Standards and Expectations of Behavior for Students

A Handbook for Students, Staff, and Parents

School District of Lancaster
Together We Can!

2019/2020
School District of Lancaster

Standards and Expectations of Behavior for Students

Office of Student Services

Reviewed and Approved by:

Signature: 

Christopher N. Lopez
Title: Director of Student Services

Date Revised: July 2019
# TABLE OF CONTENTS

## Standards of Conduct
- Rights Regarding Confidential Communications
- Rights Regarding Searches

## Section 1
### Student Rights and Responsibilities
- Right to a Free Public Education
- Right to Enroll in a Public School
- Responsibility to Attend School
- Responsibility for Maintaining High Standards of Behavior
- Right to a Safe School Environment
- Right to Non-Discriminatory Practices
- Right to Due Process
- Right to Freedom of Expression
- Rights Regarding Flag Salute and the Pledge of Allegiance

## Section 2
### Uniform Dress Code
- Kindergarten through 8th Grade
- Dress and Grooming: 9th through 12th Grades

## Section 3
### Attendance at School
- Unlawful Absence
- Habitually Truant
- School Attendance Improvement Conference
Section 4
Standards and Expectations of Behavior ...............................................19
Standard 1. Pursue Excellence as a Student and Community Member .....20
Standard 2. Model Responsibility and Integrity .............................................20
Standard 3. Respect Self, Others and Property .............................................21
Standard 4. Create a Positive, Safe, and Drug Free Learning Environment.....24

Section 5
General Intervention/Discipline Sequence ..............................................27
Tier 1 – Proactive Supports .................................................................29
Tier 2 and 3 – Interventions/Consequences ...29
Tier 2 – Targeted Interventions/Consequences........................................29
Tier 3 – Intensive Interventions/Consequences........................................29

Section 6
Guidelines for Students Receiving Special Services .................................34
For Exceptional Students/Students with Disabilities ..................................35
For Students with Intellectual Disability ..............................................35
For Students with Disabilities Other Than Intellectual Disability ............35
For Gifted Students .................................................................37
For Students with 504 Service Agreements ..........................................37

Glossary of Terms ...........................................................................39
STATEMENT OF PURPOSE

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.
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.
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.
The best and most beautiful things in the world cannot be seen or even touched—they must be felt with the heart.

— Helen Keller
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).

The McKinney-Vento Homeless Education Assistance Act guarantees a free and appropriate public education for all children and youth experiencing homelessness 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.

B.E.C (Basic Education Circulars) outlines procedures for deciding school placement, enrolling students, and determining responsibility. With the increased number of children experiencing homelessness currently attending The School District of Lancaster, the district must provide proper educational support and services.

**McKinney-Vento Act Basics At-a-Glance:**
What is the definition of a “homeless youth” under McKinney-Vento?

“Homeless” is defined as “anyone lacking a fixed, adequate, regular nighttime residence.”

**What situations fit this definition?**

- Staying in the home of other people due to unavailable housing, financial hardship, eviction or similar circumstances

- Living in motels, hotels, trailer parks (in some instances-examples: leaking roof, no heat), public places, or campgrounds due to unavailable suitable housing options

- Living in an emergency shelter or transitional housing

- Unaccompanied (not living in direct care of legal parent or guardian) or runaway youth

- Refugee and migrant youth

- Act of Nature/Fire

- Domestic Violence

- Death/Incarceration of Guardian

For more information visit: https://www.education.pa.gov/K-12/Homeless%20Education/Pages/default.aspx

Based on Board Policies #201 and #203
Responsibility to Attend School
Parents or guardians of all children between the ages of 6 until 18 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 18 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/Cyber 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 or an expulsion waiver agreement 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. The Hearing Officer will make the decision of expulsion based on evidence presented at the hearing. 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.

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 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 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.

• 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 communication 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 the 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 themselves 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
Look up at the stars and not down at your feet. Try to make sense of what you see, and wonder about what makes the universe exist. Be curious.

— Steven Hawking
Based on Board Policy #221

In the School District of Lancaster there is a required "uniformed" look for all kindergarten (K5) through 8th grade students. This standard of dress provides a non-judgemental 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>Slacks and cargo style pants/shorts, skirts, skorts, shorts, Capri pants, jumpers (skirt bottom)</td>
<td>Cardigan, v-neck, crew neck, turtleneck sweaters, sweater vests, sweatshirts &amp; hoodies may be worn over collared shirts and blouses</td>
</tr>
</tbody>
</table>

Shirts should be tucked in and buttoned

Students shall not wear hats, wraps and head coverings except for religious reasons. Students shall not wear headbands, hoods, coats, capes or other outerwear in school. All clothing must cover the torso and undergarments. Shorts, pants, skirts, and dresses must extend to at least the mid-thigh.

**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

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.

- The Health Careers Small Learning Community is required to wear a uniform in 11th and 12th grade.
SECTION 3
ATTENDANCE AT SCHOOL

“Good actions give strength to ourselves and inspire good actions in others.”

— Plato
The School District of Lancaster recognizes that attendance is an important factor in educational success. Attendance shall be required of all students enrolled during the days and hours that school is in session. School attendance matters.

**Chronic Absenteeism:** Chronic absenteeism is defined as students who are absent 10% or more and are enrolled in the district at least 90 school days. A student is considered absent if they are not physically participating in instruction or instruction-related activities. This includes students who are absent regardless of whether absences are excused or unlawful; including out-of-school suspensions. A student missing at least 50% or more of a school day (excused, unlawful, OSS) will result in a full day absence.

**Excused:** Parents/guardians are required to turn in a written excuse within three days of an absence. Illness, doctor excuse, family emergency, court attendance, death in a family, and a preapproved non-school sponsored trip are excused absences that require a written excuse. Parents are allowed 10 excuses in one school year. Absences beyond 10 days shall require an excuse from a licensed doctor.

**Unlawful:** Absences shall be treated as unlawful until the school receives a written excuse explaining an acceptable absence, to be submitted within three days of the absence. If an unacceptable absence is received, the absence will remain as unlawful.

**Tardy to School and Early Dismissal:** Students who arrive late to school and/or leave early will be coded as unlawful unless the absence has a written excuse from a licensed doctor. A student missing at least 50% or more of a school day will result in a full day absence.

**Compulsory School Law:** The law requires children to attend a public or state-accredited private school. The period of a child’s life from the time the child’s parent/guardian elect to have the child enter school, which shall be no later than

6 years of age until the child reaches 18 years of age.

**Truant:** A child is subject to compulsory school laws having three or more school days of unlawful absence each school year. The person in parental relation will receive a letter within 10 school days of the student’s third unlawful absence.

**Habitually Truant:** A child is considered habitually truant when the child has six or more school days of unlawful absence during the school year. When a student under 15 years of age is habitually truant, district staff shall schedule a School Attendance Improvement Conference with the parent/guardian to discuss school attendance concerns.

When a student under 15 years of age is habitually truant, district 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 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 15 year of age or older to the local children and youth agency, if the student continues to incur additional unlawful absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.

**School Attendance Improvement Conference:** After the student is considered habitually truant, a School Attendance Conference will be scheduled to address school attendance concerns. District staff shall notify the person in
parental relation 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 conference: the student, the student’s parent/guardian, other individuals identified by the parent/guardian 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 parent/guardian, the student, and appropriate district personnel.

Special Education Services: 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 the applicable law, regulations, and Board policy.
The greatest glory in living lies not in never falling, but in rising every time we fall.

— Nelson Mandela
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 is unacceptable. All efforts will be made to ensure a positive learning environment that is responsible, 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.

The following behaviors and/or violations may result in the loss of a student using district transportation:

1. Swearing
2. Fighting, pushing, tripping or wrestling
3. Shouting or loud singing
4. Playing of music without headsets
5. Disobeying directions of the bus driver
6. Littering or throwing objects
7. Use or possession of matches, lighters, or tobacco
8. Possessing weapons
9. Having pets
10. Not having all parts of the body inside the bus at all times
11. Actions which cause a disturbance or distraction to the bus driver or other students or could impair the safe operation of the bus
12. Eating or drinking on the bus or van (unless part of a sponsored event with teacher approval)
13. Not holding lunch bags, books, musical instruments, etc., on the lap
14. Defacing or destruction of bus property
15. 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. Any issues related to Transportation, please contact 717-945-1440.

**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 (attem pting 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, handheld games consoles, 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

The use of the district’s technology resources is for appropriate school-related educational and operational purposes consistent with the educational mission of the district. Use for educational purposes is defined as use that is consistent with the curriculum adopted by the district as well as the varied instructional needs, learning styles, abilities and developmental levels of students. All use must comply with district policy and all other applicable codes of conduct, procedures, and rules. All students are responsible for the appropriate, legitimate and lawful use of the district’s technology resources. 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/Fighting

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/Cyber Bullying**
Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following: substantially interfering with a student’s education, creating a threatening environment and substantially disrupting the orderly operation of the school. Bullying, as defined in this policy, includes Cyber Bullying.

Students who believe they or others have been bullied, are encouraged to promptly report such incidents to any school district employee.

*Based on Board Policy #249*

**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 occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organiza-

Any activity, as described above, shall be deemed a violation of this policy regardless of whether the consent of the student was sought or obtained, or the conduct was sanctioned or approved by the school or organization. Students who believe they, or others, have been subject to hazing should promptly report the incident to any district employee.

*Based on Board Policy #247*

**Nondiscrimination Against Students**
The district shall provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools without discrimination on the basis of race, color, ethnicity, age, creed, religion, sex, gender, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.
The district strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the district and is prohibited on school grounds, at school-sponsored activities and on any conveyance providing transportation to or from a school entity or school-sponsored activity.

The district prohibits retaliation against any person for making a report of discrimination or participating in a related investigation or hearing, or opposing practices the person reasonably believes to be discriminatory.

Harassment is sufficiently severe, persistent or pervasive conduct that a reasonable person in the complainant’s position would find that it unreasonably interferes with the complainant’s performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant’s access to or participation in school or school-related programs.

Harassment shall consist of unwelcome conduct through graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person’s school or school-related performance.

Sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to conduct is made explicitly a term or condition or a student’s status in any educational or other programs offered by the school; or

2. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting student; or

3. Such conduct deprives a student or group of individuals or educational aid, benefits, services or treatment.

Anyone who believes that a student or students have been subject to discrimination in regard to district’s programs is encouraged to promptly report such incidents to designated employees, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.

A student who believes they have been subject to conduct by any student, employee or third party is encouraged to immediately report the incident to the building principal. If the building principal is the subject of a complaint, the student should report the incident directly to the Director of Student Services.

The district shall conduct an adequate, reliable and impartial investigation. If the investigation results in a finding that some or all of the allegations of the complaint are established, the district shall take prompt, corrective action designed to cease such conduct and prevent retaliation. Any disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, district procedures, applicable collective bargaining agreements, and state and federal laws.

Based on Policy #103

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 accordingly.
Standard 4. 
Create a Positive, Safe, and Drug Free Learning Environment

Based on Policy #222

Tobacco/Nicotine
The Board prohibits the sale, use and possession of tobacco, nicotine and nicotine delivery products 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 the sale, use and possession of tobacco, nicotine and nicotine delivery products by students at school-sponsored athletics/activities that are held off school property.

Tobacco shall mean a lighted or unlighted cigarette, cigar, cigarillo, little cigar, pipe or other smoking product or material and smokeless tobacco in any form including chewing tobacco, snuff, dip or dissolvable tobacco pieces. Nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means. A nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

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 by the court 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.
- Consequences will consist of a one-day out-of-school suspension, a mandatory parent conference and a five-day in-school suspension. At the discretion of the Principal/designee, 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
An offense of carrying or possessing a weapon in school or at any school-sponsored event may 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, 2019–April 15, 2020) 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).
“Be kind whenever possible. It is always possible.”
— Dalai Lama
Multi-Tiered System of Support (MTSS) is the practice of providing instruction and interventions that match student need. Based on this problem-solving model, the MTSS approach considers various factors as they apply to a student’s difficulty and provides interventions as soon as the student demonstrates a need.

The School District of Lancaster will implement interventions with a student at the onset of any disruptive behavior. Exceptions may apply to specific drug violations, or firearm possession, which mandate a one-year expulsion. Based on the student’s response to the intervention or lack of progress, a more in-depth problem-solving process may be needed which may include additional school or district personnel to develop a more detailed and individualized support plan. Teachers, support staff, and administrators must maintain written documentation at every level of intervention and discipline. A student’s IEP team, if special education services are required, will also be involved with the interventions and discipline of a student. The district strongly believes that school staff and parents working together is the best way to build trusting relationships and improve student behavior.

The School District of Lancaster’s goal is to improve student behavior, while providing appropriate interventions and consequences when behavior expectations are not met. Progressive discipline (the process of using increased measures when a student fails to correct a problem after being given a reasonable opportunity to do so) will be used.

1. First observe the problem behavior
2. Decide if the behavior is Minor or Major
   - Minor Incidents (as defined by the district) follow Flow A
   - Major Incidents (as defined by the district) follow Flow B
**Classroom Managed Interventions/Consequences**

**Tier 1 – Proactive Supports**
- Classroom management system
- Teach expected behaviors
- Reinforce expected behaviors
- Build community with class meetings, restorative circles, advisory meetings, etc.
- Redirection, Ignore, Proximity
- Verbal warning
- Walk break, drink break
- In-class, time-out
- Parent/Guardian contact

**Tier 2 and 3 – Interventions/Consequences**
- Advanced support resource: www.pbisworld.com
- Parent/Guardian contact
- Student behavior contract
- Buddy teacher
- Logical consequences
- Structured breaks
- Check-In, Check-Out
- Peer mediation
- Reflective essay
- Restorative practices circle, impromptu conference
- Referral for support from counselor, SFRS
- Lunch/recess detention
- Office Discipline Referral

**Office Managed Interventions/Consequences for Major Problem Behaviors**

**Tier 2 – Targeted Interventions/Consequences**
- Advanced support resource: www.pbisworld.com
- Referral for support from student support teams/MTSS school process
- Social skills group/Group counseling
- Mentoring program
- Check-In, Check-Out
- Structured breaks
- Reflective essay
- Parent shadowing
- In-school work detail
- Logical consequence/loss of privilege
- Lunch/recess/after school detention
- In-school suspension
- Restitution through Restorative practices circle, impromptu or formal conference
- Saturday school

**Tier 3 – Intensive Interventions/Consequences**
- Advanced support resource: www.pbisworld.com
- Referral for support from student support team/MTSS school process
- Referral to School Based Therapy or community mental health services
- Referral to Student Assistance Program (SAP)
- Interagency Team Meeting with school, parent, behavioral health providers, and/or Child and Youth Agency
- Community service or in-school service (assisting custodial staff)
- Parent supervision
- Loss of privileges
- Mini-course on topics such as conflict resolution, anger management, appropriate behavior
- Modified/adjusted schedule
- In-school suspension
- Out-of-school suspensions should be used as a last resort and only when in-school interventions and consequences do not sufficiently address a student’s inappropriate behavior. A return from suspension meeting must occur following the suspension.
- Saturday School

**Building Discipline Committee**

**Function & Composition**
The primary function of the Building Discipline Committee...
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. BDC’s must precede an Administrative Review request.

**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 class schedule or placement.
2. School Based Therapy.
3. Exclusion from interscholastic or extracurricular activities.
4. Referral to Student Services Team.
5. Referral to community agency.
6. Referral to the Student Services Review Committee or the Administrative Review Committee.
7. Referral to the Judiciary Committee (All students receiving special education services must be referred to an Administrative Review Committee Hearing prior to a Judiciary Committee Hearing and a Manifestation Determination must occur before an Administrative Review/Judiciary Hearing).
8. Other recommendations at the discretion of the Building Discipline Committee.

**Student Services Review Hearing** *(for 4th & 5th Graders ONLY)*
It is important that students who are assigned to Buehrle/Futures programs, receive a continuum of services.

**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 the Futures Academy.

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.

District level hearing requests must meet the following criteria:

Disruptive Student
A student who poses a clear threat to the safety and welfare of other students or the school staff, who creates an unsafe school environment or whose behavior materially interferes with the learning of other students or disrupts the overall educational process. By law, districts may refer students to AEDY programs only if, at the time of the recommended transfer, they demonstrate, to a marked degree, any of the following conditions:

Reason for Referral
Students enrolled in this program must be considered disruptive as Defined by Act 30 of 1997, § 19-1901-C (5). Identify and provide documentation (such as suspension documents) that applies to each behavior resulting in the referral.

1. Disregard for school authority, including persistent violation of school policy and rules.
2. Display of or use of controlled substances on school property or during school-affiliated activities.
3. Violent or threatening behavior on school property or during school-affiliated activities.
4. Possession of a weapon on school property, as defined under 18 Pa. C.S. § 912 (relating to possession of weapon on school property).
5. Commission of a criminal act on school property or during school-affiliated activities.
6. Misconduct that would merit suspension or expulsion under school policy.

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 or designee, will consist of the Hearing Coordinator (chairperson), a principal, assistant principal or dean, 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.

An Administrative Review shall not be conducted for special education students unless there has been a prior determination that the student’s alleged misconduct was not a manifestation of the student’s exceptionality.

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 & Composition**
The function of the Judiciary Committee is to conduct a hearing to determine whether a student should be expelled from school. During the hearing, the Judiciary Committee reviews the charges and the 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. The Chairperson (Hearing Officer) of the Judiciary Committee is appointed by the Board President.

The Judiciary Committee is comprised of the Hearing Coordinator and Hearing Officer, appointed by the school board. The Hearing Coordinator serves as a resource staff member to the Hearing Officer. 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 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 Hearing Officer is responsible for making a recommendation to the Superintendent as to the disposition of the Judiciary Hearing. The Superintendent will make a final recommendation to the Board. School personnel and the parent/guardian(s) will receive, in writing from the Judiciary Hearing Coordinator, the decision of the Hearing Officer.

**Waiver**
After a determination that a student has committed an expellable offense, and with full knowledge of their rights, the student and the student’s parents may waive their right to a formal School Board hearing, and accept the consequences described on a waiver agreement. The student and the student’s parents further waive their right to contest the consequences and this agreement by appeal or legal proceeding in any court.

**Reasons for Referral**
A building administrator may recommend the expulsion of a student whose action(s) or behavior(s) were so disruptive or so serious that the Coordinator, in consultation with the Director of Student Services or 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. 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 18 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 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.
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 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;

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, Principal will contact the Supervisor of Special Education and Gifted Services, 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.
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 the current IEP; and

   - after 45 school days, the child is returned to the 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:

- "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 2½ 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.

"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 the current IEP; and
   - after 45 school days, the child is returned to the 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 2½ 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 must 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 the student may be disciplined similarly to their nondisabled (typical) peers.

Based on Board Policy 103.1
GLOSSARY OF TERMS
**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/Cyber Bullying:**
Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following: substantially interfering with a student’s education, creating a threatening environment and substantially disrupting the orderly operation of the school. Bullying, as defined in this policy, includes Cyber Bullying.

Students who believe they or others have been bullied are encouraged to promptly report such incidents to any school district employee.

**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 (Parent permission required).

**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 six (6) years of age until the child reaches eighteen (18) 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.

**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 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 their 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 18 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 18 years or older (unless they are special education students) and who have been officially expelled, are not entitled to a free public education.

**Futures Academy:**
A program located inside Buehrle which serves 4th and 5th grade students who were not successful in their traditional elementary school. The program follows the district’s curriculum in a small classroom setting designed to meet each students’ academic and behavioral needs. The program uses the restorative justice framework.

**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 occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether the consent of the student was sought or obtained, or the conduct was sanctioned or approved by the school or organization. Students who believe they, or others, have been subject to hazing should promptly report the incident to any district employee.

**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 the student’s disability or condition.

**Multi-Tiered System of Support:**
A tiered approach to provide instruction and interventions for students struggling behaviorally or academically. Tier I addresses all students through core instruction and school-wide practices. Tier II interventions may include small group instruction with specific focus on identified skill deficits. Tier III interventions are individualized to meet the needs of each student and are the most time intensive interventions.

**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 and to build community.

**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.

**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.

**Waiver:**
After a determination that a student has committed an expellable offense, and with full knowledge of their rights, the student and the student’s parents may waive their right to a formal School Board hearing, and accept the consequences described on the district’s waiver form. The student and the student’s parents further waive their right to contest the consequences and this agreement by appeal or legal proceeding in any court.

**Weapon:**
May include, 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.