School District of Lancaster

Standards and Expectations of Behavior for Students

A Handbook for Students, Staff, and Parents
2017/2018 Revision

School District of Lancaster
Together We Can!
School District of Lancaster

Standards and Expectations of Behavior for Students

Office of Student Services

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The School District of Lancaster’s Board of School Directors, as well as the administrators, teachers, and support staff, believe that our values guide us in our daily actions as individuals and as members of the community. Our core values include respect for self and others, compassion, fairness, integrity, honesty, and the right to a safe and positive learning environment.

Classroom teachers have the initial responsibility of handling most behavioral problems. Parents/Guardians also need to play a role in their child’s behavior modification and should be involved from the early stages when interventions are needed. The motto of our district is “Together We Can” and it symbolizes the need for the school staff, students, parents, and community members to work together to actively create solutions.

This handbook was created as a guide for all individuals who are connected with or visit our schools. This includes the Standards of Conduct, which are applicable to all stakeholders while on school property or during school sponsored events. The information in this guide outlines behaviors that are respectful of people’s rights and directs students to accept responsibility for their actions. It will be reviewed with all students twice each year. Board policies (as posted on the Internet at www.lancaster.k12.pa.us) as well as the Pennsylvania School Code should be reviewed for additional guidance.
How wonderful it is that nobody need wait a single moment before starting to improve the world.

—Anne Frank
Standards of Conduct

Pursue Excellence as a Student and Community Member
• Attend school regularly and on time.
• Conduct yourself in a safe and responsible manner to and from school with other students, with members of the community and within the community.
• Believe that you can and will learn; produce quality work that meets the highest classroom standards.
• Commit to remain in school with the objective of graduating on time.

Model Responsibility and Integrity
• Be honest at all times.
• Be responsible for your own work and behavior.
• Develop positive relationships.
• Accept responsibility for your own actions.

Respect Self, Others and Property
• Value diversity and respect the views and opinions of others.
• Treat all persons fairly and with dignity; seek peaceful resolutions to disagreements.
• Choose appropriate, non-offensive language to express one’s thoughts, opinions, and feelings.
• Respect the rights and privileges of students, teachers, and other district staff and volunteers.

Create a Positive, Safe, and Drug Free Learning Environment
• Conduct yourself in a safe and responsible manner that focuses on academic success while in the school environment or on school property.
• Cooperate with and assist the school staff in maintaining safety, order, and discipline.
• Obey laws and School Board Policies against possessing or concealing any substance or objects which are prohibited or which may disrupt the educational process and/or school sponsored activities.
DEVELOP a passion for learning.
If you do, you will never cease to grow.

- Anthony J. D’Angelo
STUDENT RIGHTS AND RESPONSIBILITIES

Chapter 12 of 22 Pa. Code provides rights and responsibilities for students and gives the authority for school boards to make reasonable and necessary rules governing the conduct of students in school.

**Right to a Free Public Education**
All persons in the Commonwealth of Pennsylvania, between the ages of 6 and 21 years, are entitled to a free and full education in the public school district where they reside.

**Right to Enroll in a Public School**
Students have a right to enroll in the public school district in which they reside. The School District of Lancaster will require the following:

- proof of the child's date of birth: (acceptable documentation includes birth certificate, baptismal certificate or transcript of the record of baptism—duly certified and showing the date of birth, notarized statement from the parents indicating the date of birth, duly attested transcript of the birth certificate, or duly certified transcript of birth)

- an immunization record or assurance from the former school district or a medical office that the required immunizations have been done (or a required series begun) with a record to be sent

- completion of a Parent Registration Statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs or alcohol, weapons or violence per 24 P.S. §13-1304-A and

- proof of residency (copy of lease or a bill).

Homeless children are entitled to a free appropriate public education from either the school district in which their person or the shelter is located or the school district of origin. They are not required to submit proof of residency or certain contact information.

*Based on Board Policies #201 and #203*

**Responsibility to Attend School**
Parents or guardians of all children between the ages of 8 and 16 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused (i.e., doctor's excuse, bereavement, etc.) Students who have not graduated may not be asked to leave school merely because they have reached 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public school or from extracurricular activities because they are married, pregnant, or have a disability.

*Based on Board Policy #204*
Responsibility for Maintaining High Standards of Behavior

Students must comply with all state and local laws. Students have the responsibility to be aware of all rules and regulations for student behavior and to conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

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

Students must exercise proper care when using public facilities and equipment.

Students should be on time to all classes and other school functions.

Students should complete homework assignments on time.

Students should make-up work after an absence from school.

Students should attempt to complete satisfactorily the courses of study prescribed by local school authorities.

Students should use proper language, without obscenities, while on school premises and attending school functions.

Right to a Safe School Environment

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

Students are encouraged to volunteer information to school authorities in matters relating to the health, safety and welfare of the school community and the protection of school property.

Students should dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes. Uniform policies must be followed.

No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process. Bullying, hazing, or other harmful treatment of others will be subject to disciplinary action.

Right to Non-Discriminatory Practices

Consistent with the Pennsylvania Human Relations Act (43 P. S. § § 951—963), a student may neither be denied access to a free and full public education, nor subjected to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability.

Right to Due Process

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

- Notification of the charges shall be sent to the student’s parents or guardians by certified mail.

- At least 3 days’ notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student, and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.

- The hearing shall be held in private unless the student or parent requests a public hearing.

- The student may be represented by counsel, at the expense of the parents or guardians, and must have a parent or guardian attend the hearing.

- The student has the right to be presented with the names of witnesses against the student and copies of the statements and affidavits of those witnesses.

- The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.

- The student has the right to testify and present witnesses on his own behalf.

- A written or audio record shall be kept of the hearing. The student is entitled, at the student’s expense, to a copy. A copy shall be provided at no cost to a student who is impoverished.

- The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
  - Laboratory reports are needed from law enforcement agencies.
  - Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400-1482).
  - In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.

- Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.
**Informal Hearings.** The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

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

- The following due process requirements shall be observed in regard to the informal hearing:

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

**Right to Freedom of Expression**

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Commonwealth of Pennsylvania.

Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, school activities, school work or discipline and order on school property or at school functions; threatens serious harm to the welfare of the school or community; encourages unlawful activity; or is likely to or does materially or substantially interfere with another individual’s rights.

Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, computers, technology, and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.

Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

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

School officials may require students to submit for prior approval a copy of materials to be displayed, posted or, distributed on school property.
Bulletin boards must conform to the following:

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

School newspapers and publications must conform to the following:

- Student newspaper editors have the right to report the news and to editorialize within the provisions set forth below.
- School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.
- School officials may not censor or restrict material simply because it is critical of the school or its administration.
- Prior approval procedures regarding copy for school newspapers must identify the individual to whom the material is to be submitted and establish a limitation on the time required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered as authorized for distribution.
- Students who are not members of the newspaper staff shall have access to its pages. Written criteria for submission of material by nonstaff members shall be developed and distributed to all students.

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.

- A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.
- The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.
- The wearing of buttons, badges, or armbands shall be permitted as another form of expression within the restrictions listed above.

*Based on Board Policy #220*

**Rights Regarding Flag Salute and the Pledge of Allegiance**

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

Students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions.

Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate and shall at all times maintain a respectful attitude through the exercise.
Rights Regarding Confidential Communications

Use of a student’s confidential communications by school personnel in legal proceedings is governed by statutes and regulations appropriate to the proceeding. See 42 Pa.C.S. § 5945 (relating to confidential communications to school personnel).

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

Rights Regarding Searches

As a precautionary measure, hand-held, walk through, or other types of metal detectors may be used in SDoL buildings.

When a metal detector is being used, all individuals will be expected to comply with the screening. If a metal detector is activated, the individual will be asked to remove metal objects from his or her person or personal belongings and be scanned again. If after the removal of the metal objects, there is still an activation of the metal detector, the individual will be taken to a room, out of view from other individuals, and the person will be subject to a “pat down” search. A “pat down” search conducted by school personnel shall be limited to feeling the outer clothing for the purposes of discovering only items which may have activated the metal detector. If school personnel conducting a “pat down” search feel an object that may have activated the hand held metal detector, the individual will be asked to remove the object. If the individual declines, the object will be removed by school personnel. Under all circumstances, the “pat down” search will be conducted by at least two school personnel of the same sex as that of the individual being searched.

If school authorities have sufficient evidence to suspect a potentially dangerous situation, they have the right to search a student for illegal or harmful items.

Prior to an individual locker search, the student shall be notified and be given an opportunity to be present. School authorities may approve canine searches of lockers during, before, or after school.

Driving on school property is a privilege for students and therefore a contract with the school. If school authorities have sufficient evidence to suspect a potentially dangerous situation, the administrator may contact the police or other emergency service personnel and/or the school solicitor and have the vehicle searched.

Any illegal or harmful items found may be used as evidence against the student in disciplinary proceedings.

Based on Board Policy #226
SECTION 2
UNIFORM DRESS CODE

“Education is for improving the lives of others and for leaving your community and world better than you found it.”

- Marian Wright Edelman
Kindergarten through 8th Grade  Based on Board Policy #221

In the School District of Lancaster there is a required "uniformed" look for all kindergarten (K-5) through 8th Grade students. This standard of dress provides a non-judgmental environment where students learn to express their creativity through means other than by the clothes they wear. We believe, and national research suggests, that the adoption of a school uniform policy produces an increase in academic performance, as well as a decrease in the number of school detentions and suspensions. Many of our schools report a growth in school unity, team building, and academic focus.

The K-8 dress code includes the following:

<table>
<thead>
<tr>
<th>Tops</th>
<th>Bottoms</th>
<th>Outerwear</th>
</tr>
</thead>
<tbody>
<tr>
<td>White, Navy, Light Blue</td>
<td>Navy, Tan (Khaki)</td>
<td>White, Navy, Light Blue</td>
</tr>
<tr>
<td>Collared button front shirts, collared blouses, turtleneck shirts, collared polo shirts (with school name is optional)</td>
<td>Girls: Slacks and cargo style pants, skirts, skorts, shorts, Capri pants, jumpers (skirt bottom)</td>
<td>Cardigan, v-neck, crew neck, turtleneck sweaters, sweater vests, sweatshirts, hoodies may be worn over collared shirts and blouses</td>
</tr>
<tr>
<td>Shirts should be tucked in and buttoned</td>
<td>Boys: Slacks, cargo-style shorts, cargo pants, shorts</td>
<td></td>
</tr>
</tbody>
</table>

Shirts, when not tucked in, must cover the top of pants. Skirts, skorts or shorts must extend to fingertip length when standing. Hoodies, when worn, shall not cover the head.

The following is not proper uniform dress:

<table>
<thead>
<tr>
<th>Tops</th>
<th>Bottoms</th>
<th>Outerwear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tan, red and any other color not listed above</td>
<td>Any color other than those listed above</td>
<td>Tan and any color other than those listed above</td>
</tr>
<tr>
<td>Any collarless shirts or blouses, bib overalls, sweatshirts, plain T-Shirts</td>
<td>Baggy or sagging pants, blue jeans, stretch blue jeans, sweat pants, warm-up pants</td>
<td>Fleece tops, jean or other jacket</td>
</tr>
</tbody>
</table>

No logos, stripes, patterns or designs; solid colors only, including leggings and tights. All permissible exposed clothing must be of the approved uniform colors. Shoes or appropriate footwear shall be worn for health and safety reasons. Flip flops/sandals must have a back-strap.

1st Offense: Parents will be notified by the homeroom teacher that their child did not report to school in the uniform dress. The parent contact would confirm parents’ awareness of policy and understanding that all students are to wear uniform dress. Parent support will be solicited. The parent contact must be documented.

2nd Offense: Parents will be contacted by Principal or designee. Student will be given the option to change into school issued uniform dress for that day or parents will have option to bring an appropriate change of clothing to school for their child. If parent is bringing clothing, there is the expectation that the parent will bring clothing within a reasonable time. The offense is documented and counselor and other intervention strategies are explored.
**3rd Offense**: Consequences for the third offense will be a repeat of the second offense consequences and students will be issued a detention equivalent to time lost to change into uniform dress or for the time it takes a parent to bring uniform dress change to school. The offense is documented and counselor and other intervention strategies are explored.

**Student Identification Cards**
All students in grades 6–12 must display an Identification Card most preferably with their lanyards. Identification Cards are not valid if defaced, altered or if the picture is covered.

**DRESS AND GROOMING: 9TH THROUGH 12TH GRADES**

*Based on Board Policy #221*

The school will not interfere with the right of students and their parents to make decisions regarding their appearance except when their choices affect the educational program of the school or the health and safety of others.

- Any manner of attire, appearance or grooming which causes disruption within the school or classroom, or which creates possible danger to the health or safety of others, or which creates undue maintenance problems with regard to school property shall subject the offending student to disciplinary action.

- Students may be required to wear certain types of clothing and footwear while participating in physical education classes, labs, extra-curricular activities, or other situations where special attire may be required to insure the health or safety of the students.

- Students have the responsibility to keep themselves (including their clothes and their hair) clean. School officials may impose limitations on student participation in the regular instructional program where there is evidence that the lack of cleanliness constitutes a health hazard.

- Specific Learning Communities are required to wear uniforms. (MIT-McCaskey Institute of Technology and Health Careers).
The function of education is to teach one to think intensively and to think critically. Intelligence plus character—that is the goal of true education.

—Martin Luther King, Jr.

ATTENDANCE AT SCHOOL BASED ON BOARD POLICY 204

The School District of Lancaster recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues. Attendance shall be required of all students enrolled in district schools during the days and hours that school is in session, except that authorized district staff may excuse a student for temporary absences when receiving satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence.

Unexcused/Unlawful Absence
Parental Notice of Absences shall be treated as unexcused/unlawful until the district receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.
A maximum of ten (10) days of cumulative lawful absences verified by parental notification shall be permitted during a school year. All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

**Truant**
A child subject to compulsory school laws having three (3) or more school days of unexcused absence during the current school year.

**School Attendance Improvement Conference**
A School Attendance Conference will be scheduled to address school attendance concerns. District staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference. The purpose of the School Attendance Improvement Conference is to examine the student’s absences and reasons for the absences in an effort to improve attendance with or without additional services.

The following individuals shall be invited to the School Attendance Improvement Conference: the student, the student’s person in parental relation, other individuals identified by the person in parental relation who may be a resource, appropriate school personnel, and recommended service providers.

The outcome of the School Attendance Improvement Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student’s file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate district staff.

**Habitually Truant**
When a student under fifteen (15) years of age is habitually truant, district staff shall refer the student to a school-based or community-based attendance improvement program or the local children and youth agency. A citation may be filed in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.

When a student fifteen (15) years of age or older is habitually truant, district staff shall refer the student to a school-based or community-based attendance improvement program or file a citation in the office of the appropriate judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Coordinator of Special Education shall be notified and shall take action to address the student’s needs in accordance with applicable law, regulations and Board policy.

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student’s needs in accordance with applicable law, regulations and Board policy.
SECTION 4
STANDARDS AND EXPECTATIONS OF BEHAVIOR

“\nI can’t change the direction of the wind, but I can adjust my sails to always reach my destination.\n”

-Jimmy Dean
STANDARDS AND EXPECTATIONS OF BEHAVIOR

All standards are expected to be followed. Any violation of the standards will be subject to the General Interventions/Discipline Sequence outlined in Section 5.

Standard 1.
Pursue Excellence as a Student and Community Member

Disruptive Behavior
Any behavior that impedes the learning process and/or disrupts the learning environment cannot be tolerated. All efforts will be made to ensure a positive learning environment that is safe, bully-free, and respects the rights of everyone.

Transportation Rules and Regulations
Students will act in a respectful manner to the driver and to fellow students while waiting for and riding on school buses, vans, or other modes of transportation supplied by the district.

Any violations may end the privilege of the student to use district transportation.

1. No swearing
2. No fighting, pushing, tripping or wrestling
3. No shouting or loud singing
4. No playing of music without headsets
5. Promptly obey directions of the bus driver
6. No littering or throwing objects
7. No use or possession of matches, lighters, or tobacco
8. No pets or weapons
9. No standing or changing seats while the bus is in motion
10. All parts of body must be kept inside the bus at all times
11. No actions which cause a disturbance or distraction to the bus driver or other students or could impair the safe operation of the bus
12. No eating or drinking on the bus or van (unless part of a sponsored event with teacher approval)
13. Lunch bags, books, musical instruments, etc., must be held on the lap
14. No defacing or destruction of bus property
15. No tampering with the bus or its equipment

Video and Audio Recording on Buses Based on Board Policy 810.2
Video and audio recording equipment may be used on school buses transporting students to and from school, field trips, extracurricular activities, and athletic trips at the discretion of the school district. Review or use of the audiotape/videotape from a school bus or a school vehicle shall be consistent with the school district’s student disciplinary procedures and shall comply with all privacy rights of student education records.

Standard 2.
Model Responsibility and Integrity

Cheating/Plagiarism/Falsification
Cheating, plagiarism, or falsifying documents (forgery or counterfeiting by verbal, written, or electronic transmission; this act also includes school forms, hall passes, notes from parents, etc.) is prohibited.
**Illegal gambling**
Betting money or other things of value, whether it is online, with cards or dice, betting on sporting events, or through other methods or forms, is prohibited.

**Stealing**
Stealing, theft, extortion (attempting to obtain something of value by threat or force) is an unlawful offense and can be prosecuted under state law.

**Unauthorized use of technology and/or communication devices**
Students are prohibited from the unauthorized use of electronic devices during the school day in district buildings; on district property; on district buses and vehicles; during the time students are under the supervision of the district; while students are attending school-sponsored activities, and in locker rooms, bathrooms, health suites, and other changing areas at any time.

Electronic devices shall include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide wireless, unfiltered connections to the internet. Examples of these electronic devices include, but shall not be limited to: laser pointers, radios, CD players, handheld games consoles, Personal Digital Assistants (PDA’s), cellular telephones, mobile devices, and laptop computers, as well as any new technology developed within similar capabilities.

Students are prohibited from taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

The district shall NOT be liable for the loss, damage or misuse of any personal electronic device brought to school by a student.

**Use of Electronic Resources Based on Policies 237 and 815**
Use of the district’s computing resources is permitted solely for educational, research, and business purposes and for purposes consistent with the educational objectives of the district. Any use of the district’s computing resources for illegal, inappropriate, or obscene purposes, or in support of such activities, is prohibited.

Students are expected to act in a responsible, ethical, and legal manner in accordance with district policy, accepted rules of network etiquette, and federal and state laws.

General rules for behavior and communications apply when using the Internet. Loss of access and other disciplinary actions (including possible suspension or expulsion of students) shall be consequences for inappropriate use and violations of the components of the District’s Acceptable Use of Electronic Resources Policy.

The building administrator or designee may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety, or emergency reasons with prior approval of the building principal or designee
2. Use is provided for in a student’s individualized educational program (IEP)
3. Classroom or instructional-related activities
4. Other reasons determined appropriate by the building principal

*Based on Board Policies #237 and #815*
Standard 3.
Respect Self, Others, and Property

Physical Aggression/Altercation
A student shall not engage in any form of physical aggression or threatening behaviors towards a teacher, fellow student, district employee, or other person. Physical aggression includes physical confrontation that may result in: no injury, minor injury, or serious injury that includes, but may not be limited to kicking, shoving, pushing, hitting, biting, and fighting. Intentionally hitting, shoving, scratching, biting, kicking, blocking the passage of another, or throwing objects at another person is considered physical aggression and is prohibited. Depending on the situation, School Resource Officers and/or local police may be involved, resulting in a citation such as harassment or disorderly conduct. A more serious charge of assault may be issued.

Bullying
Bullying means an actual or attempted infliction of physical pain or psychological distress directed at one or more others through any intentional electronic, written, verbal, or physical act or series of acts, which occurs in a school setting and/or outside the school setting that is severe, persistent, or pervasive and has the effect of disrupting the educational process or creating a reasonable apprehension or such disruption. Bullying, as defined in this policy, includes cyber bullying.

Based on Board Policy #252

Cyber Bullying
Cyber bullying includes, but is not limited to, the following misuses of technology: Bullying of the School District community through the use of any electronic communication device or platform by sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures, or images, or website postings (including blogs) social media, or online games. All forms of cyber bullying are unacceptable and, to the extent that such behaviors are disruptive of the educational process, offenders shall be subject to appropriate discipline.

Based on Board Policy #252

Gang Activity
Any group behavior whose purpose it is to intimidate, harass, disrupt, create chaos, damage or destroy property, engage in criminal or other illegal activity is prohibited. No symbols, mode or color of dress, or turf recognitions will be allowed. Any gang activity or intimidation activities on school grounds or at any school affiliated activity is prohibited. Local law authorities will be contacted.

Inappropriate/Profane Language
Any inappropriate, sexual, harassing, or profane language will not be tolerated on school property or at any school affiliated activities. The use of such language, either verbal or written is prohibited.

Hazing
Hazing is any action or situation that recklessly or intentionally endangers the mental health 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 condition of continued membership in, any organization.

Based on Board Policy #247
Unlawful Harassment
Students and school personnel deserve a school environment free of harassment. Harassment includes, but is not limited to, conduct that intentionally causes alarm to or seriously annoys another person and which serves no legitimate purpose, including criminal harassment and stalking as defined by the Pennsylvania Criminal Code.

In addition, harassment includes, but is not limited to, slurs, jokes, offensive or derogatory comments or phrases, or other verbal, graphic, physical conduct or actions characterizing a given racial or ethnic group or relating to an individual’s race, color, religion, ancestry, sex, national origin, age, handicap/disability, or any other characteristic protected by federal, state or local law. The following is based on Board Policy #248 and applies to each and every student, teacher, and employee of the district regardless of status as a student, teacher or employee, length of service, or job classification, and the district will take all appropriate action and cautions supervisors to take whatever steps are necessary to prevent harassment in order to maintain an educational and working environment free of such conduct. Any individual found to be in violation of this policy will be subject to disciplinary action. Further, false accusation of harassment will not be tolerated. Harassment on the basis of sex includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student’s academic status
2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting such individual
3. Such conduct deprives a student of educational aid, benefits, services or treatment
4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student’s school performance or creating an intimidating, hostile or offensive educational environment.

Any person who feels that he/she has been harassed is responsible for reporting any act of harassment directly to the school principal who shall inform them of their rights and of the complaint process. Other employees who feel they have been harassed are responsible for reporting any act of harassment directly to their supervisor. In the event that a student, teacher or employee is unable to talk to the principal or his/her supervisor for any reason, he/she should seek out and report the incident to the Director of Human Resources or the Superintendent.

The School District of Lancaster will investigate each complaint, impose discipline where appropriate, and report back to the reporting person. In this way, the School District of Lancaster believes it can achieve its goal of maintaining an educational and working environment free from harassment.

Vandalism/Destruction and/or Defacing of Property
Under no circumstances will these acts be tolerated. Any act of vandalism, destruction of property or defacing property will be dealt with severely.
Standard 4. Create a Positive, Safe, and Drug Free Learning Environment

Based on Policy #222

Tobacco Use
The Board prohibits tobacco use and possession by students at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district. The Board prohibits tobacco use and possession by students at school-sponsored athletics/activities that are held off school property, district authorized trips, and at work study/internship programs.

Tobacco use shall be defined as use and/or possession of a lighted or unlighted cigarette, cigar or pipe, other lighted or unlighted smoking product, electronic cigarettes, vapor producing instruments, and smokeless tobacco in any form.

Electronic cigarettes are defined as battery-operated products designated to deliver nicotine, flavor, and other chemicals by turning the substance into a vapor that is inhaled by the user.

The school district may initiate discipline of a student who possesses or uses tobacco in violation of this policy. A student found in violation of this policy may be fined up to $50 plus court costs or admitted to alternative adjudication in lieu of imposition of fines.

Controlled Substances/Paraphernalia
Students are not permitted to possess, use, sell or buy alcohol, any controlled substances including illegal drugs, drug paraphernalia, alcoholic beverages in any form, look-a-like drugs, drugs, anabolic steroids, volatile solvents or inhalants, prescription or patent drugs, except those for which permission has been granted for use, on school property, on a school bus, and when attending school-sponsored functions.

What follows are the consequences of possession:

Possession and/or under the influence – First Offense: In an instance of a student being caught with possession for the first time or where there is verified controlled substance use, while in school or at any school-sponsored function, the following procedures would apply:

- The staff member who discovers the controlled substance will confiscate all drugs in plain sight. The student(s) involved will be referred to the Principal and/or other authorities for further investigation.

- Punishment will consist of a one-day suspension, a mandatory parent conference and a five-day in-school suspension. At the discretion of the Principal, such students may be assigned to group counseling sessions in lieu of all or part of the in-school suspension. At the elementary school level, a referral to a professional staff member of a community agency will be required in lieu of the in-school suspension.

- The student involved will be referred for a mandatory Administrative Review Hearing, or Student Services’ Review.

- Parents will be notified and completely informed of the circumstances.

- Law enforcement authorities will be notified and the student will be identified. Appropriate community agency personnel could also be notified.
Help will be provided through referral to the Student Assistance Team. Parent involvement will be requested.

The counselor will be expected to monitor these cases on a regular and continual basis.

**Possession and/or under the influence – Second Offense:**
Procedure for second offenses will consist of a mandatory formal hearing before the School Board Judiciary Committee with a recommendation for expulsion. The Student Assistance Team shall make recommendation to the school administration. A second offense in the School District of Lancaster does not need to be in the same school year.

Students expelled for certain drug offenses are subject to a mandatory one year expulsion (calendar year).

**Selling/Distributing Controlled Substances**
When a student has been caught with controlled substances and/or “look-alike” drugs and it is suspected that the student is selling or dispensing a controlled substance or assisting in the selling or dispensing of a controlled substance, the situation will be investigated and the following procedures will apply.

- Law enforcement authorities will be notified in such instances and the student will be identified.
- When it is determined a student has sold or distributed a controlled substance or assisting in the sale or distribution of a controlled substance while in school or at any school-sponsored function discipline will consist of immediate suspension and a mandatory formal hearing before the School Board Judiciary Committee, with a recommendation for expulsion from school.
- Help will be provided through a referral to the Student Assistance Team or referral to an appropriate drug and alcohol program.

*Based on Board Policy #227*

**Weapons/Dangerous Objects/Firearms/Explosives**
Any offense of carrying or possessing a weapon in school or at any school-sponsored event would result in a referral to the Judiciary Committee with recommendation for expulsion. A weapon is defined as follows:

A “weapon” or “dangerous instrument/material,” consists of any object, instrument, or material which is commonly considered to be a weapon or dangerous instrument/material, and any object, instrument or material which is in fact used to effect threats, intimidation, harassment, extortion, or injury to a person or property. The definition of a weapon or dangerous instrument/material includes, but is not limited to, any knife, dagger, cutting instrument, cutting tool, nunchaku, blackjack, explosive or incendiary device, noxious substance, firearm, shotgun, rifle, or any other tool, instrument, or implement capable of inflicting serious bodily injury or used under circumstances not manifestly appropriate to lawful possession and use.

The term “firearm” includes any weapon, loaded or unloaded, from which a shot can be discharged by gunpowder, compressed air, or by other means of force, and includes unassembled components of such device.

The term “weapon” and “dangerous instrument/material” includes any look-a-like device or material that may be used to injure, intimidate, or threaten another person.
All offenses involving the possession or use of a weapon or dangerous instrument/material, including those involving look-a-like devices, in school or during any school function shall result in referral to the Judiciary Committee and possible recommendation of expulsion.

“Possess” shall include, but not be limited to, physical possession of or control over a weapon, dangerous instrument/material, or look-a-like device. Possession shall also include any attempt to conceal or store in one’s clothing, belongings, locker, vehicle, or other property, any weapon, dangerous instrument/material, or look-a-like device.

“School Function” shall include, but not limited to: any regular educational function, extra-curricular activity, athletic event, or other activity sponsored or co-sponsored by the school district, whether on or off school property, and shall include any student conduct over which the school district may exercise authority, including a student’s transit to or from school or any school sponsored activity.

“Use” shall include, but is not limited to: the display, pointing, handling, loading, operation, or discharge of any weapon, dangerous instrument/material, or any look-a-like device.

The School District shall expel for a period of not less than one (1) year (Calendar year example April 15, 2017–April 15, 2018) any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Judiciary Committee shall determine the length of expulsion.* The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.

*Reference Section 1317.2 of the Public School Code (24 P.S., Section 13-1317.2).
“My mission in life is not merely to survive, but to thrive; and to do so with some passion, some compassion, some humor, and some style.”

- Maya Angelou
### General Intervention/Discipline Sequence

Teachers, support staff, and administrators must all maintain written documentation at every level of intervention, supportive services, and discipline. Parents/Guardians must be involved at every subsequent step after the initial student/teacher conference. A student’s IEP team, if special education services are required, should also be involved in the interventions and any behavior modification plans or discipline of a student receiving special education services.

Except for some drug violations and firearm possession, which mandates a one year expulsion, the School District of Lancaster will begin interventions with the student at the beginning of any disruptive or illegal behavior that is exhibited.

Community agencies that can offer resources and other supportive services will be contacted. Workshops and classes may be used to help students and their family members to work through crises and/or other temporary situations.

The School District of Lancaster’s main goal is to help modify problem behavior and to help the student become a valuable member of the school and community. Progressive steps to achieve the main goal may include:

**Step 1** Student and teacher conference

**Step 2** Parent/guardian, student and teacher conference

**Step 3** Counselor, dean (or other principal designee), parent/guardian, student and teacher conference

**Step 4** Agency/social service including building discipline representative intervention

**Step 5** Building Discipline Committee Meeting

**Step 6** Administrative or Student Services’ Review

**Step 7** School Board Judiciary Committee Hearing

Teachers handle the major portion of student discipline through their system of classroom management. Teachers will refer a student for discipline when the situation is beyond their management. **Teachers and parents working together is the best way to improve student behavioral issues and build trusting relationships.**

Counselors should use the following steps where appropriate:

- Arrange individual, family, or group counseling
- Refer and consult with school social services
- Arrange community-agency referrals
- Refer to Student Assistance Team, when applicable

The following actions are available to parents/guardians:

- Meet with teacher or staff member
- Meet with counselor
- Meet with Student and Family Resource Specialist
The following actions are available to principals:
- Meet with student
- Meet with parent & student
- Meet with parent & student & counselor
- Meet with Student and Family Resource Specialist
- Assign detention
- Assign building alternative placement, i.e., in-school suspension
- Assign out-of-school suspension
- Refer to social services worker
- Refer to community agency
- Arrange Building Discipline Committee Meeting
- Arrange Administrative Committee Hearing or Student Services’ Review
- Arrange School Board Judiciary Committee Hearing

**Building Discipline Committee**

**Function & Composition**
The primary function of the Building Discipline Committee will be to review persistent discipline cases within the building and make an attempt to coordinate the resources of the school community and parent/guardian(s) in the resolution of the problem. This committee may be comprised of a building administrator, counselor, teachers, the student’s parent/guardian(s), and other appropriate representatives.

**Procedure**
The building administrator convenes the meeting. The administrator/designee will contact the parent/guardian(s) and appropriate committee members regarding the purpose, time, and place of the meeting. If the parents choose not to attend the meeting after proper notification, the committee should convene and take appropriate action. In situations where a committee consensus cannot be achieved, the principal will make the final decision. Parent/guardian(s) will be notified by letter of the action taken by the committee.

**Reason for Referral**
Students are referred for violations of the law and of the Standards and Expectations of Behavior.

**Consequences of Misconduct**
The Building Discipline Committee may make several recommendations following the review of each student’s case. The recommendations may include, but are not limited to, the following actions:
1. A change in the student’s schedule, class placement, or program
2. Counseling
3. Exclusion from interscholastic or extra-curricular activities
4. Referral to Social Services
5. Referral to outside intervention programs
6. Referral to the Administrative Review Committee
7. Referral to the Superintendent or his/her designee (Director of Student Services)
8. Other recommendations at the discretion of the Committee
9. All special education students are to be referred to Administrative Review before a Judiciary Hearing is requested.

**Student Services’ Review Hearing** (for 4th & 5th Graders ONLY)

**Function & Composition**
The primary function of the Student Services’ Review Committee is to review cases of REGULAR EDUCATION STUDENTS IN GRADES 4 & 5, who have violated the Standards and Expectations of Behavior for Students.

The committee meets at the request of the building administrator, to make sure all building and community resources have been explored, on behalf of the student, prior to consideration of placement in an Alternative Education Program.

This committee, appointed by the Superintendent, will consist of the Hearing Coordinator (chairperson), a district level Special Education representative and a district level Student Assistant Program Facilitator.

**Procedure**
The principal requesting the Student Services’ Review will submit in writing to the Hearing Coordinator, a request for a Student Services’ Review meeting, stating the specific reasons and a detailed report from the Building Discipline Committee Meeting. The Hearing Coordinator will inform the requesting principal of the scheduled date and time of the review and contact the Student Services’ Committee members. The Hearing Coordinator will send the scheduled time and place of the meeting. Case studies (3 copies) shall be prepared and delivered to the Hearing Coordinator’s secretary.

**Consequences of Misconduct**
1. Return to school on probation with conditions
2. Return to school with modified program
3. Referral to community service agencies
4. Referral to community legal agencies
5. Assignment to an Alternative Education Program for Restorative Justice
Administrative Review Committee

Function & Composition
The primary function of the Administrative Review Committee is to review cases prior to referral to the Judiciary Committee. This committee meets at the request of the building administrator to review student cases and to make sure all district and community resources have been explored on behalf of the student prior to consideration of expulsion. This committee, appointed by the Superintendent, will consist of the Hearing Coordinator (chairperson), and impartial professional representatives from the district.

Copies of the letter explaining the consequences must be sent to the parents, building principal, the Director of Student Services, and the chairperson of the Judicial Committee.

All special education students must be referred to Administrative Review before going to Judiciary.

Procedure
The principal requesting the Administrative Review will submit, in writing to the Hearing Coordinator, a request for an Administrative Review Committee Meeting, stating the specific reasons for the review and a brief, but specific, summary of the rehabilitative attempts which were made. The Hearing Coordinator will inform the requesting principal of the scheduled date and time of the review and contact the Administrative Review Committee members. The Hearing Coordinator will send a letter to the parent/guardian(s) of the student, indicating the reasons for the hearing, and the scheduled time and place of the meeting. Copies of this letter should be forwarded to the Hearing Coordinator and staff members and/or agency personnel who are expected to attend. Case studies (7 copies) shall be prepared, at the direction of the principal, and forwarded to the Hearing Officer, prior to the review date. The case studies and all relevant special education paperwork must be delivered in advance.

Reason for Referral
Students are referred for violations of the law and the Standards and Expectations of Behavior.

Consequences of Misconduct
The Administrative Review Committee may make several recommendations following the review of each student’s case. The recommendations may include, but are not limited to, one or more of the following consequences.

1. Return to school on probation with conditions (no further fighting, report to school early each day, etc.).
2. Return to school with a modified program (half-day program, work study, etc.).
3. Referral to Psychologist or Social Services.
4. Referral to community service agencies. (Lancaster County Behavioral Health/Developmental Services, Family and Children’s Services, Boys and Girls Club, etc.).
5. Referral to community legal agencies (Children and Youth Agency, Probation and Parole, etc.).
6. Assignment to another school with designated conditions (two days illegal absence will result in referral to Judiciary Committee, etc.).

7. Assignment to an alternative education program.

8. Combinations of the above.

9. Other recommendations at the discretion of the committee.

10. Referral to the Judiciary Committee for expulsion.

**Judiciary Committee of the Board of Education**

**Function**
The function of the Judiciary Committee is to conduct a hearing to determine whether a student should be expelled from school. The committee members review the charges and background information which the building administrator presents to substantiate the recommendations for expulsion and also reviews information presented by the student, parent/guardian(s), and/or counsel.

**Composition**
The Judiciary Committee is comprised of a Hearing Officer, Judiciary Hearing Coordinator and impartial professional representatives from the district. The Hearing Officer serves as a resource staff member to the Committee. When possible and appropriate, the Director of Student Services or designee will attend Judiciary Hearings.

**Procedures**
The building administrator will submit, in writing to the Judiciary Hearing Coordinator, a request for a Judiciary Committee hearing, stating the specific charges made against the student, a brief summary of rehabilitative attempts, and the recommendation for expulsion. If the case is accepted for hearing, the Coordinator’s office will notify, in writing, the parent/guardian(s), the Committee Members, the building administrator, and agency personnel of the scheduled time and place of the hearing. The parent/guardian(s) will be informed of the specific reasons for the hearing and the recommendation which has been made by the school administration. They will also be informed that they may be represented by counsel at the hearing. The building administrator, committee members, or parent/guardian(s) may request the attendance of any staff member (or persons) at the hearing that can provide significant information which would assist the committee in making a decision. Persons, other than those involved with the case, may be present, only with permission of the parent/guardian(s), and the Hearing Officer. The final decision shall be made by the Judiciary Committee Members. School personnel and the parent/guardian(s) will receive, in writing from the Judiciary Hearing Coordinator, the decision of the Hearing Officer.

**Reasons for Referral**
A building administrator may recommend the expulsion of a student:

1. Whose case had been reviewed by the Administrative Review Committee with no apparent change in the student’s behavior; or

2. Whose action(s) or behavior(s) were so disruptive or so serious that the Coordinator, in consultation with the Director of Student Services, or his/her
designee agreed that a Judiciary Committee hearing is necessary. Reasons for expulsion may include, but are not limited to, the following behaviors:

- Carrying or using weapons or dangerous instruments while on school premises or on the way to or from school or while attending school sponsored activities.
- Possessing or igniting explosives or incendiaries of any type on school premises or in any area where school activities are being held.
- Dispensing, furnishing, or selling any narcotic, hallucinogenic, or dangerous drugs (including alcohol).
- Tampering with firefighting equipment or emergency alarm system or starting a fire on school premises.
- Participating in a bomb threat.
- Extorting money or other property.
- Intimidating or assaulting a teacher, fellow student, or district employee.

It is anticipated that only the most severe cases warranting expulsion will be referred to the Judiciary Committee.

**Possible Recommendation**
Following a Judiciary Committee Hearing, the Hearing Officer may expel the student from school for a semester, for the remainder of the school year, or longer, at the discretion of the Hearing Officer.

**Expelled Students**
Expulsion is exclusion from school by the Board of Education for a period exceeding ten (10) school days and may be permanent expulsion from the school rolls. All expulsions require a prior formal hearing under State Board Regulation 12.8 (relating to hearings).

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 “some provision” of education.

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

If the parents or guardians are unable to provide for the required education, they must submit a written statement within 30 days, stating that they cannot provide for the required education. The district then has the responsibility to make some provision for the student’s education.

If the approved educational program is not complied with, the 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.
SECTION 6
GUIDELINES FOR STUDENTS RECEIVING SPECIAL SERVICES

Believe you can and you’re halfway there.

- Theodore Roosevelt
GUIDELINES FOR STUDENTS RECEIVING SPECIAL SERVICES

For Exceptional Students/Students with Disabilities
Suspensions should not accumulate more than fifteen (15) school days or ten (10) consecutive days. A disciplinary exclusion of a student with a disability for more than fifteen (15) cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement requiring a manifestation determination.

For Students with an Intellectual Disability
Special procedures apply for suspending students who are identified as students with an intellectual disability.

Under State and Federal Special Education regulations, any in-school, out-of-school, or transportation suspension (or expulsion) of students with an intellectual disability constitutes a change in placement which requires a completion of a manifestation determination, a copy of procedural safeguard notice booklet and a Notice of Recommended Educational Placement (NOREP). The disciplinary exclusion of children with an intellectual disability continues to be governed by the one (1) day rule established under the Pennsylvania Association for Retarded Citizens (PARC) consent decrees.

The NOREP must be issued to the parent/guardian prior to suspension. The NOREP must state the date(s) and reason for the suspension. A NOREP MUST BE ISSUED EVEN FOR A ONE-DAY SUSPENSION.

If the parent/guardian approves of the suspension and signs the NOREP, proceed with the suspension.

If the parent/guardian refuses to sign the NOREP or checks the disapproval box on the NOREP, the Principal will contact the Supervising Coordinator of Special Education, who will request approval for suspension from the Office for Dispute Resolution (ODR), (717) 541-4960.

If approval is obtained from a hearing officer at ODR, the suspension may be implemented. The special education student cannot be suspended unless all of these steps have been followed.

For Students with Disabilities Other than an Intellectual Disability
Individuals with Disabilities Education Act (IDEA) affords school officials the following options in the discipline and/or change of placement of student with disabilities. A change of placement is defined as (a) The removal of a student for more than 10 consecutive school days; or (b) A series of removals that constitute a pattern or accumulation of up to more than 15 school days in a school year, as a result of factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another.

If the child has committed a violation of school rules that would result in a suspension from school, and if all regular disciplinary procedures are followed. The student may be suspended for not more than ten (10) consecutive school days, provided that:

1. No later than the day on which the decision to take disciplinary action is made, the school notifies the parents of the action and of their rights under the IDEA;
2. Within ten (10) school days of taking the disciplinary action, the Individual Education Plan (IEP) team develops a plan for conducting a functional behavioral assessment (FBA) of the child, if one has not occurred already;

3. The IEP Team shall meet to develop a behavior intervention plan within ten (10) school days, if such plan does not exist; or the IEP Team reviews existing behavior intervention plan for appropriateness; if at least one member of the team believes that modifications are needed; the IEP Team shall meet to modify as appropriate;

4. Within ten (10) school days of the date on which the decision to impose discipline is made, the team conducts a “manifestation determination,” which is a review of the relationship between the child’s disability and the behavior subject to the disciplinary action.

A manifestation determination is required by IDEA when considering the exclusion of a student with a disability from school that constitutes a change of placement. The IEP team must decide if the behavior that is subject to disciplinary action is related to the student’s disability (i.e., a manifestation of the student’s disability) or if the behavior is a direct result of LEA’s failure to implement the IEP. The IEP team must answer yes or no to the following statements:

1. The conduct in question was caused by the student’s disability or had a direct and substantial relationship to the student’s disability.

2. The conduct in question was the direct result of LEA’s failure to implement the IEP.

If the team answered “Yes” to either of the questions, the behavior must be considered a manifestation of the student’s disability.

LEA must conduct a functional behavior assessment plan, or review and modify the plan if one has already been developed.

Punishment for a manifestation of a student’s disability is an aversive technique. Therefore, the team must immediately take steps to remedy any and all deficiencies found in the student’s IEP or its implementation.

Suspensions should not accumulate more than fifteen (15) school days. A disciplinary exclusion of a student with a disability for more than fifteen (15) cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement requiring a manifestation determination.

The law formalizes the long-held position of the U.S. Department of Education, Office of Special Education, Office of Special Education Programs ("OSEP") that schools remain obligated to provide special education to students who are "suspended or expelled."

If the violation for which suspension or expulsion is sought consists of the possession of a "dangerous weapon" in a school-sponsored function or the knowing possession, sale, or solicitation of a "controlled substance," the child may be placed unilaterally in an interim alternative placement for the same period that a non-disabled student would be excluded from school for the same offense or for 45 school days, whichever is less, provided that:

1. All of the requirements described above for suspensions of not more than ten (10) days are met;

2. The IEP team develops an IEP for the alternative placement that:
   - enables the child to participate in the general curriculum, although in another setting; and
• enables the child to continue to receive the services described in his or her current IEP; and
• after 45 school days, the child is returned to his or her last placement prior to the interim alternative placement, pending the resolution of any disputes concerning the results of the manifestation determination or the permanent program and placement recommendation of the school.

Definitions as used above:

rouch: "Dangerous weapon," as used in the new law means anything that is used for, or is readily capable of, causing death or serious bodily injury, but *NOT* a knife with a blade of less than 2\(1/2\) inches.

Note: This definition is both broader than the definition used in Pennsylvania law governing the discipline of non-disabled students and, in its exclusion of small knives, narrower than Federal law. Federal law governs to the extent that it affords more protection to the child.

rouch: "Controlled substance" does not include a legally prescribed drug. Refer to Student Health Standard Operating Procedures 170 (SH-SOP 170).

If a due process hearing officer in an expedited hearing determines that the school has demonstrated by more than a preponderance of the evidence that maintenance of the current placement of the child is substantially likely to result in injury to the child or others and that the school has made reasonable efforts to minimize such risk, the child may be placed in an interim alternative education placement for the same period that a non-disabled student would be excluded from school for the same offense or for 45 school days, whichever is less, provided that:

1. All of the requirements described above for suspensions of not more than ten (10) school days are met; and
2. The IEP team develops an IEP for the alternative placement that:
   • enables the child to participate in the general curriculum, although in another setting; and
   • enables the child to continue to receive the services described in his or her current IEP; and
   • after 45 school days, the child is returned to his/her last placement prior to the interim alternative placement, pending the resolution of any disputes concerning the results of the manifestation determination or the permanent program and placement recommendation of the school.

The hearing officer is required to "consider" the appropriateness of the IEP in place at the time of the violation.

A special education student can be transferred to an alternative education program for up to 45 days if the student brings a gun, a pocket knife with a blade longer than 2\(1/2\) inches, or another weapon to school; uses, buys, or sells illegal drugs at school; or does serious bodily harm to another student or staff member. Any decision to transfer a student must be made by the Individualized Education Program (IEP) Team. However, while the decision is being made, the placement can occur.
For Gifted Students
Students ONLY identified as gifted are not included under IDEA regulations. According to PA Chapter 16 regulations, discipline for gifted students is the same as discipline for students in regular education, unless the child is dually identified with a disability category under Chapter 14 regulations.

For Students with 504 Service Agreements
A manifestation determination should be conducted when considering an exclusion from school that constitutes a change of placement for a student with a disability. The 504 team should decide if the behavior that is subject to disciplinary action is related to the student’s disability (i.e., a manifestation of the student’s disability).

The 504 team should address the following statements:

- The conduct in question was caused by the student’s disability or had a direct and substantial relationship to the student’s disability.
- The conduct in question was the direct result of the LEA’s failure to implement the 504 Service Agreement.

If the determination of the 504 team is “Yes” to either one of the statements listed above, the behavior must be considered a manifestation of the student’s disability and the 504 team must take steps to review and/or revise the 504 plan to address the needs of the child.

If the determination of the 504 team is “No” to both of the statements listed above, the behavioral incident is not a manifestation of the student’s disability and he or she may be disciplined similarly to his or her nondisabled (typical) peers.
Alternative Education (AEDY):
Camelot at Buehrle is for students in grades 6 through 12, who have experienced behavioral issues at their home school. ALL students attending Buehrle have had a formal hearing by the Administrative Review team or by the Judiciary Hearing Coordinator. Student assignments are for 1 semester, 1 school year or 1 calendar year. Student and parent are required to attend orientation before starting the program and must attend the transition meeting before exiting the program. This is a FULL DAY program for all students.

Bullying:
Bullying means an actual or attempted infliction of physical pain or psychological distress directed at one or more others through any intentional electronic, written, verbal, or physical act or series of acts, which occurs in a school setting and/or outside the school setting that is severe, persistent, or pervasive and has the effect of disrupting the educational process or creating a reasonable apprehension or such disruption. Bullying, as defined in this policy, includes cyber bullying.

Cheating:
To misrepresent academic performance as one’s own by taking answers or work from another individual.

Community Service:
Work provided in a building, on grounds, or other services provided by the student to the school or to the community at large.

Compulsory School Age:
The period of a child's life from the time the child's parents/guardians elect to have the child enter school, and which shall be no later than eight (8) years of age until the child reaches seventeen (17) years of age or holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.

Confiscation:
To remove from one’s possession.

Cyber Bullying:
Cyber bullying includes, but is not limited to, the following misuses of technology: Bullying of the School District community through the use of any electronic communication device or platform by sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures, or images, or website postings (including blogs) social media, or online games. All forms of cyber bullying are unacceptable and, to the extent that such behaviors are disruptive of the educational process, offenders shall be subject to appropriate discipline.

Detention:
Detention is designated time assigned to students by administrators or teachers for various infractions. When the assignment is made, the reason for detention must be explained to the student, cooperation from parents will be solicited, and parents will be informed of the consequences if detention is not served.
**Disorderly Conduct:**
When an individual makes loud and rowdy noise in the vicinity of the school or at school functions, causing unreasonable disturbance or distress to others; or when an individual without authority or justification obstructs school premises; or any access to the school with the intent to prevent or hinder its lawful use by others.

**Due Process Hearing:**
A Due Process Hearing is a procedure in which students are given due process rights. This process provides students with an opportunity to present their account of an incident prior to being suspended or given disciplinary consequences for an alleged misconduct.

1. For suspensions up to three (3) days, a student must be informed of the reason for the suspension, and given the opportunity to meet with the building administrator or his designee to respond.

2. When the suspension exceeds three (3) school days an informal hearing is provided and includes the following requirements:
   
   (a) notification of the reasons for suspension are given in writing to the parent/guardian and to the student;

   (b) the student has the right to question witnesses present and produce witnesses;

   (c) the district should offer to hold the hearing within the first five (5) days of suspension.

3. In cases of expulsion, a formal hearing is required. The hearing is to be held before the Judiciary Committee of the school board. The Due Process requirements for such hearings are detailed in Section 12.8 of State Board Regulations.

**Emancipated Minor:**
An individual below the age of 21 who has chosen to establish a domicile apart from the continued control and support of his/her parents or guardians. A minor living with a spouse is deemed emancipated. Documentation must be provided.

**Expulsion:**
Expulsions may be for more than 10 days or a fixed period such as a semester or a permanent expulsion. The school must hold a “formal hearing” before any expulsion takes place.

Students who are under the age of 17 years and are expelled must continue to receive education. The parents have 30 days to find another school or program. If they fail to find education for their son or daughter within 30 days, they must contact their school district of residence. The school district then must make “some provision” of education toward normal academic progress. This may be in an alternative education program, home school, or another educational program.

Students who are 17 years or older (unless they are special education students) and who have been officially expelled, are not entitled to a free public education.

**Habitual Truancy:**
A child subject to compulsory school laws having six (6) or more school days of unexcused absence during the current school year.
Hazing:
Hazing is any action or situation that recklessly or intentionally endangers the mental health 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 condition of continued membership in, any organization.

In-School Suspension:
In-school suspension is a consequence some schools use based on school violations whereby students are supervised for a period of time in a structured setting. Students work on classroom assignments as specified by classroom teachers or as defined by their IEP (Individual Educational Program). Students must be informed of the reasons for the suspension and given an opportunity to respond. Assignments cannot exceed ten (10) consecutive days. Parents are to be notified of the reasons for suspension and the length of assigned time.

Gang Activity:
Any group who intimidates, harasses, causes disruption, damages, or destroys property, engages in criminal or other illegal activity, and displays colors or dresses with symbols and patrols a specific “turf” area.

Judicial Referrals (Direct):
Judicial referrals (direct) is a mode of action for referring extremely serious offenses to the Judiciary Committee. These violations may include but are not limited to: weapon violations, use of explosives, distribution or other serious substance abuse offenses, tampering with fire extinguishers on school premises, bomb threats, extortion of money or other property, intimidating or assaulting another, spraying mace, or other chemicals on school property or at a school sponsored activities.

Lawful Absence:
Lawful absences are when a student is prevented from attendance in school for mental, physical, or other urgent reasons. Illness, family emergency, death of a family member, medical or dental appointments, authorized school activities, educational travel with prior approval, and attendance at legal or court proceedings are considered legal absences.

Look-a-like:
Substances that resemble illegal drugs or items that resemble real weapons.

Manifestation Determination:
A Manifestation Determination is a review of a special education student’s IEP and/or 504 program or accommodation agreement to determine if the action of misconduct is related to his/her disability or condition.

Out-of-School Suspension:
Out-of-school suspension is a process by which students are excluded from the learning environment for a specific period of time. Suspensions are legal excused absences, which permit students to make up missed school work. Assignments should not exceed ten (10) consecutive days with School Board approval. Students and parents are to be notified of the reasons for suspension.
Parent(s):
The term parent in this publication refers to parents, guardians, and significant adults who have legal and educational responsibilities for the guidance and supervision of children/students attending the School District of Lancaster.

Plagiarism:
Plagiarism includes copying the language, structure, idea, and/or thought of another and representing it as one’s own original work.

School Grounds:
Any property owned or utilized by the school district or by any contractor of the school district.

School Resource Officer:
A police officer may be assigned to specific schools to assist with school safety and to support the administration, teachers, and students in the buildings. The presence of the School Resource Officers is to present a positive image of law enforcement.

Serious Bodily Injury:
Injury that creates a substantial risk of death or which causes serious, permanent disfigurement, or loss or impairment of the function of any bodily member or organ.

Sexual Harassment:
Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature. This behavior is from one student to another, from one staff person to another, from a staff member to a student, and/or a student to a staff member or any person on school property.

Student Assistance Program (SAP/ESAP):
The Student Assistance Program (SAP) and/or Elementary Student’s Assistance Program (ESAP) provides counselors for students and families on a range of topics including drugs, alcohol, or tobacco use and abuse, depression, suicide prevention, self mutilation, divorce, pregnancy, etc. The primary goal of the Student Assistance Program (SAP/ESAP) is to help students overcome these obstacles in order that they may achieve, remain in school, and advance. SAP/ESAP team members (a minimum of four team members per building from any or all of the following groups: administration, teacher, counselor, psychologist, social worker, or nurse) are trained to identify problems, determine whether or not the presenting problem lies within the responsibility of the school and to make recommendations to assist the student and the parent. When the problem lies beyond the scope of the school, the SAP/ESAP team will assist the parent and student so they may access services within the community. The student assistance team members do not diagnose, treat or refer to treatment, but they may refer for a screening or an assessment for treatment.

Support Process:
The district utilizes a three tiered approach to provide instruction and interventions for students struggling behaviorally or academically. Tier 1 addresses all students through core instruction and school-wide practices. Tiers 2 and 3 involve small group and/or individual interventions to improve student success.
Theft:
Theft (also known as stealing) is, in general, the wrongful taking of someone else's property without that person's willful consent. In law, it is usually the broadest term for a crime against property. It is a general term that encompasses offences such as burglary, embezzlement, larceny, looting, robbery, and shoplifting.

Threat:
Conveying by physical gestures, written notes on paper or by electronic devices, or verbal comments the intent to cause bodily injury.

Trespass:
Entering into or remaining upon property without permission.

Truant:
A child subject to compulsory school laws having three (3) or more school days of unexcused absence during the current school year.

Weapon:
May include, but is not limited to, a knife, any other cutting instrument, a firearm of any type, pepper spray or mace or any other object used or intended to be used to inflict bodily injury on another.