III. Drugs and Alcohol**

**A. DEFINITIONS**

1. "DRUG" shall mean any controlled substance listed in Act 64, "The Controlled Substance Drug and Cosmetic Act" of 1972, and any other chemical substance or medication which is intended or capable of altering one's mood.
2. "LOOK-ALIKE DRUGS" shall mean any chemical, substance or medication offered as, possessed in the belief or capable of being perceived as a drug.
3. "DRUG PARAPHERNALIA" shall mean any equipment, product or material of any kind which is used, intended for use or designed for use in the preparation, testing, packaging, storing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body any drug or look-alike substance.

**B. DRUG PARAPHERNALIA**

1. Drug paraphernalia are not permitted in the schools, on school buses, on school property or at offsite school sponsored activities or otherwise on the way to or from school or school sponsored activities at any time during the school year.
2. Such items will be confiscated, parent/guardian will be notified, and appropriate disciplinary action will be taken which may include suspension or expulsion.
3. All items confiscated and not turned over to local law enforcement as evidence, or needed as evidence for a student Due Process Hearing (see Disciplinary Measures IV. Expulsion), will be returned to the student's parent/guardian upon written request.

**C. LOOK-ALIKE DRUGS**

1. Look-alike drugs are not permitted in the schools, on school buses, on school property or at offsite school sponsored activities or otherwise on the way to or from school or school sponsored activities at any time during the school year.
2. Such items will be confiscated and parent/guardian will be notified.
3. Students found to be in possession, using or distributing look alike substances will be subject to the same penalties as described in Section III.D. and/or Section III.E.



4. All items confiscated and not turned over to local law enforcement as evidence, or needed as evidence for a student Due Process Hearing (see Disciplinary Measures IV. Expulsion), will be returned to the student's parent/guardian upon written request.

**D. POSSESSION OR USE**

If there is a noticeable smell of alcohol or drugs on the student, or if based upon other factors, the Pennsbury School District has reasonable suspicion to believe that a student has used or is under the influence of alcohol, drugs or look alike drugs, the student will be taken to the office for verification by the Principal or his/her designee and the school nurse. If verified the student will receive a three day suspension, and an informal hearing will be held to determine if additional disciplinary action is appropriate. Local law enforcement shall be notified.

**1. FIRST VIOLATION**

- a. If a student is found possessing, using or under the influence of drugs or alcohol, while in school, on a school bus, on school property, or at offsite school sponsored activities or otherwise on the way to or from school or school sponsored activities, local law enforcement will be notified. He/she will be suspended for three school days, an informal hearing will be scheduled, and he/she will forfeit the privilege of participating in athletic and extracurricular activities for the same period of time.
- b. Such items will be confiscated and the parent/guardian will be notified.
- c. By the third day of the suspension an informal hearing will be held to determine if a Due Process Hearing (see Disciplinary Measures, Section III. Expulsion) before the School Board should be requested for the purpose of expulsion from school.
- d. The student will be referred to Student Assistance Program Team (SAP) for a mandatory assessment.
- e. If the parents/guardians or student refuses the mandatory Student Assistance Program Team assessment, a Due Process Hearing (see Disciplinary Measures Section III. Expulsion) may be requested, if not previously requested under paragraph c. above.
- f. If the Student Assistance Program Team recommendations are not followed, a Due Process Hearing (see Disciplinary Measures Section III. Expulsion) may be requested by the principal or his/her designee, if not previously requested under paragraph c. above.

**2. SECOND VIOLATION**

- a. If a second occurs within the same school year, the student will be suspended for three school days and an informal hearing will be scheduled.
- b. Within five (5) days of the second violation, the principal will request a Due Process Hearing (see Disciplinary Measures Section III. Expulsion) before the School Board for the purpose of expulsion from school.
- c. Local law enforcement will be notified.

3. If a student has a drug or alcohol problem and would like help, contact can be made with the Pennsbury School District Office of Student Services at 215-428-4181 for information and help.

**E. SELLING OR DISTRIBUTING**

1. If a student sells, transfers, procures or solicits drugs or alcohol, or possesses drugs or alcohol with intent to sell, transfer or provide while in school, on a school bus, on school property, or at other school related functions or otherwise on the way to or from school or school sponsored activities, he/she will be suspended immediately for three school days and an informal hearing will be scheduled.
2. The principal will place the student in an alternative program or request a Due Process Hearing (see Disciplinary Measures Section III. Expulsion) before the School Board for the purpose of expulsion from school.
3. Such items will be confiscated and local law enforcement will be notified.

**F. STUDENT MEDICATION (PRESCRIBED AND OVER-THE-COUNTER)**

1. The administration of medication in accordance with the direction of a parent/guardian and qualified health care provider to a student during school hours will be permitted only when (1) failure to take such medication would jeopardize the health of the student and/or (2) the student would not be able to attend school if the medication were not made available during regular school hours.
2. Before any medication may be administered to a student during school hours, the school nurse must receive (1) a written request from the parent/guardian giving permission for the administration of such medication; the note must include a statement relieving the Pennsbury School District of the responsibility for the benefits or consequences of the medication, (2) a written order of the prescribing qualified health care provider including the name of medication, dosage, the time at which or the special circumstances under which the medication shall be administered, the length of the period for which medication is prescribed and the possible side effects of the medication and (3) the medication in properly labeled container. The written request from the

parent/guardian and the order from the physician shall be kept on file in the office of the school nurse and may remain valid for the duration of the relevant prescription; however, new requests and orders must be submitted at least annually.

3. Medications must be provided to the school by the parent/guardian and not by the student unless the student is emancipated. Medications shall be securely stored and kept in the original labeled container. All prescription medications shall be stored in their original pharmacy or manufacturer labeled containers and in such manner as to render them safe and effective.
4. Students may be authorized by a qualified health provider to possess and self-administer asthma medication by means of an inhaler. Requests for permission for self-medication with an inhaler must be in writing. The qualified health care provider must notify the school of the dosage, type of medication to be self-administered, any possible side effects and an opinion as to the child's ability to self-medicate. The student must inform the school nurse immediately following each use of the inhaler. Misuse of the inhaler or violation of Pennsbury School District policy shall result in immediate confiscation of the inhaler and loss of the privilege to carry the medication.
5. With the exception of asthma inhalers in accordance with this section, students are not permitted to carry any prescription or non-prescription medication on their person, in their book bags, purses, lockers or vehicles. Possession of prescription or non-prescription medication in violation of this provision may be treated as possession of drugs.
6. The Pennsylvania Public School Code, Section 1414.2(g) allows parents/guardians to request an exemption to the administration of an epinephrine auto-injector for their student. In order to request the exemption, contact the school nurse to make an appointment to discuss this decision, review and sign the opt-out form.
7. Any medications left at the end of the school year shall be disposed of under the direction of the school nurse.

#### **G. SMOKING AND TOBACCO**

Students are forbidden to possess, smoke and or use tobacco products, electronic cigarettes, vaporizers, vape pens, hookah or any similar products on a school bus, or school property, or at off-site school sponsored activities or on the way to and from school or a school sponsored activity. Students suspected of smoking or being in possession of smoking paraphernalia, tobacco products, electronic cigarettes, hookah or any similar products are subject to search and confiscation of these items. Students found in possession of any of these devices or products may be suspended for up to three days.

Students in possession of lighters, matches or other items capable of starting a fire may be charged with possession of a weapon in accordance with the Student Conduct Policy. It is unlawful to possess or use tobacco in school, on school property or on a school bus. Act 145 makes it unlawful to possess a lighted or unlighted cigarette, cigar, pipe or other lighted smoking products and smokeless tobacco in any form. If a student is found in possession of one of these products, he/she may be subject to a fine and court costs. The building principal or his/her designee may also suspend the student up to three days.

If a student has a smoking problem and would like help, contact can be made with the Pennsbury School District Office of Student Services at 215-428-4181 for information and help.

#### **H. VAPING**

Students found vaping or in possession of vaping products in school, or at a school-sponsored function will be disciplined under Section III, G: Smoking and Tobacco, IV. Cell Phones and Electronic Devices, and/or Section III: Drugs and Alcohol as applicable. An educational program (e.g., online vaping learning module, in-person smoking cessation classes, etc.) may be offered by the Pennsbury School District in lieu of selected consequences at the discretion of the administration.

### **IV. CELL PHONES AND ELECTRONIC DEVICES**

- A. The Pennsbury School District is not liable for lost or stolen personal electronic equipment. It is the responsibility of the parent/guardian to notify the local law enforcement should they wish to file a local law enforcement report.
- B. Cell phones and personal electronic devices may not be used to record images or voice recordings on the school bus.
- C. The use of cell phones and electronic devices is prohibited at all times, in locker rooms, bathrooms, health suites and other changing areas.

- D. The Pennsbury School District further prohibits the use of cell phones and electronic devices for the purpose of intercepting any wire, electronic or oral communication unless consented to by all parties to the communication prior to the interception.
- E. If the Pennsbury School District has reasonable suspicion to believe that students have used a cell phone, or other electronic device to cheat, plagiarize, violate a copyright or commit any other act that is in violation of the Student Conduct Policy, then the Pennsbury School District shall have the right to search the device to the maximum extent permitted by law for evidence of such activity. If it is determined that the use of the device violated more than one policy, then they may be disciplined under each policy.
- F. Unauthorized use of video or still photography is prohibited and may result in confiscation of device by school staff and/or suspension. Cell phones and personal devices may not be used to record images or voice recordings of faculty, staff, or other students for personal use or inclusion on any internet or other media sites.
- G. Elementary and middle school students are permitted to have cell phones, iPods, iPads, MP3 players, internet-enabled smart watches and other portable electronic devices but they must be powered off during school hours and **while on the school bus** unless authorized by the class teacher or administrator. Students are NOT permitted to carry personal Chromebooks or personal laptop computers. A student who repeatedly violates this rule may have his or her device confiscated and then returned to the parent or guardian.
- H. **High School Students**

High School students are permitted to use cell phones, iPods, iPads, MP3 players and other portable devices between classes, during lunch and before and after school. Students shall not use cell phones, iPods, iPads, MP3 players, internet-enabled smart watches, or other portable devices during an instructional period either in the classroom or in another location unless authorized by the classroom teacher. Students are NOT permitted to carry personal Chromebooks or personal laptop computers.

1. Consequences for Violations of the Policy for **High School Students**:
2. First Offense: Students violating this policy will receive a written warning that will be signed by the student's parent or guardian.
3. Second Offense: student will be sent to Administration with an infraction and the student will be issued a two-hour detention.
4. Third Offense: student will be sent to Administration with an infraction and the student will be issued a four hour Saturday detention.
5. Fourth Offense: student will be banned from carrying electronic devices during the school day.

## V. Endangering Acts

An endangering act is one which results in physical harm to another person, in the damage, loss or destruction of property, or poses a direct threat to the safety, well-being of others or poses a direct threat of damage, loss or destruction of property.

### A. VERBAL/PHYSICAL AGGRESSION TOWARD PENNSBURY EMPLOYEES OR STUDENTS

1. Students who verbally, through gesture or in writing, threaten a person who is employed by the Pennsbury School District or a fellow student will be suspended immediately for three days. A repeated threat after a first suspension will be interpreted as conscious intent to physically attack the Pennsbury employee or fellow student and will be treated as a physical attack as stated below in item 2. Law enforcement will be notified.
2. A student who (1) physically attacks, either intentionally or unintentionally strikes/injures, (2) attempts to cause or intentionally or knowingly causes or by action causes bodily injury, or (3) attempts by physical menace to put in fear of imminent serious bodily injury, a person who is employed by the Pennsbury School District, or is a contractor of the Pennsbury School District, or who is a volunteer, or guest of the Pennsbury School District, or fellow student, will be suspended immediately for three school days and local law enforcement will be notified.
  - a. The principal or his/her designee may request an informal hearing and recommend further disciplinary action.
  - b. The victim has the right to sign a criminal complaint against the student.
3. If students start a fight, they will be suspended from school. The length of the suspension will be determined by the principal or designee after reviewing the details of the fight.
4. If it cannot be determined which of two or more students started a fight, all students involved will be suspended. The principal or designee may choose to notify local law enforcement for severe or repeated fighting problems. The principal or designee may request an informal hearing and recommend further disciplinary action.

**B. WEAPONS**

1. Weapons are prohibited while in school, on a school bus, on school property, or at offsite school sponsored activities. As used in this Policy, the word “weapon” includes, but is not limited to, any knife, cutting instrument, cutting tool, shotgun, rifle, pellet gun, air gun, paint ball gun or similar instrument capable of propelling a projectile, firearm, smoke bomb, lighters and other items capable of starting a fire, nunchuck stick, stun gun, mace, pepper spray, ammunition, blasting cap, M80, fireworks and any other explosive. The word “weapon” also includes any tool, instrument or object capable of inflicting serious bodily injury.
2. If a student possesses a weapon or conspires to possess a weapon in school, on school property, on a school bus or other transportation provided by the Pennsbury School District, or at a school sponsored activity or on the way to or from school or a school sponsored activity, they will be suspended from school immediately for three days and an informal hearing will be scheduled. Local law enforcement will be notified and the principal or his/her designee shall request a Due Process Hearing (see Disciplinary Measures, Section III: Expulsion) for the purpose of expulsion.
3. If students use or threaten to use any weapons in school, on school property, on a school bus or other transportation provided by the Pennsbury School District, or at a school sponsored activity or on the way to or from school or a school sponsored activity, they will be suspended from school immediately and the local law enforcement will be notified. The principal or his/her designee will request a Due Process Hearing (see Disciplinary Measures Section III.: Expulsion) within 5 days for the purpose of expulsion from school.
4. A student who possesses a look-alike or toy weapon will be suspended, parent/ guardian will be notified and a Due Process Hearing (see Disciplinary Measures Section III.: Expulsion) may be requested. After reviewing the details of the incident, the principal or his/her designee may notify local law enforcement.
5. A student who possess or conspires to possess a weapon in school shall be expelled for a period of not less than one year unless the Superintendent recommends a modification of the period of expulsion on a case-by-case basis.

**C. TERRORISTIC THREATS/ACTS**

1. The Board recognizes the danger that terroristic threats and acts present to the safety and welfare of Pennsbury School District students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.
  - a. A “terroristic threat” shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience.
  - b. A “terroristic act” shall mean an offense against property or involving danger to another person while in school, on a school bus, on school property, or at offsite school-sponsored activities.
2. When an administrator, based upon preliminary investigation, has determined that a student has made a terroristic threat or committed a terroristic act, the following guidelines will be applied:
  - a. The building principal or his/her designee will:
    - i. contact the parent/guardian;
    - ii. immediately suspend the student for up to three days;
    - iii. report the student to the appropriate authority where an incident report will be filed, e.g. local law enforcement, fire, etc. The Pennsbury School District Superintendent or his/her designee may recommend expulsion of the student to the School Board.

**D. LASER POINTERS**

Laser pointers present a significant health hazard (eye injury) to students and staff. Students are not permitted to have laser pointers while in school, on a school bus, on school property, on the way to or from school or a school sponsored activity, or at offsite school sponsored activities for any reason. Should a student need a laser pointer for a presentation, it will be supplied by the classroom teacher. Possession in school will be considered a major discipline issue and will result in suspension. The laser pointer will be immediately confiscated and will be returned only in person to a parent/guardian upon written request.

**E. FALSE FIRE ALARMS, BOMB SCARES, FALSE 911 CALLS**

1. Causing a false fire alarm, bomb scare, or false 911 call is a crime.
2. If a student is responsible for a false fire alarm, bomb scare, or a false 911 call, he/she will be suspended from school. After investigating the details of the incident, the principal or his/her designee may issue further disciplinary actions, including requesting a Due Process Hearing (see Disciplinary Measures Section IV. Expulsion) before the School Board.
3. Local law enforcement will be notified and will take the appropriate action.

**F. SCHOOL BUSES**

1. Every Pennsbury school bus has the capability of being equipped with a surveillance camera to monitor student behavior. In the event of any misconduct in which students have been videotaped and recommended for disciplinary action, a request for viewing the videotape may be made by the student's parent/guardian. All requests, in writing, should be addressed to the principal of the student's school. Parent/guardian may only view the portion of the tape that documents the alleged misbehavior of their child on the bus.
2. Riding a bus is a privilege, not a right, which may be revoked for, but not limited to, any of the following: fighting, throwing objects, vandalizing bus equipment, smoking, lighting of matches or lighters, drinking, use of profanity, verbal abuse, or other actions that disrupt or distract from the safe operation of the bus.
3. Any student involved in inappropriate behavior on a school bus will be suspended from the school bus immediately by the principal or his/her designee. Depending on the severity of the behavior, the principal or his/her designee may take additional action including, but not limited to extended suspension from school and/or expulsion following a Due Process Hearing (see Disciplinary Measures Section IV. Expulsion).
4. Students must be seated and remain seated while the bus is in motion.
5. Students may lose the privilege of riding the bus for a period of time to be determined by the principal or designee.
6. Principals, his/her designees, or bus drivers may assign students to a specific seat on the school bus to maintain order and safety.
7. Students are prohibited from taking photos or videos on school buses.
8. Elementary and middle school students are prohibited from using their cell phones on the bus.

**G. INSTRUCTIONAL AREAS**

1. A first violation of the safety regulations in areas such as, but not limited to, gym, applied engineering and technology education, family and consumer sciences, art or science will result in disciplinary action and the parent/guardian notified.
2. A second violation may result in further disciplinary action and the parent/guardian notified.
3. A third violation may result in the student's permanent removal from the course and a three day suspension and their parent/guardian being notified.
4. Depending on the severity of the incident, the principal or his/her designee may suspend the student and may request a Due Process Hearing (see Disciplinary Measures Section IV. Expulsion).

**VI. Offenses Involving Property**

**A. THEFT**

Any student who steals, is found in possession of stolen property, or is involved in a theft, may be suspended and local law enforcement may be notified. After reviewing the details of the theft, the principal or his/her designee may also request a Due Process Hearing (see Disciplinary Measures, Section IV. Expulsion).

Students found in possession of school keys, or duplicate school keys, will be suspended and/ or local law enforcement may be notified. The principal or his/her designee may request a Due Process Hearing (see Disciplinary Measures, Section IV. Expulsion).

**B. PERSONAL BELONGINGS**

Students and parent/guardian are advised not to bring personal possessions of value to school. The Pennsbury School District does not provide insurance protection in the event that personal possessions are lost, damaged, mislaid, or stolen. If a student or parent/guardian chooses to bring personal possessions to school or to keep them in school, they should be sure that their own insurance protection is adequate.

The Pennsbury School District is not responsible for any personal belongings that are lost, stolen, missing, misplaced, broken or damaged while in school, on a school bus, on school property, or at offsite school-sponsored activities. Parents/guardians may file a report with local law enforcement for stolen or lost items if they choose.

**VII. Gambling**

Students are forbidden to play cards, dice, games of chance or other games deemed inappropriate by the Administration while in school, on a school bus, on school property, or at offsite school sponsored activities. Students may be suspended from school, and the principal or designee may request a Due Process Hearing (see Disciplinary Measures Section IV. Expulsion).

## VIII. Vandalism

Vandalism is the willful destroying, defacing or damaging of property belonging to another. This includes vandalism as defined under the Acceptable Use Policy which is included herein. Students who commit an act of vandalism:

- A. May be suspended from school, and the principal or his/her designee may request a Due Process Hearing (see Disciplinary Measures IV. Expulsion).
- B. Must make arrangements to pay for damages.
- C. If no agreeable arrangements to pay for the damages are made, the Pennsbury School District will take legal action.
- D. Vandalism that exceeds \$50.00 for replacement or repair will be reported to local law enforcement by the principal or his/her designee.

If a student commits an act of vandalism that, in the principal's or designee's opinion also endangers the welfare or safety of others, the principal or his/her designee may request a Due Process Hearing (see Disciplinary Measures IV. Expulsion) before the School Board for the purpose of expulsion from school.

### A. GRAFFITI

Possession of instruments of graffiti – including but not limited to aerosol spray-paint cans, broad-tipped indelible markers, or similar marking devices is strictly prohibited by this policy and in some circumstances could constitute a criminal act. Anyone found guilty of possession of an instrument of graffiti and/or found guilty of desecrating or vandalizing Pennsbury School District property will be suspended and possibly expelled from school and local law enforcement will be notified.

## IX. Student Bullying/Cyberbullying/Harassment (Board Policy 249.1R1)

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

The School Board prohibits all forms of bullying by Pennsbury School District students in a school setting or which would have implications in a school setting. The School Board encourages students who have been bullied to promptly report such incidents to the building principal or his/her designee. The School Board directs that complaints of bullying be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the Pennsbury School 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.

- A. "Bullying" shall mean an intentional electronic, written, verbal or physical act, or a series of acts. Bullying, as defined in this policy, includes Cyberbullying:
  1. directed at another student or students;
  2. which occurs 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 or on the way to school and/or outside a school setting
  3. that is severe, persistent or pervasive; and
  4. has the effect of doing any of the following:
    - a. substantially interfering with a student's education;
    - b. creating a threatening environment; or
    - c. substantially disrupting the orderly operation of the school;
- B. Cyberbullying means the intentional and repeated mistreatment of others through the use of technology, such as: computers, cell phones, and other electronic devices.
- C. Discrimination and/or Harassment shall mean:
  1. Verbal conduct such as, but not limited to repeated, unwelcome and offensive slurs, jokes, or other verbal conduct relating to an individual's race, color, religion, ancestry, gender, sexual orientation, national origin, age or handicap/disability that creates an intimidating, hostile or offensive school environment;
  2. Visual conduct such as, but not limited to, unwelcome expressive conduct like derogatory posters, cartoons, drawings, letters, notes or gestures relating to a person's sex, race, color, religion, national origin, age or disability when the conduct is so severe, persistent, or pervasive and is objectively offensive that a reasonable person would find that it alters the terms or conditions in the school environment, or it unreasonably interferes with a member of the school community's school environment;

3. Physical conduct such as, but not limited to, offensive or unwelcome touching when the conduct is so severe, persistent, or pervasive and is objectively offensive that a reasonable person would find that it alters the terms or conditions in the school environment, or it unreasonably interferes with a member of the school community's school environment;
  4. Retaliation for having reported the harassment or discrimination;
  5. Denial of any of the benefits of a complete education program for an impermissible reason includes, but not limited to, race, religion, sex, sexual orientation, marital status, familial status, national origin, color, or disability.
- D. Accordingly, the Pennsbury Board of School Directors prohibits all forms of unlawful discrimination, harassment and bullying of students, based on race, religion, sexual orientation, color, national origin, sex, and disability, by any member of the school community.
- E. The Pennsbury Board of School Directors further prohibits discrimination, harassment and bullying, based on association with other students of the protected classifications or groups representing such protected classifications, by any member of the school community.
- F. The Pennsbury Board of School Directors further prohibits retaliation or reprisals against any person who makes a good faith complaint of prohibited discrimination, bullying or harassment by any member of the school community.
- G. The Pennsbury Board of School Directors recognizes various legitimate expression interests may be implicated in an anti-discrimination, anti-bullying and anti-harassment policy and that the offensiveness of a particular expression as perceived by some students, standing alone, is not a legally sufficient basis to establish prohibited discrimination, bullying or harassment. The Pennsbury Board of School Directors does not intend this Policy to chill freedom of expression, but instead attempts to balance legitimate speech and expression interests with its obligation to provide a safe and effective educational environment.
- H. **REPORT OF PROCEDURES**  
Any student who feels he or she is being harassed, bullied or discriminated against by an employee or another student or who is aware of harassment, bullying or discrimination against another student should report it immediately to the building principal, guidance counselor, teacher or school nurse.
- I. **INVESTIGATIVE PROCEDURE**  
In furtherance of this Policy, the Pennsbury Board of School Directors directs that complaints of discrimination, bullying or harassment shall be investigated promptly by the School Administration and/or Office of Student Services. Confidentiality of all parties shall be maintained, consistent with the Pennsbury School District's legal and investigative obligations.
- J. **DISCIPLINE OF OFFENDERS**  
A finding by the investigator that a student has engaged in harassment, bullying or discrimination shall subject the student to disciplinary action which may include, but not limited to counseling within the school, parental/guardian conference, loss of school privileges, transfer to another school building classroom or school bus, exclusion from school-sponsored activities, detention, suspension and or expulsion from school.

## X. Student Sexual Harassment Policy

- A. All students should enjoy a school environment free from all forms of discrimination, including, but not limited to, ones that pertain to: sexual harassment, sexual orientation or preference, and or any unwelcome sexual advances or comments. Sexual harassment is illegal, and therefore will not be tolerated anywhere in the Pennsbury School District. The subjecting of another student or faculty member to unwelcome sexual advances, sexually oriented comments, or harassment based on sexual orientation is strictly prohibited.
- B. The School Board prohibits sexual harassment and it will be considered misconduct.
- C. Sexual harassment may be in the form of student to student, student to employee, or employee to student misconduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature when:
1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, grades or other good standing.
  2. Such conduct has the purpose or effect of substantially interfering with an individual's performance or creates an intimidating, hostile or offensive school environment.
- D. Sexual harassment can take a variety of forms ranging from subtle pressure to physical assault. Although all facts and circumstances will be considered, some examples of sexual harassment may include, but not be limited to:
1. Threats of sexual relations or sexual contact;
  2. Continuous or repeated verbal abuses of a sexual nature, including graphic comments on a person's body, or sexuality;

3. Sexually degrading words, written or spoken, to describe the person or proposition of a sexual nature;
4. Sexual remarks, jokes or gestures that may embarrass or offend others;
5. Stalking will be considered a form of harassment and will be dealt with accordingly;
6. Unwanted and/or inappropriate emails, voicemails, instant messages, text messages and/or attachments.

**E. COMPLAINT PROCEDURE**

Any student who feels he/she have been a victim of sexual harassment should immediately report the alleged harassment to a teacher, nurse, counselor or administrator. Each complaint will be carefully investigated by the Director of Student Services and all findings documented in writing. The student's parent/guardian will be notified as soon as possible. All information obtained will be held in strictest confidence and will be discussed only on a need-to-know basis to investigate the matter.

No student will be subject to any form of discipline for pursuing a sexual harassment complaint. No student shall knowingly or maliciously falsify a charge of sexual harassment against another student or employee. Falsifying a charge may result in disciplinary action.

**F. DISCIPLINE OF OFFENDERS**

Any action taken as a result of the investigation will depend upon the facts of each case. Sanctions may range from a warning to expulsion for students and from a warning to termination for employees. If students have any questions with regard to this policy, they should contact the Director of Student Services at 215-428-4181.

**XI. Motor Vehicles**

- A. Secondary principals, or his/her designees, will regulate student use of motor vehicles during school hours.
- B. If students are permitted to drive to school, they must lock their vehicle. Students are not permitted to go to their car during school hours except by permission from the principal, or his/her designee.
- C. Students must obtain a permit to park on school property. Students who are permitted to park on school property must park in the designated parking areas. The established speed limit on school property is 5 M.P.H.
- D. Students who fail to obey the motor vehicle regulations may lose the privilege of driving on school property and may face disciplinary action.
- E. Student-driven motor vehicles are subject to search in accordance with Section XIII. Search and Seizure.
- F. Students parking on school property without an appropriate school issued parking permit will face disciplinary action, which may include a monetary fine, deemed appropriate by the principal or his/her designee.
- G. The Pennsbury School District is not liable for stolen vehicles nor damages to a student's personal vehicle, including damaged or stolen contents.

**XII. Financial Obligations**

- A. If students fail to pay any outstanding obligations issued to them, they will be given an obligation form, which indicates the price of the missing or damaged article or fees due. Students must pay the amount of money indicated on the obligation form.
- B. If obligations are not met by the end of the school year, students may be prohibited from participating in certain extra-curricular activities (e.g. purchasing prom or dance tickets).

**XIII. Search and Seizure**

Pennsbury School District officials have the right to search students, their possessions, lockers and student-operated motor vehicles to the maximum extent permitted by law as described below.

**A. LOCKERS AND OTHER STORAGE AREAS**

1. Lockers and other storage areas on school premises shall remain under the care and control of the school, and students shall not have any expectation of privacy in the lockers and storage areas provided them. All lockers and other storage areas provided for student use on school premises remain the property of the school and are provided for the use of the students – subject to inspection, access for maintenance, and search at the discretion of the school principal or his/her designee. Anything stored by a student is considered his/her possession. Lockers or other storage areas may not be used to store any objects that violate the law or the standards contained in the Student Conduct Policy Handbook. No student shall lock or impede access to any locker or storage area except with a lock provided by the principal or his/her designee of the school in which the locker or



storage is located. Prior to a locker search, students shall be notified and given an opportunity to be present, unless school authorities have reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of students in the school, in which case the locker(s) may be searched without prior notice.

2. The principal or his/her designee may search a student's locker at any time, seize any illegal materials and may notify the proper authorities. Such materials may be used as evidence against the student in disciplinary proceedings.
3. The principal, a member of the administrative staff, or teacher may search a desk or any other storage area on school premises other than a locker.

#### **B. STUDENT'S PERSON AND POSSESSIONS**

1. The principal or his/her designee may search the person of a student in school, on a school bus or at off-site school sponsored activities reasonable suspicion that a student possesses contraband. Searches of the person of a student shall be reasonable in scope, and limited to the following:
  - a. Searches of the pockets of the students;
  - b. Searches of any object in the possession of the student such as, but not limited to, a purse, book bag, knapsack or briefcase, electronic devices;
  - c. Searches of outdoor clothing such as, but not limited to, a jacket or coat;
  - d. A "pat down" search of the exterior of the student's clothing. ("Pat down" searches will be conducted only by a person of the same sex as the student being searched and in a private room absent an immediate threat of harm to a student or staff member.)
2. Absent an immediate threat of harm to a student or staff member, at least one person of the same sex as the student being searched shall witness but not participate in the search. A parent/guardian of any student searched shall be notified of the search as soon as reasonably possible.

#### **C. STUDENT-OPERATED MOTOR VEHICLES**

The privilege of bringing a student-operated vehicle onto school premises or other Pennsbury School District-designated areas is hereby conditioned on the implied consent of the student driver, owner of the motor vehicle, and the parent/guardian of the student to allow search of the motor vehicle, upon the reasonable suspicion of school officials. Refusal by a student, parent/guardian, or the motor vehicle owner to provide or allow access to a motor vehicle on school premises at the time of the request to search the motor vehicle shall be cause for termination without further hearing of the privilege of bringing a motor vehicle onto school premises. Students who refuse a building administrator's request to search a vehicle will be considered in defiance of Pennsbury School District policy and subject to suspension. Based on the principal or his/her designee's discretion, local law enforcement may be notified.

#### **D. RETENTION OF ITEMS SEIZED FROM STUDENTS**

Anything found in the course of a search conducted in accordance with this section which is evidence of a violation of the student conduct standards contained in the Student Conduct Policy Handbook or which presents a danger of physical harm or illness to any person or is injurious to a safe environment conducive to learning may be seized. Any confiscated material not turned over to local law enforcement as evidence and not needed in any suspension or expulsion proceeding will be returned to the student's parent/guardian upon written request.

#### **E. CANINE SEARCH**

Canine searches will be conducted in all secondary buildings. The areas searched will be all lockers, locker rooms, common areas, vehicles and a percentage of classrooms. Classes to be searched will be picked at random and will not target any particular group of students. Students will be asked to leave their classroom for a short period while the room is searched. All carry bags and backpacks will remain in the classroom. At no time will the search canine have contact with a student. All contraband or illegal substances will be confiscated and turned over to local law enforcement for further prosecution. Students found in possession of an illegal substance or contraband will be called to the office, their parent/guardian notified and appropriate disciplinary action will be taken.

### **XIV. Reasonable Physical Force**

Corporal punishment is forbidden in the Pennsbury School District. Reasonable physical force may be used for restraint or removal of unruly students in order to quell a disturbance and for the protection of persons and property.

Physical force used under the following circumstances shall not be considered as corporal punishment as long as the force is not extreme, excessive, or unreasonable in type or purpose:

- A. to quell a disturbance;
- B. to obtain possession of dangerous and/or illegal objects;
- C. for the protection of persons and property; and/or
- D. self-defense.

## **DISCIPLINARY MEASURES**

### **I. Detention**

Students may be kept before or after school, at lunchtime, or on Saturday mornings by teachers or administrators for violation of classroom or school rules. Detention cuts may result in further disciplinary action including suspension.

### **II. Suspension (In-school or out-of-school)**

The following procedures shall be in effect concerning suspension of students: TEMPORARY SUSPENSION AND INFORMAL HEARING

- A. The student will be notified. Every effort will be made to notify the parent/ guardian by telephone or personally of the reasons for the intended suspension before the student is dismissed from school unless the health, safety or welfare of the community is threatened.
- B. For identified students with disabilities, the appropriate procedures under state and federal law will also be observed.
- C. A suspension requires a letter notifying students and parent/guardian of the suspension. If possible, this letter should be sent home on the day of the suspension. A copy of the suspension letter will be mailed immediately to the Student Services Department.
- D. If the parent/guardian cannot be reached by telephone, a home and school visitor may be notified to make a home visit to apprise them of the suspension. In serious cases it may be desirable to have the suspended student taken home by the home and school visitor.
- E. Principals, or their assistants who handle the suspension, must sign all suspension letters.
- F. If the suspension is to exceed three days, an informal hearing must be held by the principal or his/her designee and a second letter must be sent by the principal, or their assistant, informing the parent/guardian and student of the informal hearing.
- G. At the informal hearing, the following due process requirements are to be observed.
  - 1. Notification in writing of the reasons for the suspension given to the parent/guardian and to the student.
  - 2. Sufficient notice of the time and place of the informal hearing.  
The student has the right to speak and produce witnesses (within reason) on his/her own behalf.
  - 3. The student has the right to question any witness who is present at the hearing.
- H. After the informal hearing, the principal or his/her designee will prepare a report and select one of the following options:
  - 1. The principal or his/her designee may recommend a Due Process Hearing before the School Board for the purpose of a ruling on a recommendation for an expulsion.
  - 2. The principal or his/her designee may extend the suspension up to ten total days and recommend no hearing before the Board. Any incident involving more than a three day suspension requires that a copy of the incident, action taken, principal's or his/her designee's recommendation, and a resume of other incidents that have occurred during the current year be sent through the appropriate Director to the Pennsbury School District Superintendent, who will submit the information to the School Board for their review.
  - 3. The principal or his/her designee may reinstate the student immediately following the hearing and/or recommend other treatment.
  - 4. The parent/guardian and student will be informed, in writing, of the outcome of the Informal Hearing.
- I. In those individual cases where the School Board takes an action, an adjudication will follow.
- J. Pennsbury High School an in-school suspension room where students suspended from classes and/or school may remain during their period of suspension. Placing students in the suspension room instead of sending them home will be at the discretion of the principal or his/her designee.
  - 1. A principal or his/her designee will review the offense with the student prior to placement in the in-school suspension room. Parent/guardian will be notified.
  - 2. Students are expected to do classwork while in the suspension room. Assignments will be collected from teachers for students placed in the suspension room for students to complete.

- K. At the discretion of the principal or his/her designee, an in-school suspension area may be provided to elementary and middle school students where students suspended from classes and/or school may remain during their period of suspension. Placing students in an in-school suspension area instead of sending them home will be at the discretion of the principal or his/her designee.
  - 1. A principal or his/her designee will review the offense with the student prior to placement in the in-school suspension room. Parent/guardian will be notified.
  - 2. Students are expected to do classwork while in the in-school suspension assignment. Assignments will be collected from teacher(s) for students placed in the in-school suspension area for students to complete.
- L. Students are not allowed on school property and cannot attend or participate in school-related activities or athletics during suspension except for a scheduled informal hearing. If the suspension is in school, the student cannot be on school property or attend/participate in school related activities after normal school hours on the day of the in-school suspension.

### **III. Expulsion**

- A. An expulsion is exclusion from school by the Pennsbury Board of School Directors, a committee of the Board or a duly appointed Hearing Examiner for a period exceeding ten school days and may be permanent expulsion from the school rolls. Specific due process procedures will be followed.
- B. A Due Process Hearing is an official hearing held before the Pennsbury Board of School Directors, a committee of the Board or a duly appointed Hearing Examiner for the purpose of determining whether a student is expelled from school or reinstated to school.

The following due process requirements apply:

- 1. The hearing will be held within fifteen school days of the notice of charges, unless agreed to by the parties or (1) lab reports are needed from law enforcement agencies, (2) evaluation or other proceedings are pending due to a student invoking rights under the Individuals with Disabilities Education Act or (3) in criminal or juvenile court case involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.
  - 2. Notification of the charges shall be sent to the parent/guardian by certified mail.
  - 3. At least three days' notice of the time and place of the hearing shall be provided, along with a copy of this Policy.
  - 4. The student has a right to a private hearing.
  - 5. A stenographic record will be made of the hearing. The family may request a copy of the transcript at their expense. If the family can demonstrate financial hardship, then a copy may be provided to the family at no cost.
  - 6. The student has a right to be represented by counsel at the family's expense.
  - 7. The student has the right to cross-examine any witness presented by the Pennsbury School District.
  - 8. The student has the right to be presented with the names of the witnesses against the student and with copies of any affidavits or statements of those witnesses.
  - 9. The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
  - 10. The student has the right to testify and present witnesses on his/her own behalf and to request that witnesses be present and be questioned.
  - 11. If the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate federal district court.
- C. Students who are less than 17 years of age are still subject to the compulsory school attendance law even though expelled, and they must be provided an education by the student's district of residence.
    - 1. The initial responsibility for providing the required education rests with the student's parent/guardian, through placement in another school, through tutorial or correspondence study, or through another educational program approved by the superintendent.
    - 2. Within 30 days of action by the governing board, the parents or guardians must submit to the Pennsbury School District written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parent/guardians are unable to provide the required education, the school entity shall, within 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 the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400—1482).
    - 3. If the approved educational program is not complied with, the Pennsbury School District may take action in accordance with Chapter 63 of the Juvenile Act (42 Pa.C.S. 6301-6308), to ensure that the child will receive a proper education.

- D. Participation in any degree in the following conduct by a student in school, on school grounds, in school vehicles, on school sponsored activities, or while under the school's jurisdiction, shall be considered misconduct within the meaning of the School Code and may result in expulsion from school, or expulsion coupled with establishment of specific conditions or reinstatement following a hearing by the School Board. When such acts occur in specific areas of school programs, school-related activities or facilities (including school buses), they may result in exclusion from the program, activity, or facility as a condition of reinstatement in addition to any period of exclusion imposed.
1. Use, possession, or sale of drugs, alcohol, or narcotics or look-alike drugs.
  2. Violation of the Crimes Code, the Controlled Substance, Drug, Device and Cosmetic Act, the Liquor Code, or any other state or federal law.
  3. Any Endangering Acts as defined in the Policy.
  4. Attack on a Pennsbury employee as defined in this Policy.
  5. False and/or malicious allegations against a Pennsbury employee which may bring harm to the employee's good name, and/or reputation, and/or employment.
  6. Fighting.
  7. Possession of a weapon as defined in this policy.
  8. False Alarms or 911 Calls.
  9. Bomb Scare.
  10. Theft.
  11. Vandalism as defined in this Policy.
  12. Harassment including: any sexually or racially oriented remarks, harassment based on race, sex, disability, age, sexual orientation, etc. or any unwanted sexual advances.
  13. Any act having a direct and immediate tendency to influence adversely the conduct and/ or subvert school authority, or to injure the school, whether such conduct occurs during or at school, at school-related activities, on the way to or from school, or at a time and place not related to school.
  14. Bullying.
  15. Hazing.
  16. Inappropriate Use of the Pennsbury School District's Computers/Violation of the Acceptable Use Policy.
  17. A documented pattern of continuous disciplinary problems including, but not limited to failure to follow rules/directions, consistent lateness and/or cutting of classes or detention that cannot be resolved on the building level.
- E. Students who return to school after an expulsion or alternative placement may be put on disciplinary probation contract. Violation of this probationary contract can result in an extension of the original expulsion.
- F. Students who are suspended, expelled, or assigned to an alternative placement are also barred from participating in extra-curricular or athletic activities. See Other Eligibility Requirements for Extra-Curricular Activities, Section III.

## **EXTRACURRICULAR ACTIVITIES**

Eligibility for athletic and extracurricular activities is based on the premise that academic performance is the keystone of the curriculum and the standard against which participation is measured.

### **I. School Clubs and Organizations**

- A. The Pennsbury School District Superintendent, principals and the Pennsbury School Board or Directors will determine which student clubs and organizations will be recognized as school-sponsored.  
One or more teachers acting as sponsors must be present at all meetings of school-sponsored organizations.

### **II. Academic Eligibility Standards for Extra-Curricular Activities**

- A. To be eligible for extracurricular activities, a student must pursue a minimum four-year roster as outlined in the Pennsbury School District Program of Studies.
- B. Eligibility shall be cumulative from the beginning of a grading period and shall be reported on a weekly basis.
- C. In order to participate in an extracurricular program, a student must not fail more than one subject.
- D. In the event that a student is failing one or more subjects, he/she is ineligible to participate in contests for a period of one week. At the discretion of the principal or his/her designee, ineligible students may practice with their team. The weekly ineligibility begins and ends on Monday of each week.

- E. If a student fails one or more subjects for a marking period he/she is ineligible to participate for the first fifteen days of the next marking period beginning on the first day report cards are issued.
- F. A student failing one or more subjects at the end of the school year will be ineligible to participate for the first fifteen days of the next fall semester unless one of the failing grades is made up in summer school.

### **III. Other Eligibility Requirements for Extra-Curricular Activities**

- A. Any suspended or expelled student shall be disqualified from extracurricular activities for at least the duration of the suspension or expulsion.
- B. Students in alternative placement shall be disqualified from extracurricular activities for at least the duration of the suspension or expulsion unless an exception is granted by the principal.
- C. Students suspended or expelled for a second violation of the Pennsbury School District's policy regarding possession or use of drugs or alcohol policy shall be disqualified from participating in extracurricular activities for the duration of the suspension or expulsion or the remainder of the season or activity, whichever is longer.
- D. The use of anabolic steroids, except for a valid medical purpose, by any pupil involved in school-related athletics is strictly prohibited. Body building, muscle enhancement, increasing muscle bulk or strength or the enhancement of athletic ability is not a valid medical purpose. Students violating this provision are subject to the following:
  - 1. For a first violation, suspension from school athletics for the remainder of the season.
  - 2. For a second violation, suspension from school athletics for the remainder of the season and for the following season.
  - 3. For a third violation, permanent suspension from school athletics.
  - 4. No student shall be eligible to resume participation in school athletics unless there has been a medical determination that no residual evidence of steroids exists. Participation in drug counseling, rehabilitation, testing or other program may be imposed as a condition of reinstatement into a school athletic program.
- E. Students suspended or expelled for selling or distributing drugs or alcohol will be disqualified from participation in extracurricular activities for the greater of the period of the suspension/ expulsion or the remainder of the school year.
- F. Students not in attendance at school by the half-day mark (high school 11:00 a.m.; middle school 11:30 a.m.; elementary school 12:15 p.m.) must not participate in a meeting, contest, performance or practice that day, unless the student has an approved medical appointment and presents a signed statement from the doctor to the building administrator or a note from the parent/guardian for illness.
- G. Students must be enrolled in and in full-time attendance at a PIAA member school or be home-schooled.
- H. Generally, students are eligible only at the school at which they are enrolled or, if a home-schooled student, at a public school in the public school district in which you reside. Charter school students should consult with your Principal to determine the school at which you are eligible.
- I. If students are absent from school during a semester for a total of twenty or more school days, they will lose their eligibility until they have been in attendance for a total of forty five school days following your twentieth day of absence.
- J. Students absent on the last school day of the week must have administrative and parent permission to participate in any competition or performance that is on a non-school day. The coach/sponsor should contact the parent/guardian regarding the absence.
- K. For any activity that requires a physical, students shall not be eligible to participate until they have provided the required medical documentation.
- L. Students who are injured and receive medical treatment shall not be eligible to participate until medical clearance is granted.

### **IV. Participation by Non-Pennsbury students in Extra-Curricular Activities**

Unless otherwise required by law, students are only eligible to participate in extracurricular activities if they are currently enrolled in the Pennsbury School District. However, under certain limited circumstances, the Pennsbury School District may grant a waiver of this eligibility requirement. The process for requesting such a waiver and the procedures under which the waiver may be granted are as follows.

A written request must be sent to the building principal where the activity is conducted, or through which it is organized, as well as to the Pennsbury School District staff member who is primarily responsible for coaching, supervising and/or monitoring the activity.

Upon receipt of such a written request, the building principal and the staff member involved, in consultation with the Central Office Administration, may agree to waive the eligibility requirement that only students who are currently enrolled in the Pennsbury School District may participate in extracurricular activities if all of the following facts and conditions exist and/or are met:

- A. The non-student resides within the Pennsbury School District.
- B. The non-student is a former Pennsbury student who participated in the activity while enrolled at Pennsbury.
- C. The non-student's participation in the activity will not result in any increase in cost to the Pennsbury School District.
- D. The activity at issue has an opening which has gone unfilled despite efforts to recruit Pennsbury students. The non-student's participation will not deprive any Pennsbury School District student of the ability to participate in or advance within the activity.
- E. The non-student's participation in the activity will, in the opinion of the Pennsbury School District, enhance the activity for the students who are involved.
- F. The non-student must be of the appropriate age for the activity at issue.
- G. The non-student's participation must be approved by any third party organization which sponsors, regulates or sanctions the activity at issue.
- H. The activity is not offered at the non-student's school.
- I. The non-student's participation is contingent on the non-student's agreement to comply with the Student Conduct Policy.
- J. The non-student and the non-student's parents must sign a waiver of liability in favor of the Pennsbury School District in a form acceptable to the Solicitor.
- K. Each non-student is eligible for only a single waiver to participate in one extracurricular activity per school year.

If a waiver is granted, the non-student's continued participation in the extracurricular activity is subject to the same requirements and restrictions as other students. The waiver which can be granted under this amendment is a privilege and not a right. As such, the waiver can be revoked at any time with or without reason by the Chief Executive Officer or Superintendent.

## **V. Substance Abuse and Extra-Curricular Activities**

In order to participate in an extracurricular activity or sport, students must observe the following rules in compliance with PIAA regulations. The use and/or possession of alcohol and other drugs while in school, on a school bus, on school property, or at offsite school sponsored activities is in violation of Pennsbury School District policy and a violation of the law.

### **A. POSSESSION OR USE**

#### **1. FIRST VIOLATION**

- a. If a student is found improperly or unlawfully possessing, using or under the influence of drugs or narcotics classified as controlled substances or alcohol, while in school, on school property, or on the school bus, or surrounding area, he/she will be suspended for three school days, an informal hearing will be scheduled and he/she will forfeit the privilege of participating in athletic and extracurricular activities for the same period of time;
- b. By the third day of the suspension an informal hearing will be held to determine in part if a Due Process Hearing, See Disciplinary Measures IV. Expulsion) may be requested for the purpose of possible expulsion from school;
- c. Local law enforcement will be notified;
- d. Student will be referred to Student Assistance Team. If Student Assistance Team recommendations are not followed, a Due Process Hearing (See Disciplinary Measures IV. Expulsion) may be requested at any time.

#### **2. SECOND VIOLATION**

- a. If a second offense occurs, the student will be suspended for three school days, an informal hearing will be scheduled and the student will be dismissed from the team/activity, and he/she will forfeit the privilege of participating for the remainder of the season/activity;
- b. The Principal or his/her designee will request a Due Process Hearing (See Disciplinary Measures IV. Expulsion) before the Pennsbury Board of School Directors for the purpose of possible expulsion from school;
- c. Local law enforcement will be notified.

### **B. SELLING OR DISTRIBUTION**

1. If a student sells, transfers, procures or solicits drugs or alcohol, or possesses drugs or alcohol with intent to sell, transfer or provide while in school, on a school bus, on school property, or at other school related functions or otherwise on the way to or from school or school sponsored activities, he/she will be suspended immediately for three school days and an informal hearing will be scheduled.

2. The principal or his/her designee will place the student in an alternative program or request a Due Process Hearing (see Disciplinary Measures Section III. Expulsion) before the School Board for the purpose of expulsion from school.
3. Such items will be confiscated and local law enforcement will be notified.
4. The student will forfeit all rights and privileges for further participation in athletic and co-curricular activities for the remainder of the school year.

## **VI. Absence and Eligibility for Extra-Curricular Activities**

A student who has been absent from school during a semester for a total of twenty or more school days, shall not be eligible to participate in extracurricular activities until he/she has been in attendance for a total of forty-five school days following the twentieth day of absence, except where there is a consecutive absence of five or more school days, due to but not limited to, a confining illness or injury, death in the immediate family, court subpoena, or quarantine.

## **VII. Hazing**

The School Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off of school property or outside of school hours. Hazing is 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.

- A. This includes, but is not 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.
- B. 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. See the Public School Code, 24 P.S. §5352.
- C. No student, parent/guardian, coach, sponsor, or volunteer, or Pennsbury School District employee shall engage in, condone, or ignore any form of hazing.
- D. Any student who has been subjected to hazing is encouraged to promptly report such incidents to his/her building principal or his/her designee.
- E. Pennsbury School District Administrators shall investigate promptly all complaints of hazing and administer appropriate discipline to any student found to be in violation of this policy.
- F. A finding by the investigator that a student has engaged in hazing shall subject the student to disciplinary action which may include, but not be limited to, counseling within the school, parental conference, loss of school privileges, transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, imposition of fines, the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines, and/or expulsion from school.
  1. A finding by an investigator that an organization, operating under the sanction of or recognized by the Pennsbury School District, has authorized hazing in blatant disregard of these rules may be subject to rescission of permission for the organization to operate on campus or other school property or to operate under the sanction or recognition of the Pennsbury School District. 24 P.S. §5354(b)(3).
  2. All penalties imposed as part of this section shall be in addition to any penalty imposed under 24 P.S. §5353 making hazing a misdemeanor of the third degree or any other criminal law of the Commonwealth of Pennsylvania. 24 P.S. §5354(b)(4).

# **FREEDOM OF EXPRESSION**

## **I. Student Demonstrations**

Students within a school may have legitimate concerns and grievances. Therefore it is desirable to establish channels of communication such as student councils, student forums, and/or principal's sounding boards through which student concerns can

be expressed, evaluated, and resolved. Students have the right to express themselves unless such expression materially and substantially interferes with the educational process, threatens immediate harm to the welfare of the school or community, is obscene or libelous, encourages unlawful activity, or interferes with another individual's rights.

- A. Students may express themselves through written, spoken, or symbolic communication as long as that communication is in accordance with Pennsbury School District regulations, including the standard set forth above, and the laws governing libel and obscenity. Any and all postings must be pre-approved by the Building Administration before being placed on the Pennsbury School District property.
- B. Students should be aware of the feelings and opinions of others, and give others a fair opportunity to express their views.
- C. School newspapers and publications shall conform to the following:
  - 1. Students have the right to report the news and to editorialize.
  - 2. School officials shall supervise student newspapers published with school equipment, remove obscene or libelous matter and edit other material that would cause a substantial disruption or interference with school activities. Prior approval procedures may be established which designate the person to whom the copy is to be submitted and establish a limitation on the time required to make a decision.
  - 3. School officials may not censor or restrict material simply because it is critical of the school or its Administration.
- D. The constitutional right of freedom of speech guarantees the freedom of public school students to publish materials on their own.
  - 1. The school has no responsibility to assist students or to provide facilities in the publishing of such materials.
  - 2. The students themselves have sole responsibility for any statements published.
- E. School officials 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 or interfere with scheduled class time.
  - 1. A proper time and place set for distribution is one which would give the students an opportunity to reach fellow students.
  - 2. The place of such activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.
- F. Student demonstrations which are disruptive in nature will not be condoned. Disruptive behavior is a serious matter. In the event of a group demonstration during the school day which threatens or disrupts the normal school operation either within the building or on school grounds, the following procedure will ensue:
  - 1. The administration will issue an order to the dissident students to disperse to their regular activities or classes within five minutes.
  - 2. The administration may invite the dissident students to meet in assembly in order to air their concerns at a later time but during the same day if possible.
  - 3. If the demonstrators do not disperse within the allotted time of five minutes, the legal authorities will be summoned.

## II. Demonstrations by Outsiders

Any person present in a school without written administrative permission will be considered a trespasser. In the event of disruptive behavior within a school by such individuals or groups, the procedure will be as follows:

- A. The individuals or groups will be asked to leave the premises immediately.
- B. If they refuse, legal authorities will be summoned, and the trespassers will be arrested for disturbing the school while it is in session.

If such individuals or groups stage a demonstration on the school grounds but not within the school building, the Central Administration Offices are to be notified. The individuals will be asked to leave and legal authorities will be notified.

# INTERNET ACCEPTABLE USE AGREEMENT

## I. Computer Usage

### A. INTERNET ACCEPTABLE USE POLICY



If a Pennsbury School District user violates any of these provisions, his or her account will be terminated and future access could be denied.

The signature/s at the end of this document is/are legally binding and indicates the party (parties) who signed has/have read the terms and conditions carefully and understand/s their significance.

1. **Acceptable Use** – The purpose of the backbone networks making up the Internet is to support research and education in and among academic institutions by providing the access to unique resources and the opportunity for collaborative work. The use of your account must be in support of education and research and must be consistent with the educational objectives of the Pennsbury School District. The use of the network or computing resources of other organizations must comply with the rules appropriate for that network. The using of any computer equipment and/or communications services owned, leased or otherwise provided by the Pennsbury School District for sending, receiving, viewing or downloading visual depictions of obscenity, child pornography, material that is harmful to minors or material that violates any federal or state law or regulation is strictly prohibited. Additionally use of any computer equipment and/or communications services owned, leased or otherwise provided by the Pennsbury School District to violate or infringe on a copyright or access or disclose trade secrets is prohibited. This includes, but is not limited to, copy righted material, threatening or obscene material, or material protected by trade secrets.
2. **Privileges** – The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrators along with the Pennsbury School District Superintendent will deem what is appropriate use.
3. **Network Etiquette** – You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:
  - a. Be polite. Do not become abusive in your messages to others.
  - b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language. Illegal activities are strictly forbidden.
  - c. Do not reveal any personal information.
  - d. Do not use the network in such a way that would disrupt the use of the network by other users.
  - e. All communications and information accessible via the network should be assumed to be private property.
  - f. Students have no expectation of privacy in information stored, transmitted or otherwise accessed through computer equipment and/or communications services owned, leased or otherwise provided by the Pennsbury School District. The Pennsbury School District has access to all such information. The Pennsbury School District may take disciplinary action and/or refer matters to law enforcement authorities if it appears that a student has violated Pennsbury School District Policy and/or applicable law.
  - g. The Pennsbury School District reserves the right to monitor, track, access, and log the use of its systems at any time.
4. The Pennsbury School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Pennsbury School District will not be responsible for any damages you suffer. This includes loss of data resulting in delays, non-deliveries, mix-deliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The Pennsbury School District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
5. **Security** – Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a system administrator or the building principal. Do not demonstrate the problem to other users. Do not use another individual's account without written permission from that individual. An attempt to logon to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or as having a history of problems with other computer systems may be denied access to the Internet.
6. **Vandalism** – Vandalism will result in cancellation of privileges, suspension and possible referral for expulsion. Vandalism is defined as any malicious attempt to harm, delete or destroy data, programs, electronic devices or component parts thereof another user, the Internet, or any other network, computer or system. This includes, but is not limited to, the uploading, passive transmitting, accessing, or creation of computer viruses.

**B. COMPUTERS**

Pennsbury School District computers provide a learning environment that fosters student achievement. Level appropriate policies for computer usage are in effect in each school. Students violating computer policies will be subject to appropriate disciplinary and/or legal action and may lose computer privileges.

**C. ACCESS TO INTERNET**

A district-wide Internet acceptable use agreement has been developed. Any student wishing to access the Internet through Pennsbury’s computers must sign the agreement along with a parent/guardian. Violations of this policy may result in loss of computer privileges and/or disciplinary action.

**D. DISCIPLINARY ACTION**

Disciplinary action for computer or Internet violations will be determined on an individual basis. Consistent with the Internet-Terms and Conditions of Use section of the Pennsbury School District’s Internet Acceptable Use Agreement, the more serious violations can result in loss of privileges, suspension, an informal hearing or a due process hearing (see Disciplinary Measures Expulsion) for the purpose of expulsion.

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children’s education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are “eligible students”.

- A. Parents or eligible students have the right to inspect and review the student’s education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- B. Parents or eligible students have the right to request in writing that a school correct records which they believe to be inaccurate or misleading. The request must include students name and grade, why the change is requested, contact person, and phone number. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- C. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR 99.31):
  - 1. School officials with legitimate educational interest;
  - 2. Other schools to which a student is transferring;
  - 3. Specified officials for audit or evaluation purposes;
  - 4. Appropriate parties in connection with financial aid;
  - 5. Organizations conducting certain studies for or on behalf of the school;
  - 6. Accrediting organizations;
  - 7. To comply with a judicial order or lawfully issued subpoena;
  - 8. Appropriate officials in cases of health and safety emergencies; and
  - 9. State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose the following types of information (known as “directory information”) without parental consent unless the School Principal is notified in writing within 20 days of the date this notice is received that parents do not want any or all of those types of information about the student designated as directory information. Directory information includes the following information relating to a student: the student family member’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information. Directory information may be disclosed for purposes beneficial to the student and the Pennsbury School District only with the approval of the Superintendent or his/her designee.

**D. CONSENT FOR COLLECTION OF STUDENT INFORMATION**

The Superintendent, as the appointed representative of the School Board, may provide consent for the gathering of certain types of student information as specified below. Such representational consent will suffice in lieu of student, parental, guardian or surrogate consent for the collection of the following types of information:

1. Name, address, phone number of student.
2. Parent/Guardian name, address, phone number, place of work.
3. Scores of group aptitude and achievement tests.
4. Grades on teacher-prepared tests relating to subject matter curriculum.
5. Grades on report cards.
6. Vocational skill assessment.
7. Hearing and vision screening devices.
8. Such other information that is routinely collected and deemed necessary by the Superintendent or a designee, provided it has been specified through the above representational consent procedures.

If you wish to appeal the decision of such representational consent, you must direct your appeal in writing to the Superintendent of Schools.

**E. Destruction of Records**

At the conclusion of each school year, school records are reviewed. Several documents will be purged from the file. Examples of such documents include student work and some assessment materials. Should you wish to review the documents prior to having them removed and destroyed, please contact your school counselor by April 30 of the school year. This serves as notification of this process regarding these documents. Purging of files begins May 1.

**COPPA COMPLIANCE**

By signing the Student Conduct Policy Verification Form, parents and guardians are hereby granting permission for their students' personal information to be provided to web services in accordance with the Children's Online Privacy Protection Act (COPPA). Teachers will only utilize web services that are COPPA compliant and have been approved by the Pennsbury School District for children ages 13 and younger.

**ACADEMIC INTEGRITY GUIDELINES**

The School Board prohibits intentional or unintentional cheating in any form, including plagiarism. Academic Integrity is a commitment to the values of honesty, trust, fairness, respect, and responsibility in the academic process.

- A. Academic Integrity Committee is a committee of school personnel who serve in the review and/or appeal process. The Academic Integrity Committee is formed and chaired by the building principal. Teachers and students may make a referral or an appeal to the Academic Integrity Committee through the building principal or his/her designee.
- B. Academic Misconduct includes but is not limited to cheating, plagiarism, falsification, multiple submission, complicity or interference.
  1. **Cheating** – Giving or receiving unauthorized assistance (e.g., copying, using crib sheets, stealing exams, using electronic aids/devices, Internet sources, using aids like Cliff's Notes instead of reading the original work) in any academic work or examination. Using or attempting to use any unauthorized materials, information or study aids in an examination or academic work.
  2. **Plagiarism** – Representing the ideas or wording of others as one's own. Plagiarism may result from poor technique or more serious, intentional issues such as:
    - a. copying the work of another person;
    - b. submitting the work of another person (including parent, sibling or other student);
    - c. closely paraphrasing a piece of work without due acknowledgment;
    - d. substituting a word or phrase for the original while maintaining the original sentence structure;
    - e. citing sources incompletely with intention to deceive;
    - f. using graphics, visual imagery, video or audio without permission of the author or acknowledgment of the source;
    - g. translating text from one language to another without citing the original; obtaining packaged information (e.g. foreign language translation or a completed paper from an on-line source) and submitting it as one's own work without acknowledging the source.

3. **Falsification** – Falsifying or inventing any information, data or citation in any academic work.
4. **Multiple Submission** – Submitting substantial portions of any academic exercise more than once without prior authorization and approval of the teacher.
5. **Complicity** – Facilitating any of the above actions or performing work that another student then presents as his or her own work (e.g., copying someone’s homework or allowing someone to copy your homework).
6. **Interference** – Interfering with the ability of a fellow student to perform his or her assignments (e.g., stealing notes or tearing pages out of books).

**C. TEACHER RESPONSIBILITIES FOR AVOIDING STUDENT ACADEMIC MISCONDUCT**

1. To create a learning environment that supports academic integrity
2. To educate and hold students accountable for complying with the Pennsbury Academic Integrity Guidelines
3. To provide conclusive evidence for any allegation of student misconduct

No penalty shall be imposed without conclusive evidence or thorough investigation. If need be, the academic integrity committee will be the final arbiter of disputes. Each case shall be treated on its merits.

**D. STUDENT RESPONSIBILITIES FOR AVOIDING ACADEMIC MISCONDUCT**

1. To read, understand, and follow the Pennsbury School District Academic Integrity Guidelines.
2. To authenticate any assignment submitted to a teacher. Students must be able to produce proof that the submitted assignment is actually their own work. Authentication of an assignment may include:
  - a. copies of drafts of the work
  - b. photocopies of research materials (including downloads from web sites)
  - c. notes, note cards, source cards
3. To participate fully in any investigation of an allegation of misconduct

**E. ACADEMIC MISCONDUCT CONSEQUENCES**

1. The penalty for intentional academic misconduct is a grade of F for the assignment, with no makeup, and may include administrative referral for additional disciplinary consequences. Egregious misconduct, or a second offense, will require referral to the Academic Integrity Committee, and may result in failure of the course.
2. Unintentional academic misconduct may be dealt with by the teacher through counseling or a penalty, where appropriate, but should not result in a grade of F for the assignment. Penalties in minor cases may include resubmission of the work, simply re-editing corrections, or the deduction of points as provided in the assignment rubric. Resubmitting or completion of an alternate assignment is at the discretion of the teacher. More than one instance of unintentional academic misconduct in the same course will result in a referral to the Academic Integrity Committee.
3. Academic misconduct in the Graduation Project will result in failure to meet the requirements of the project. Intentional or egregious misconduct may result in the requirement that the student identify and complete a new topic for the project.
4. In some situations additional penalties may apply.