

**ALTOONA AREA SCHOOL DISTRICT  
STUDENT CODE OF CONDUCT  
FOR  
ELEMENTARY EDUCATION**

*8/2016  
Student Edition*

**946-TIPS**

**ANONYMOUS  
AND  
CONFIDENTIAL**

**REPORT  
CRIMINAL AND  
DRUG ACTIVITY**

## TABLE OF CONTENTS

Introduction	i
Acknowledgments	i
I. Authority	1
II. Philosophy on Student Discipline	1
III. Coverage	2
IV. Rights and Responsibilities	4
A. Student Responsibilities	4
B. Parental Responsibilities	6
C. Teacher Responsibilities	7
D. Principal Responsibilities	9
V. General Discipline Sequence	10
VI. Student Code of Conduct	12
A. Affection	12
B. Personal Appearance	12
C. Appearance Violations	17
D. Arson	18
E. Assault and/or Battery on a School Employee	18
F. Assault and/or Battery on a Student or Non-School Employee / Fighting	18
G. Attendance	19
H. Audio Visual Devices	30
I. Bus/Van Behavior	31
J. Cheating	33
K. Class Cuts	35

L.	Corporal Punishment	36
M.	Damage or Theft of School Property	36
N.	Damage or Theft of Private or Other Public Property	37
O.	Detention	38
P.	Disruption of School and/or Classroom	40
Q.	Disruption of School Sponsored Related, and/or Sanctioned Meetings, Activities, Events	41
R.	Drugs/Alcohol	42
S.	Equal Access	52
T.	Ethnic Intimidation	55
U.	Expression/Harassment	56
V.	Student Unlawful Harassment Policy	65
W.	Expulsion/Suspension	70
X.	Extortion	78
Y.	False Fire Alarms or Tampering with Safety Equipment or Device	78
Z.	Flag Salute and Pledge of Allegiance	78
AA.	Forgery, Alteration or Falsification of School Communications	80
BB.	Insubordination	80
CC.	Lighted Objects	81
DD.	Off Campus	81
EE.	Off Limits	81
FF.	Paging Device/Cellular Phones	82
GG.	Repeated Code of Conduct Violations	82
HH.	Searches	82
II.	School Safety Zones	84

JJ.	Selling of Merchandise	84
KK.	Skateboards, Roller-skates, Pedicycle, and Scooters	85
LL.	Smoking	85
MM.	Student Conduct While a Member of Extra-Curricular or Co-Curricular Activities	86
NN.	Student Meals	86
OO.	Terroristic Threats	86
PP.	Throwing Objects into Occupied Vehicles or Onto a Roadway	87
QQ.	Tobacco	87
RR.	Unauthorized Presence on School Premises	88
SS.	Weapons/Violence Policy	89
TT.	Dangerous Instruments/Conduct	90
UU.	Special Education	91
VII.	Disciplinary Structure	92
	A. Level of Misbehavior or Irresponsibility	93
	B. Special Education	96
	C. Principal's Clause	96
	D. Detention	97
	E. Cafeteria	99
	F. Bus/Van Regulations	100
	G. Walkers	101
VIII.	School Safety Patrol	103
IX.	Building Conduct	105
X.	Title IX – Notice of Nondiscrimination/Harassment	107

## INTRODUCTION

The rules and guidelines set forth in this document represent the first edition of a code of student conduct for Secondary Education in the Altoona Area School District.

This document is intended to serve as a guideline for discipline in the Secondary Schools. It is recommended that the material from this document be included, in some form, in student handbooks and that consequences of specific discipline problems be spelled out to students as much as possible. Students should know, in advance, what procedures will be used to deal with various discipline problems. Also, it is important that parents and school staff be thoroughly familiar with the information contained in these rules and guidelines.

This document is not intended to contain all of the information needed for handling every discipline problem in the Secondary schools; however, for those situations not specifically mentioned, the material in this document should serve as a guide to upon which to pattern such situations.

## ACKNOWLEDGEMENTS

***The following groups and committees were involved in the development and/or revisions of the Code of Student Conduct:***

Altoona Area Board of School Directors  
Altoona Area School District Central Office Staff and Support Personnel  
Altoona Area School District Secondary Middle Management Team  
Altoona Area School District Secondary Discipline Committee  
Altoona Area School District Secondary CAP Committee Representatives  
Altoona Area High Schools CAP Committee Representatives  
D.S. Keith Junior High Schools CAP Committee Representatives  
Roosevelt Junior High Schools CAP Committee Representatives  
Altoona Area School District Solicitors  
Altoona Area School District Computer Personnel  
Altoona Area School District Secondary Clerical Personnel

## **I. AUTHORITY**

The Board of School Directors of the Altoona Area School District has the authority to make reasonable and necessary rules governing the conducts of students in its school. The rule-making power, however, is not unlimited; it must operate within statutory and constitutional restraints. A school board has only those powers which are enumerated in the laws of the State, or which may reasonably be implied or necessary for the orderly operation of the school. Boards of School Directors may not make rules which are arbitrary, capricious, or outside their grant of authority from the General Assembly. Their rules must stand the test of fairness and reasonableness. A rule is generally considered reasonable if it uses a rational means of accomplishing some legitimate school purpose.

School rules are assumed to be reasonable until they are rescinded or waived. Students, therefore, should obey school rules while working through channels to help change those which they feel are not applicable.

Each Board of School Directors shall adopt a code of student conduct, which shall include policies governing discipline and a listing of student rights and responsibilities. This code shall be published and distributed to students and parents in whole and/or outline form. Copies of the code shall also be available in each secondary school library.

The Student Code of Conduct is a set of administrative guidelines intended for regulating student conduct. However, final discretion and/or prescribed discipline rests with the superintendent.

## **II. PHILOSOPHY ON STUDENT DISCIPLINE**

The Board of School Directors of the Altoona Area School District acknowledges that effective discipline should serve two purposes. First, it should prevent the recurrence of a particular misbehavior by a student and serve as a deterrent to other students. Second, it should be a learning experience for that student and other students, permitting them to see why certain school rules and guidelines have been established and when they must be followed. Discipline is more than making students do what is right; it should encourage students to choose to do what is right. Furthermore, the Board of School Directors of the Altoona Area School District acknowledges that student conduct is closely related to learning, that an effective instructional program requires a wholesome and orderly environment, and efficiency of the educational program is, in part, reflected in the behavior of students.

Therefore, in order to promote achievement of the goals of public education, the Board of School Directors of the Altoona Area School District must establish appropriate rules and guidelines for maintaining a proper environment in which the educational process and the relationship between such persons materially affects the extent to which a beneficial environment exists. This Student Code of Conduct for Secondary Education (herein referred to as Student Code of Conduct) is hereby adopted by the Board of School Directors of the Altoona Area School District so all persons who are part of the educational community will recognize what rights, responsibilities, and consequences are involved, and so may conduct themselves accordingly. Behavior by any student which is contradictory to the rules and guidelines of the Altoona Area School District's Student Code of Conduct will not be tolerated.

### **III. COVERAGE**

- A. The Board of School Directors of the Altoona Area School District shall require each student of this district to adhere to the rules and guidelines promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules and guidelines.
  
- B. These rules and guidelines govern student conduct:
  - 1. During time spent in travel to and from school and anytime within the School Safety Zone which is within 1,000 feet of the real property of the school district.
  
  - 2. In school or during school hours at school sponsored activities.
  
  - 3. In concert with after school and weekend school sponsored activities, performances, meetings, or contests.
  
  - 4. During non-curricular related student group meetings, performances, or contests on school premises.
  
  - 5. During meetings/activities on school premises sponsored by nonschool person(s).
  
  - 6. Anytime outside of school involving violations or possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly, and/or immediately result in adverse effects on the educational process, when there is a reasonable need to preserve overall school discipline, when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reason to believe that the effect could include endangering the health, safety, welfare, or morals of students within the school system.

- C. Such student rules and guidelines shall require that students conform to reasonable standards of socially acceptable behavior, respect the rights, person, and property of others, preserve the degree of order necessary to the educational program in which they are engaged, obey constituted authority and respond to those who hold that authority.
- D. The Student Code of Conduct shall be the standard for discipline within secondary schools in the Altoona Area School District unless altered by the Board of School Directors with the recommendation of the Superintendent.
- E. The Superintendent shall promulgate, where necessary, additional regulations for student conduct which carry out the purposes of this policy.
- F. The Superintendent or his designee shall be responsible for the enforcement of the Student Code of Conduct.
- G. The Altoona Area School District shall recognize that if any provision of this policy or application thereof to any person or circumstances is judicially determined invalid, the provisions of the remainder of the policy and the application to other persons or circumstances shall not be affected thereby.
- H. The Altoona Area School District recognizes that the provisions of this policy supersede all other provisions of school district policy that may be inconsistent with the provisions of this policy.

#### **IV. RIGHTS AND RESPONSIBILITIES**

Students in the Altoona Area School District have rights just as private citizens have rights. Likewise, students have certain responsibilities. During enrollment in the Altoona Area School District, there is always the possibility that a student might ignore his responsibilities and infringe on someone else's right to learn. It is also possible that a given school official may unintentionally infringe upon a student's rights. It is with the intent of creating this mutual understanding between students, teachers, and administrators that these statements of rights and responsibilities exist. Better understanding can be achieved when everyone acknowledges the rights and responsibilities of others.

##### **A. STUDENT RESPONSIBILITIES**

1. Students share the responsibility for good discipline in the schools. Moreover students share with the administration, faculty, and other school staff a responsibility to develop a climate within the school that is conducive to wholesome learning and living. No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of administrators, teachers, students and all others who are involved in the educational system and associated with the right to a free public education.
2. A student will be disciplined when he/she ignores his/her responsibilities or infringes on the rights of others to learn. Past experiences in Altoona Secondary Schools has shown that only a small percentage of students face teacher or administrative discipline. Quite often, misunderstandings are worked out by an informal talk between the parties involved.

Students have the responsibility to:

- a. Be aware of all rules and guidelines for student behavior and conduct themselves in accordance with them.
- b. Be able to express their ideas and opinions in a respectful manner so as not to offend or slander others.
- c. Be willing to volunteer information in matters relating to the health, safety, and welfare of the school community and the protection of school property.
- d. Dress and groom themselves so as to meet fair standards of safety and health, and so as to not cause material disruption or distraction to the educational process.

- e. Assume that until a rule is waived, altered or repealed, it is in full effect.
- f. Assist the school staff in operating a safe school for all students enrolled therein.
- g. Be aware of and comply with state and local laws.
- h. Exercise proper care when using public facilities and equipment.
- i. Attend school daily except when excused, as well as be on time to school, classes and other school meetings, activities, and events.
- j. Make all necessary arrangements for making up work when legally absent/tardy from school.
- k. Pursue and attempt to complete satisfactorily the courses of study prescribed by state and local school authorities.
- l. Avoid inaccuracies in student newspapers or publications as well as indecent or obscene language.
- m. Strive for mutually respectful relations with teachers, administrators, and other school staff.
- n. Know and respect the rights of teachers, administrators, other school staff members, and other students.
- o. Take advantage of the academic opportunities offered at school and make a conscientious effort in classroom work.

## **B. PARENTAL RESPONSIBILITIES**

1. Parents must be the first to foster self-discipline within the child at home. The school can provide the setting for this training to be carried further, while enabling all students to have the right to pursue their own educational needs without unnecessary disruption by others. A cooperative relationship between home and school is essential to each student's successful development and achievement.

To achieve this wholesome relationship parents are urged to:

- a. Exemplify an enthusiastic and supportive attitude toward school and education.
- b. Build a good working relationship between themselves and school personnel.
- c. Teach their child self-respect, self-control, respect for the law, respect for others and other's property and to be accountable for his/her actions.
- d. Insist on prompt and regular attendance.
- e. Encourage their child to take pride in his/her appearance.
- f. Insist that their child promptly bring home all communications from school.
- g. Cooperate with the school in jointly resolving any school-related problem.
- h. Set realistic standards of behavior for their child and be firm, fair, and consistent in applying them.
- i. Help their child learn to deal effectively with negative peer pressure.
- j. Provide a place conducive for study and completion of homework assignments.
- k. Help the child to develop an interest in learning and exploring a variety of fields of knowledge.
- l. Be aware of the school's attendance, discipline and other such policies and the consequences of noncompliance.

- m. Be sure the child is free of communicable disease and is in as good health as possible in order to ensure effective classroom performance.
  - n. Become acquainted with the school, its staff, curriculum and activities.
  - o. Attend parent-teacher/administrator conferences and other school functions.
2. Parents and guardians should be aware that they are responsible for any financial obligations incurred by their child in school. These include, but are not limited to, lost books, fines, and damage to property.

### **C. TEACHER RESPONSIBILITIES**

1. Generally, it is the teacher's responsibility to handle discipline problems occurring in the classroom, which are a common or minor nature. For more serious problems, it is the teacher's responsibility to inform the appropriate administrator of the details of the case. While in the classroom, every teacher knows that he/she works every day with the nation's most precious commodity - future generation.

In view of this responsibility, the teacher must:

- a. Promote a climate of mutual respect and dignity, which will strengthen the student's positive self-image.
- b. Utilize classroom routines, which contribute to the total instructional program and to the student's development of civic responsibility.
- c. Provide interesting and stimulating classroom climate that will prevent most discipline problems from developing.
- d. Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual student.
- e. Guide learning activities so students learn to think and reason, to assume responsibility for their actions and to respect the rights of others.

- f. Demonstrate by word and personal example, respect for law and order as well as self-discipline.
- g. Seek to develop close, cooperative relationships with parents for the educational benefit of the student.
- h. Distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the principal.
- i. Help students cope with negative peer pressures.
- j. Be sensitive to changing behaviors patterns.
- k. Enable students to discuss their problems with him/her.
- l. Strive for mutually respectful relationships with students.
- m. Assist students and administrators in developing a climate in the school that is conducive to wholesome learning and living.
- n. Report, to the principal, any students who jeopardize their own safety, the safety of other students, or of the teacher, or who seriously interfere with the instructional program of the classroom as required by the Student Code of Conduct.
- o. Serve as a surrogate parent in matters of behavior and discipline in accordance with Pennsylvania School Law.
- p. Interpret the discipline code to students in their classes.
- q. Be fair, firm and consistent in enforcing the Student Code or Conduct in the classroom, hallways, rostrums, on school transportation, on the school campus and at all school-sponsored activities.

## **D. PRINCIPAL RESPONSIBILITIES**

1. As the educational leader of the school the principal sets the disciplinary climate for the school, not only for the students but for staff as well.  
In view of this responsibility, the principal must:
  - a. Seek to develop a sound and healthful atmosphere of mutual respect in the school; develop procedures, which reduce the likelihood of student misconduct.
  - b. Provide the opportunity for students and staff to approach the principal directly for redress of grievances.
  - c. Assist staff members to resolve problems, which may occur.
  - d. Maintain ongoing communication with the faculty about the status of discipline within the school.
  - e. Work closely with parents to establish a wholesome relationship between home and school.
  - f. Utilize all appropriate auxiliary staff and community agencies to help parents and students identify problems and seek solutions.
  - g. Be fair, firm, and consistent in all decisions affecting students, parents, and staff.
  - h. Demonstrate, by word and personal example, respect for law and order, self-discipline, and a genuine concern for all persons under his/her authority.
  - i. Become acquainted with students by visiting classrooms and attending activities.
  - j. Establish necessary building security.
  - k. Assume responsibility for the dissemination and enforcement of the Student Code of Conduct and insure that all discipline cases referred are resolved promptly.
  - l. Insure fairness, reasonableness and consistency.
  - m. Comply with pertinent state laws governing hearings, suspensions, and students' rights.

## V. GENERAL DISCIPLINE SEQUENCE

- A. Discipline problems occur for a variety of reasons and in varying degrees of frequency and severity. The general sequence presented here is not intended to be rigidly followed. The actual sequence of disciplinary action may vary, depending on the individual case.

In general, these steps are followed:

- Step 1 - Teacher and student
- Step 2 - Teacher and parent
- Step 3 - Teacher, counselor, parent and/or student
- Step 4 - Principal, parent, student, and other school personnel involved
- Step 5 - School, parent, student, and social service agencies involved
- Step 6 - Administrative Review Committee
- Step 7 - Hearing Officer of the School Board
- Step 8 - School Board

- B. Summary of Sequence:

1. Actions available to the teacher for LEVEL ONE student misconduct include:
  - a. Meet with student
  - b. Contact parent
  - c. Contact counselor
  - d. Contact principal
  - e. Hold detention
  - f. Withhold privileges
  - g. Refer to counselor
  - h. Refer to principal
2. Actions available to the teacher for LEVEL TWO, THREE and FOUR student misconduct include:
  - a. Meet with student
  - b. Refer to principal

3. Actions available for the counselor include:
  - a. Arrange individual/group counseling for student
  - b. Contact principal
  - c. Arrange for parent conference
  - d. Refer to Office of Pupil Special Services and/or Student Assistance Program
  - e. Contact social services
  - f. Arrange for community agency referrals
  - g. Refer to principal
  
4. Actions available for the principal include:
  - a. Issue a reprimand
  - b. Arrange for a conference with necessary individuals
  - c. Assign detention
  - d. Withhold privileges/suspension from meetings, performances, or contests
  - e. Probation
  - f. Refer to Office of Pupil Special Services, Student Assistance program and/or community service agencies
  - g. Assign in-school suspension
  - h. Assign out-of-school suspension
  - i. Arrange for an informal Administrative Review Committee Meetings
  - j. Refer to the Assistant Superintendent recommending a formal expulsion hearing with the School Board's Hearing Officer.
  
5. Actions available for the Administrative Review Committee include:
  - a. Withhold privileges
  - b. Probation
  - c. Refer to Office of Pupil Special Services, Student Assistance Program and/or community service agencies
  - d. Assign in-school suspension
  - e. Assign out-of-school suspension
  - f. Refer to the Assistant Superintendent recommending a formal expulsion hearing with the School Board's Hearing Officer.
  
6. Demerits are assigned for each Saturday detention and/or suspension that a student is assigned. Accumulation of five demerits results in the loss of all extracurricular privileges for the remainder of the school year.

## **VI. STUDENT CODE OF CONDUCT**

There are a multitude of acts, which are not and cannot be precisely spelled out in written regulations of a school district. Since it is impossible to develop an all-inclusive list of offenses and in accordance with Section 1318 of the Pennsylvania School Code, conduct not specifically addressed in this Student Code of Conduct, nevertheless, would fall within the scope of 'student misconduct' and be subject to disciplinary action deemed reasonable by school authorities.

### **A. AFFECTION**

Visible and open display of affection involving student(s) will not be permitted. Examples of visible or open displays of affection between students that will not be permitted include but are not limited to: kissing, petting, caressing, and/or any other bodily contact that represents a visible or open display of affection.

### **B. PERSONAL APPEARANCE**

The Altoona Area Board of School Directors does not subscribe to a dress code, however, concern for the safety, health, welfare and morals of the students as well as the prevention of disruption of the education program, has prompted the Board to adopt a Personal Appearance Guide for all students in the Altoona Area School District.

1. Backpacks/Book bags
  - a. Students are permitted to use backpacks or book bags to and from school.
  - b. Students will not be permitted to use backpacks and book bags from class to class during the school day.
  - c. Backpacks and book bags brought into the school must be placed in the student's locker until the student leaves school. Only backpacks/backpacks that are able to be stored in school lockers are permitted.

## 2. Clothing

Clothing worn on school premises shall not be immodest, suggestive, unclean, vulgar, obscene, disturbing, distracting, or inappropriate for school.

- a. Students' clothes shall be clean and neat at all times. Students with unclean clothes constitute a health hazard and shall be required to correct the situation immediately.
- b. Students shall not wear clothing that is immodest, suggestive, obscene, vulgar, disruptive, distracting, or constitute a safety issue. Examples of such dress include but are not limited to:
  - 1) Revealing clothing, see-through blouses or shirts, tank tops, muscle shirts, halter tops, blouses or shirts that do not cover the shoulder or clothing, including any top, jeans, or other attire showing a bare midriff.
  - 2) Clothes which advertise, promote, or display alcohol, prohibited drugs, or promote, suggest, or imply the use of alcohol or drugs
  - 3) Clothes, which depict or suggest sexual relations or vulgar/obscene language or images.
  - 4) Clothes, which advertise, promote, display, or imply the use of tobacco products
  - 5) Clothes that depict violent acts
  - 6) Clothes that depict inappropriate images or terminology.
  - 7) **Clothes that depict gang colors or symbols. This would include the display of colors, symbols, or other paraphernalia that have the intent to show allegiance to a gang. Displays associated with undesirable groups/gangs, including language, gestures, or confrontations will be subject to appropriate discipline.**

- c. OUTER GARMENTS such as coats and jackets shall be placed in the locker facilities provided and must not be worn in the classroom at any time. HATS and other head garments are not to be worn inside the school buildings during the school day or at extracurricular activities. No clothing (i.e. jackets, sweatshirts, sweaters, shirts) shall be tied around a person's waist.
- d. FOR SAFETY REASONS AND TO AVOID IMMODESTY AND DISTRACTIONS, clothes that are ripped, torn, or have holes shall not be permitted on school premises.
  - 1) Clothes that are frayed or touch the floor are a safety hazard and shall not be permitted on school premises. Low-slung pants and pants of an excessive length are a safety hazard, and therefore, are prohibited.
  - 2) Students' clothing shall not cause the material disruption of any lawful mission, process or function of the school or classroom.
- e. Neither shall students' clothing be worn with the deliberate intention of causing the material disruption or obstruction of any unlawful mission, process, or function of the school or classroom, if such a disruption or obstruction is reasonably certain to result.
- f. Neither shall a student's clothing urge other students to engage in such conduct with deliberate intention of using the material disruption or obstruction of any lawful mission, process or function of the school or classroom if such a disruption or obstruction is reasonably certain to result from his/her urging.
- g. Students may be required to wear certain types of clothing while participating in Physical Education classes, extracurricular activities, or other situations where special attire may be required to insure the health or safety of students.
- h. Students will not be permitted to participate in graduation ceremonies unless they abide by the school dress guidelines established for said activity.

- i. **SHORTS: Shorts must be of a length so as to reach the student's knee area while the student is standing.** Students should refrain from wearing shorts if this desired length cannot be attained. Cutoffs, boxer-style shorts, and shorts made of spandex, lycra, or similar materials are disallowed.
- j. Dresses, skirts, shorts, and culottes must be of a length so as to reach the student's knee area when the student is standing.
- k. Students are not permitted to wear pajama bottoms or lounge wear to school as they are considered sleepwear and therefore inappropriate for school.

3. Footwear

For safety and health reasons footwear that covers the entire foot must be worn. Shoes must be appropriately laced or otherwise fastened at all times while on school premises.

- a. Thongs, clogs, sandals without back straps, shoes with holes, or other such footwear that does not cover the entire foot are prohibited when on school premises.
- b. The wearing of socks is highly recommended for health and safety reasons.
- c. No one shall be permitted on school premises with bare feet.
- d. The wearing of metal heel/toe plates on students' shoes is prohibited on school premises.

#### 4. Hair

All hair, including facial and other body hair, must be clean and styled so as not to disrupt the educational program as well as for health reasons.

- a. Students whose hair length would cause a safety or health hazard in such courses as Technology Education, Physical Education or extracurricular activities shall be required to take appropriate remedies to correct the situation.
- b. Students whose unusual hairstyle results in the distraction of other pupils, and disrupts, unsettles, or impedes the normal conditions of the school or classroom shall be required to correct the situation immediately.
- c. **Unnatural hair colors, spiked hair and inappropriate hairstyles are prohibited.**

#### 5. JEWELRY/BODY PIERCING

Jewelry that is a potential health/safety hazard, suggestive, or that depicts obscene, vulgar, disruptive, distracting or inappropriate behaviors is prohibited. Examples of such jewelry include, but are not limited to:

- a. Jewelry which advertises/promotes/displays alcohol or prohibited drugs, or promotes/suggests/implies the use of alcohol or drugs.
- b. Jewelry, which depicts or suggests sexual relations or vulgar/obscene language or images.
- c. Jewelry which advertises/promotes/displays/implies the use of tobacco products.
- d. Long earrings / large hoop earrings create a safety hazard in Physical Education classes, classroom projects, etc.
- e. Rings with sharp points or edges, chain belts, chains hanging from jackets or pants, collars, spiked jewelry, or any other jewelry or ornament that could be used as a weapon.

- f. Jewelry that is a potential health/safety hazard to wearer or others. All body piercings other than the ears, including but not limited to, EYEBROW, CHIN, CHEEK, LIP, NOSE, TONGUE are prohibited.

6. Person

Students whose unusual, excessive, or otherwise inappropriate body paint or cosmetics, which result in the distraction of other pupils, and disrupts/unsettles/impedes the normal conditions of the school or classroom shall be required to correct the situation immediately.

7. Personal Hygiene

A student who is dirty or unwashed represents a health hazard to himself and his fellow students and is a distracting influence on the educational program. Such students will be required to correct the situation immediately.

### **C. APPEARANCE VIOLATIONS**

In the case of an appearance violation, the Administration will where possible or necessary:

1. Have the student correct the violation immediately
2. Contact the student's parent or guardian to assist in the immediate correction of the violation
3. Contact the student's parent or guardian and have the student removed from the school premises
4. Isolate the student for the remainder of the school day
5. Follow the disciplinary structure as required by the Student Code of Conduct.

**D. ARSON**

1. Students shall not intentionally and/or recklessly place another person in danger of death or bodily injury by starting a fire or causing an explosion.
2. Students shall not intentionally and/or recklessly cause nor attempt to cause damage/destruction to property by starting a fire or causing an explosion.
3. Students shall not conspire to intentionally and/or recklessly cause nor attempt to cause damage or destruction to property by starting a fire or causing an explosion.

**E. ASSAULT AND/OR BATTERY ON A SCHOOL EMPLOYEE**

1. A student shall neither intentionally nor recklessly cause, nor attempt to cause, nor threaten to cause, injury; nor intentionally place another in fear of bodily harm or injury; nor conduct himself in such a way, as could reasonably cause physical injury to any person employed by the Altoona Area School District.
2. Self-defense is not to be considered an intentional act under this rule.
3. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**F. ASSAULT AND/OR BATTERY ON A STUDENT OR NON-SCHOOL EMPLOYEE / FIGHTING**

1. A student shall neither intentionally nor recklessly cause, nor attempt to cause, nor threaten to cause injury, nor intentionally place another in fear of bodily harm or injury; nor conduct himself in such a way as could reasonably cause physical injury to any student or other person not employed by the Altoona Area School District.
2. ***FIGHTING is to be categorized as “a mutual altercation where there is confrontation with another student which requires physical restraint or results in injury, property damage, or disruption of the educational atmosphere.”***

3. Self-defense is not to be considered an intentional act under this rule.
4. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **G. ATTENDANCE**

The Altoona Area School District Board of School Directors believes that daily attendance is an integral part of an effective educational environment. Since learning occurs in a sequential order, regular attendance is necessary for students to build upon previous information, to provide understanding, and to develop skills in all areas of the curriculum. Daily attendance contributes to the total development of the student and helps the student develop a sense of responsibility, self-discipline and good work habits. It is essential if students are to derive maximum benefit from their education and reach their fullest potential.

1. Student responsibilities:
  - a. Attend school regularly
  - b. Bring in an excuse signed by parent/guardian on the day of return to school
  - c. Be aware of the obligation to make up missed work
  - d. Be aware of the school's attendance policy and the consequences of noncompliance
2. Parent responsibilities:
  - a. Make sure student attends school regularly
  - b. Do not keep student home for minor ailments, especially if the student has a poor attendance record
  - c. Refuse to write false excuses for the student
  - d. Send in signed excuses with the student on the day of return to school
  - e. Be aware of the school's attendance policy and the consequences of noncompliance

- f. Be aware of the student's obligation to make up missed work
  - g. Provide appropriate information and/or documentation regarding known medical problems, which might require a student to be periodically absent from school
- 3. Teacher responsibilities: Maintain and report accurate daily records of student attendance
- 4. Principal responsibilities:
  - a. Develop procedures, which promote student attendance
  - b. Ensure communication with parents regarding student attendance
  - c. Enforce the attendance code
  - d. If attendance rules and guidelines are to be effective in reducing unnecessary student absenteeism, student absence must be monitored and related to appropriate school response. the Code of Student Conduct provides for appropriate options and responses related to absences from school, tardy to school, early dismissals during school, and personal education tours and trips.
- 5. Attendance Records and Reports (Board Policy 204):
  - a. All transfers and withdrawals in the Altoona Area School District shall be in compliance with Pennsylvania School Code 1332 (EXHIBIT A).

These procedures will be followed:

- 1) Teachers will report all information regarding attendance and non-attendance to the building principal. Building principals will report to the District Attendance Office all information regarding pupil attendance and withdrawal necessary to fulfill the district and state attendance requirements on a timely basis.

The Principal's duties may be delegated with authorization; however, the building principal is responsible for the following, but not limited to:

- a) Withdrawals
  - b) Changes in building placement, curriculum code or placement
  - c) Percentage of time student is placed in regular and/or full-time special education
  - d) Student address change or parent/guardian changes
  - e) Change in secondary homeroom
- 2) Every teacher shall keep attendance records of every child under his/her jurisdiction in accordance with Pennsylvania School code and administrative requirements.
  - 3) Parents with special building requests are responsible for transporting their child to and from school. District transportation is not provided for students in this category except in cases of severe hardship created for a single working parent of an elementary student.
- b. Pupil Illegal (Unlawful) and Unexcused Absences (Board Policy 204): Every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to school. The educational program offered by this District is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation. Pennsylvania State Board of Education (PSBOE); Public School code 1949, Section 13-1327.

- 1) An illegal or unexcused day of absence from school is any day of absence for reasons other than illness, health care, death in the immediate family approved field trips, approved temporary absences, approved religious holidays and any emergency approved by the principal.  
A student will not be permitted to make up work missed as a result of an unexcused absence.  
(Reference: Board Policy 5008R Make Up Policy). **If a parent chooses to keep their child home or pick them up early from school due to inclement weather when school is in session, these absences will be considered unexcused.**
- 2) All absences required a written acceptable excuse by the parents/guardians/physician regardless of student's age or the absence is considered illegal or unexcused. The written excuse must be presented to the school when determined by the Attendance Director or the Principal's designee, but no later than three days after the return from absence. Absences determined to be truant will result in disciplinary action.
- 3) Parents/guardians are to be kept informed on a regular basis of their child's attendance record/patterns. This will be done by letter, telephone, report card and/or conference.
- 4) On the fifth day of absence, a letter of concern is to be sent to the parents/guardians regarding the reason(s) for the absence. Documented extended medical absences will be counted as one absence for the purpose of this clause. If a reason does exist, the parents/guardians should return the letter to the school with a written explanation (EXHIBIT B).

This letter of concern will include a section, which indicates that upon total absences of thirty-five (35) days, the student will be retained in his current grade the following school year. (Legal Reference: School Laws of Pennsylvania 1327, 1329, 1338).

5) On the tenth day of absence, a letter will be sent from the school to parents/guardians requiring a medical excuse for each absence thereafter. Documented medical absences of three or more consecutive days will be counted as one absence for the purpose of this clause. In case of a chronic or on-going medical condition, a letter from a physician stating the condition that will cause the student to miss an excessive number of days will negate the requirement for a medical excuse. These absences will still require a written excuse from the parents/guardians. A doctor's letter could and may be required at any time, based on the history of the student, or attendance pattern set by the student (EXHIBIT D). This letter of concern will include a section, which indicates that upon total absences of thirty-five (35) days, excused and/or unexcused, the student may be retained in his current grade the following school year. (Legal Reference: School Laws of Pennsylvania 1327, 1329, 1338)

6) Absence Letters

10 absences – Letter – This letter will express concern and direct parents/guardians to contact the Attendance Office regarding any problems.

20 absences – Hearing Letter – This hearing will include the parent, student, Attendance Office and Class Principal. This meeting is to inform the student and parent of possible failure.

The letter of concern will include a section, which indicates that upon total absences of thirty-five (35) days, excused and/or unexcused, the student may be retained in his current grade the following school year. (Legal Reference: School Laws of Pennsylvania 1327, 1329, 1338).

- 7) On the thirty-fifth day of total absence, excused and/or unexcused, a letter will be sent from the school to the parents/guardians informing them that the student may be retained in his current grade the following school year and that the parents/guardians may request a waiver.

Note: For the purpose of calculation of thirty-five days of absence: **420 Unexcused tardy minutes will equal one day of absence. This will include all Tardy minutes and all early dismissal minutes.**

***Waiver Procedure/Process:***

Appeal Procedure/Process: A student or parent may request within 10 days of the receipt of the 35 day letter, an appeal of the preceding provision by informing the Building Principal or his/her designee or the Attendance Director in writing, of their desire to appeal the attendance violation.

**The administration will convene a meeting with the parent/guardian to discuss the decision to retain a student. Considerations for special circumstances will be considered prior to making a decision to retain a student in grade level.**

- 8) The Committee's decision may be appealed to the Superintendent. If parents appeal the decision of the Attendance Committee to the appropriate Assistant Superintendent of Schools, they must do so within ten (10) days after having received the Attendance Review Committee's decision in writing.

- 9) Before any proceedings are instituted against any parent, guardian, or person in parental relation for failure to comply with provisions of this act, the school Attendance Director or the school Principal's designee, shall give the offending person three days' written notice of such violation. Parents/Guardians will be sent a notice officially making them aware of their student's illegal absences. The notice will state that on the fourth and any subsequent illegal absence or series of illegal absences, not to exceed three days of illegal absences in a series, prosecutions may be filed by District Attendance after proper notification from the home school. (Reference: PSBOE Section 13-3333).
- 10) Students who are of compulsory attendance age who are at any time absent from school for ten consecutive school days may, thereafter, be removed from the school's active membership by a written request from the Building Principal, unless one of the following occurs:
- a) The District has been provided with evidence that the absence may be legally excused
  - b) Attendance regulations required by Pennsylvania School code have been or are being pursued.

## 11) Suspension/Withdrawal of Special Education Students

- a) Special Education Supervisors will be contacted prior to any suspension occurring.

The principal and Supervisor will discuss:

- i) Exceptionality
- ii) Information which will help determine in an IEP adjustment is necessary
- iii) Length of suspension in accordance with due process procedures. (NOTE: The length of suspension shall not be determined prior to communication with Supervisor).
- iv) Previous suspensions and their impact upon students.
- v) How parents will be notified and if a Notice of Recommended Assignment is warranted.
- vi) The need for a parent/student meeting and necessity of the Special Education Supervisor's presence.

12) All students will be considered tardy if they arrive after the opening bell. The first **ten** tardies will be excused if a note from parent/guardian is presented **AND** a phone call from parent/guardian is received and the excuse is deemed acceptable by the Building Principal or his designee; or a doctor's excuse is presented. Upon the **eleventh** and subsequent tardies, a doctor's excuse will be required for any student to be excused.

Note: For the purpose of calculation of thirty-five days of absence: 420-tardy minutes will equal one day of absence.

## 6. Excused Absence

The School Laws of Pennsylvania require a written excuse for all absences. The written excuse must be presented to the school no later than three days after the child returns to school. When a parent/guardian/physician written excuse is not received, the absence will be considered "unexcused". Also, sending an excuse does not necessarily mean that the absence will be considered legal. Such reasons as "away from home", "overslept", "went shopping", are not considered excused absences. Excused absence includes illness of the child, death in the immediate family, and special emergency (to be determined by the principal). After three unexcused or unlawful absences, School District action will be taken which could result in a monetary fine.

### a) School-Sponsored Activity

An absence the day of a school-sponsored activity will prohibit the student from participating in the school-sponsored activity for that day. Any extenuating circumstances may be reviewed by the Building Principal.

### b) Religious Holidays and Objections

A pupil may be excused from school for observance of bona fide religious holidays. The pupil's absence would be recorded as an excused absence. A letter requesting the school for the absence is required.

A pupil may be excused from portions of science and health courses which conflict with the religious beliefs of the pupil. A written request from the pupil's parents should be made to the Building Principal at the beginning of each school year. (Reference: State Board of Education Chapter 11.7).

Students may be released from school for not more than one hour per week for religious instruction, provided there are not expenses charged to public funds. A written request by parent/guardian to the school principal is required.

c) Temporary Absences  
Pupils may be excused from school attendance to participate in an educational trip or tour at parents' expense with the following provisions:

- 1) That a temporary absence form be procured at the school office, filled out and returned to school before the trip is begun. No absence will be approved for over ten school days, except those with the Superintendent's or his designee's signature.
- 2) All trips must be approved by both the principal. The principal will inform the family as to whether the trip has been approved or denied.
- 3) That the itinerary, anticipated objectives of the trip and expected outcomes for the child be listed.
- 4) That the Assistant Superintendent must approve any trip that is recommended by the Building Principal.

d) Early Dismissal

Students needing early dismissals for any reason must have a written note from his/her parent or guardian. This note must include written permission for anyone other than the parent or guardian to pick the student up from school. Phone verification by the parent or guardian prior to the time of dismissal may also be required. However, students will not be released on the basis of a phone call alone.

e) Early Dismissal through Nurse's Office

- 1) Any student with a possible, recurring, medical problem needs to present a Doctor's Letter to the nurse explaining the condition and current treatment. This action should take place at the beginning of the year or immediately after the illness is diagnosed.
- 2) The time(s) a student is dismissed from the nurse's office for illness, (other than a chronic or recurring medical condition substantiated by a Doctor's letter) will accumulate and count towards total absences. Time will be counted and included in the District's 35 Day Policy.

- 3) Early dismissals for Doctor's appointments shall be Doctor/ verified with an excuse signed by the Doctor's Office and returned to the office no later than three (3) school days after the appointment. If the excuse is not presented, the day(s) will be marked as an unexcused absence or Time will be counted and included in the District's 35 Day Policy.
- f) **Pregnant or Parenting Students**  
Expulsion or exclusion of students from school programs or courses or extracurricular activities, solely on the basis of pregnancy or marital status is prohibited. Section 1329 of P.S.C. allows exemptions from compulsory attendance for mental, physical or other urgent reasons. Exemptions from compulsory attendance for physical reasons may occur on the basis of pregnancy with a medical excuse. Being a parent does not qualify as an urgent reason for exemption from compulsory attendance.
- g) **Snow Days**  
On snow days, a decision will be reached whether to have a two hour delay and/or to close school. The purpose of the two hour delay is to provide the administration with time to have the sidewalks and driveways cleared, and if necessary, to render a decision as to whether to close school altogether. In most instances we will start with a delay and upgrade to a closing if said closing is warranted. Staff is to remind students, particularly students who walk to school, both elementary and secondary, to listen to the radio on extremely cold days or on snow days for announcements of delays and/or closings. (Reference: Superintendent's Bulletin No. 3, dated July 17, 1987).

## 7. Cut Day

- a) On anticipated days for above normal absences, several factors are brought into play, or could be incorporated:
  - 1) Parent Newsletter
  - 2) Police Notification
  - 3) Public Access Channel
  - 4) Senior Activity Letters
  - 5) Public Address Announcements
  - 6) Parent Notification Via Phone

## H. AUDIO VISUAL DEVICES

1. The unauthorized possession and/or use of audiovisual devices on school premises are strictly prohibited.
2. Examples of audiovisual devices *that require administrative approval for possession and/or use on school premises* include, but are not limited to:
  - a) Radios
  - b) CD players
  - c) Tape players
  - d) Paging devices/cellular phones
  - e) IPOD's – MP3 Players
  - f) Televisions
  - g) Bullhorns
  - h) Ipads/Electronic tablets
  - i) Smart Watches
3. Students are not permitted to carry cellular phones and other **non-school-issued** audiovisual devices (digital cameras, MP3 players, IPOD's, CD players, etc.) on them during the school day. All cell phones and other audiovisual devices are required to be turned off immediately upon entering the building and to be placed in the student's locker during the school day. Students may retrieve cell phones or audiovisual devices from their lockers at the end of the school day.
4. **Any student violating this cellular phone policy shall have the phone taken by the School district, and the School District retains the right to review the contents of the cellular phone when taken in violation of the policy.**
5. The unauthorized possession and/or use of audiovisual devices on school property will result in disciplinary action taken against the individual by the school administration.
6. Any unauthorized audiovisual devices possessed or used on school property will result, in addition to disciplinary action, the confiscation of said item by the school administration. Audiovisual devices may only be picked up personally by the parent or guardian.
7. Discipline for violations of this policy will be progressive after the first violation.

## I. **BUS/VAN BEHAVIOR**

The bus/van driver is in charge of each bus/van and represents school authorities. Since students are under the full authority of the school while on the bus/van, all school rules and guidelines are in force during all bus/van trips.

1. Students must:
  - a) Not push or run while loading onto or unloading from the bus/van or at bus/van stops
  - b) Ride only on their assigned bus/van
  - c) Remain in their seats until destination has been reached and the bus/van is stopped
  - d) Sit in assigned seats, if the driver finds such a procedure necessary
  - e) Avoid unnecessary conversation with the driver
  - f) Talk only in a low conversational voice with seat partner
  - g) Use civil language at all times; obscene and abusive talk is absolutely forbidden
  - h) Smoking and/or the use of tobacco products on the bus/van is prohibited
  - i) Keep the bus/van clean and free from litter at all times
  - j) Damaging the bus/van in any way is prohibited
  - k) Keep hands, head, and feet inside the bus/van at all times
  - l) Eating or drinking on the bus/van is prohibited
  - m) Disruptive behavior on bus/van is prohibited
  - n) Obey and respect the orders of the bus/van driver at all times
  
2. Students will not be permitted to get off at any other stop, other than their established stop, unless the driver is shown written parental permission with the Principal or his/her designee's signature.
  
3. No unauthorized stops will be made. Students should not ask the driver to change the route or stop.
  
4. Students not assigned to bus/van transportation will not be permitted to ride on any school bus/van.

5. Passes and Identification
  - a) Bus passes are not to be sold or transferred under the penalty of loss of riding privileges.
  - b) Lost bus passes may be replaced for \$5.00 - first loss; \$10.00 every other replacement. After the second bus pass replacement, purchases of additional bus passes must be made in the District Transportation Office by the parent or guardian.
  - c) Students must be in possession of school issued Identification Cards when riding a bus/van.
6. Safety and protection of all students are essential on busses/vans.
  - a) A student who cannot maintain proper conduct while utilizing transportation facilities forfeits this privilege and must rely on other means of transportation.
  - b) Infractions involving bus/van rules, guidelines and/or the Student Code of Conduct will be reported to the building principal or his/her designee for a determination of guilt or innocence. If found guilty the student will face disciplinary action which may lead to suspension and/or total elimination of bus/van transportation privileges by the building principal or his/her designee.
  - c) All punishments for bus/van offenses shall parallel the Student Code of Conduct with the forfeiting of said privileges as an additional option available to the building administration.
7. Exceptional students are guaranteed an appropriate education. Within this appropriate education are the mandated auxiliary services that are necessary to that end. These mandated auxiliary services include transportation.

## **J. CHEATING**

1. No student shall intentionally possess, handle, or transmit any devices or maneuvers that could reasonably be construed as being utilized to deceive or defraud the educational institution.
2. No student shall intentionally assist other student(s), nor conspire with other student(s) to intentionally possess, handle, or transmit any devices or maneuvers that could reasonably be construed as being utilized to deceive or defraud the educational institution.
3. No student shall intentionally assist other student(s), nor conspire with other student(s) to utilize tricks, theft, impersonation, copying or other means of obtaining improper access to answers or questions in an attempt to falsely represent oneself in a deceptive or fraudulent manner.
4. Cheating as a first offense, shall be classified as an academic problem, to be handled by each individual teacher.
  - a) A student has created if in the teacher's professional judgment, the student possessed, handled, or transmitted a device or maneuver that could reasonably be construed as being utilized to deceive or defraud the educational institution, or that the student utilized tricks, theft, impersonation, copying or other means to obtain improper access to answers or questions in an attempt to falsely represent him/herself in a deceptive or fraudulent manner.
  - b) Teachers will handle proven cases of first offense cheating by assigning a "zero" to that particular activity, assignment, quiz, or examination.
  - c) The teacher shall be required to communicate to the parent/guardian all cases of first offense cheating and option(s) utilized within three school days of the exercising of such options.
  - d) All cases of first offense cheating shall be conveyed, in writing, to the principal or his/her designee before the close of school on the day the teacher has established proof of cheating. Copies of all information and materials utilized by the teacher to establish such proof, as well as the option(s) utilized, must accompany this written notification. The principal or his/her designee will be required to appropriately file all such written notifications.

- e) First offense cheating involving more than one course of study shall be handled by the principal or his/her designee as repetitive cheating and will be classified as a disciplinary problem.
  - 1) It will be the responsibility of the principal or his/her designee to monitor said cheating and upon notification of a student's first offense cheating, that involves more than one course of study, the principal or his/her designee shall exercise the following options in addition to those exercised by the classroom teacher.
  - 2) The student and parent/guardian will be informed, in writing, by the principal or his/her designee, of the student's repetitive cheating problem.
  - 3) The student will be disciplined, as required by the Student Code of Conduct.
- f) Repeated cheating in the same course of study shall be classified as a disciplinary problem.
- g) Cheating in the same course of study shall be classified as repetitive on or after the second proven case of student cheating.
  - 1) To prove a student has cheated, the teacher shall be required to provide, in the form of witnesses, statistical analysis, or other reasonable evidence that the student possessed, handled, or transmitted a device or maneuver that could reasonably be construed as being utilized to device or defraud the educational institution or that the student utilized tricks, theft, impersonation, copying or other means to obtain improper access to answers or questions in an attempt to falsely represent him/herself in a deceptive or fraudulent manner.

- 2) All cases of alleged repetitive cheating in the same course of study shall be referred, in writing, to the principal or his/her designee before the close of school on the day the teacher believes proof has been established. Copies of all information and materials utilized by the teacher to establish said proof of repetitive cheating must accompany this written referral. The principal or his/her designee will meet with the parties involved to review the case and determine guilt or innocence. If guilt is the determination reached by the principal or his/her designee, these options shall be followed:
  - a) The student and parent/guardian will be informed in writing, by the principal or his/her designee, of the student's repetitive cheating.
  - b) The student will receive a failing grade for the marking period in the course in which said actions took place.
  - c) The student will be disciplined, as required by the Student Code of Conduct.

**K. CLASS CUTS**

1. Class roll will be taken by each teacher at the beginning of each period and all absences recorded in the class record book.
2. Class absences not on the daily absentee list shall be reported to the principal's or his/her designee's office as prescribed by the school administration.
3. After investigation, when class cutting is certain, the administrator will review the occurrence and administer appropriate disciplinary action.

## **L. CORPORAL PUNISHMENT**

1. The Altoona Area School District prohibits the use of the corporal (physical) punishment for all students as a means of discipline or behavioral modification. This policy covers all employees and volunteers of the School District: administrators, supervisors, teachers, other professional and non-instructional employees.
2. Employees may use reasonable force to defend themselves when necessary, to protect the safety of the employees and/or students, and to protect School District property.

## **M. DAMAGE OR THEFT OF SCHOOL PROPERTY**

1. A student shall not intentionally cause, attempt to cause, assist to cause, or conspire to cause damage to school property; shall not steal, nor attempt to steal school property nor otherwise deprive the school of said property.
  - a) The student shall be required to provide restitution for damages and/or nonrecovered stolen property including the "current" replacement cost of said property and cost of labor incurred in the repair and/or replacement of said property.
  - b) The parents or legal guardians of said student may be held liable for any and all damages to school property and/or any and all unrecovered stolen property that the student him/herself does not provide restitution for.
2. No student, without school authorization to do so, shall receive , retain, possess, or otherwise dispose of any property which the student knows or has reason to know belongs to the school.
  - a) The student shall be required to provide restitution for damages and/or non-recovered property including the "current" replacement cost of said property and cost of labor incurred in the repair and/or replacement of said property.
  - b) The parents or legal guardians of said student may be held liable for any and all damages to school property and/or any and all unrecovered property that the student him/herself does not provide restitution for.
3. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **N. DAMAGE OR THEFT OF PRIVATE OR OTHER PUBLIC PROPERTY**

1. A student shall not intentionally cause in fact, attempt to cause in fact, or assist to cause in fact damage to private or other public property, steal or attempt to steal private or other public property either on school premises or off school premises during a school activity, school function, or school sponsored event.
2. A student shall not intentionally cause in fact or attempt to cause in fact damage to private or other public property, or steal or attempt to steal private or other public property on school premises and after school hours.
3. **Technology Vandalism**  
**Vandalism will result in cancellation of network access/computer privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks. This includes but is not limited to the uploading or creation of computer viruses. Students committing such vandalism will be subject to discipline consistent with the Student Code of Conduct.**
4. A student shall not intentionally cause in fact or attempt to cause in fact damage to private or other public property, or steal or attempt to steal private or other public property off school premises and after school hours involving violations or possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly, and/or immediately result in adverse affects on the educational process, when there is a reasonable need to preserve overall school discipline, when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonableness that the effect could include endangering the health, safety, welfare, or morals of students within the school system.
5. A student shall not come into control of property of another that he/she knows to have been lost, mislaid, or delivered under a mistake without taking reasonable measures to restore the property to a person entitled to have it.
6. A person shall not intentionally receive, retain, or dispose of property of another knowing that is has been stolen, or believing that is has probably been stolen.

## **O. DETENTION**

1. Before serving detention, the student has the right to at least one day's notice so that he/she can inform his/her parents and make necessary arrangements.
2. Detention assigned by administrators and/or their designees must be communicated to the student via written notification. This written notification must anticipate the need for at least a twenty-four hour advanced notification to arrange for transportation.
3. Detention responsibilities take precedent over all other after school activities, including band, athletics, organizational meetings, and work.
4. Detention will be held daily after school, on Saturdays, and during student vacations as deemed appropriate by school authorities.
5. Detention will be held unless otherwise announced by the school.
6. Teachers must receive the Principal's or his/her designee's approval before whole class after school detention.
7. Teachers shall only utilize after school detention, and will be responsible for assigning and monitoring their individually held after school detentions. The school administration shall utilize after school, Saturday, and student vacation days as detention options.
  - a) A teacher has the following responsibilities when assigning detention:
    - 1) Meet with the student and inform him/her of the reason for after school detention.
    - 2) Inform the student in writing of the date, time, and location of assigned after school detention.
    - 3) Inform the principal in writing of the name of the student, reason for after school detention, date, time, and place of after school detention.

- b) If, within the established procedures of the discipline policies of the school district, a teacher assigns detention to a student and the student fails to serve that detention, the teacher will make a parent/guardian contact in which:
  - 1) The reason for detention is explained
  - 2) The parent's/guardian's cooperation is solicited
  - 3) The parents/guardians are informed that if the detention time is not satisfied by a date determined by the teacher, the student will be referred to the principal for additional disciplinary action.
  
- c) If the teacher has followed the proper procedures and has utilized the proper forms, this matter will be handled as if the student had missed an administrator assigned detention (SEE BELOW).
  
- d) If, within the established procedures of the discipline policies of the School District, an administrator and/or his/her designee assigns detention time to a student and the student fails to serve that detention time, the administrator and/or his/her designee will meet with the student within ten school days following their nonattendance to ascertain the need for additional disciplinary action or the reassignment of detention time due to an authorized absence.
  
- e) Failure to serve detention during the assigned time will result in:
  - 1) First failure to attend assigned detention – two detentions
  - 2) Second failure to attend assigned detention - One Day In-School Suspension
  - 3) Third failure to attend assigned detention - Three Day In-School Suspension
  - 4) Fourth failure to attend assigned detention - 5 Day In-school suspension

- f) During detention time, students shall automatically receive additional discipline for the following:
  - 1) Sleeping
  - 2) Any type of communication, which may result in disturbing detention
  - 3) Failure to bring work to detention (no student will be permitted to get work or borrow anything during detention)
  - 4) Reporting late for detention unless the student has a pass from the principal's office
  - 5) Any other violations of the Student Code of Conduct
- g) Students will not be permitted to leave detention unless permission is given by the teacher.
- h) No students other than those assigned will be permitted in or within the vicinity of the detention room.
- i) All seating arrangements will be assigned by the teacher.

**P. DISRUPTION OF SCHOOL AND/OR CLASSROOM**

- 1. A student shall not by use of violence, force, noise, coercion, threat, harassment, intimidation, fear, passive resistance, obscene language, obscene gestures, or any other conduct which serves no legitimate school purpose, intentionally cause the material disruption or obstruction of any lawful mission, process, or function of the school or classroom.
- 2. Neither shall he/she engage in such conduct with the deliberate intention of causing the material disruption or obstruction of any lawful mission, process, or function of the school or classroom if such a disruption or obstruction is reasonably certain to result.
- 3. Neither shall he/she urge other students to engage in such conduct with the deliberate intention of causing the material disruption or obstruction of any lawful mission, process, or function of the school or classroom if such a disruption or obstruction is reasonably certain to result from his/her urging.

4. Where a student or group of students is participating in a course of disruptive behavior which causes or may cause material harm or serious inconvenience to the legitimate mission, process, or function of the school or classroom, an administrator or other identified school official must order the participants and others in the immediate vicinity to disperse. Any student who refuses or knowingly fails to obey such an order will face suspension and/or a recommendation for expulsion.
5. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**Q. DISRUPTION OF SCHOOL SPONSORED, RELATED, AND/OR SANCTIONED MEETINGS, ACTIVITIES, EVENTS**

1. A student shall not by use of violence, force, noise, coercion, threat, harassment, intimidation, fear, passive resistance, or any other conduct, intentionally cause the material disruption or obstruction of any school sponsored, related, and/or sanctioned meetings, activities, events.
2. Neither shall he/she engage in such conduct with the deliberate intention of causing the material disruption or obstruction of any school sponsored, related, and/or sanctioned meeting, activity, event if such a disruption or obstruction is reasonably certain to result.
3. Neither shall he/she urge other students to engage in such conduct with the deliberate intention of causing the material disruption or obstruction of any school sponsored, related and/or sanctioned meetings, activities, events if such a disruption or obstruction is reasonably certain to result from his/her urging.
4. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **R. DRUGS/ALCOHOL**

### **PREFACE:**

The purpose of any policy must relate to the welfare and well being of individual students, staff members and the school population in general. Individuals under the influence of drugs or alcohol may have their mental processes altered, thus impeding their own learning and also may present social and behavioral problems within the school and community. The Altoona Area School District recognizes that the use and abuse of drugs is a serious and difficult problem for an educational system.

### **STATEMENT OF POLICY:**

Through the use of appropriate curriculum, classroom activities, Multidisciplinary Team (MDT), strong and consistent administration and faculty effort, community support and resources, and rehabilitative and disciplinary procedures, the Altoona Area School District will work to educate, prevent and intervene in the use and abuse of all drug, alcohol and mood-altering substance by the entire student population. This policy is consistent with the philosophy of the Comprehensive Drug and Alcohol Prevention/Intervention Project. All issues regarding possession, distribution, paraphernalia, and use of drugs and alcohol must be reported to the Altoona Area School District Security Office via the AASD Incident Report. All forms of evidence will be turned over the AASD Security Office.

AS AN EXTENSION of this policy, the following rules, regulations and guidelines shall be used by all school district personnel when responding to drugs, mood-altering substance and alcohol related substances.

### **DEFINITION OF TERMS:**

**Medical Emergency** - The student demonstrates symptoms of possible drug/alcohol overdose, which may include incoherence, inability to respond, vomiting, unconsciousness, etc.

**Drugs** - Shall include any alcohol or malt beverage, any drug listed in Act 64 (1972) as a controlled substance, chemical, abused substance or medication for which a prescription is required under the law and/or any substance which is intended to alter mood.

Examples of the above include, but are not limited to, beer, wine, liquor, marijuana, hashish, chemical solvents, glue, and any capsules or pills not registered with the nurse, annotated within the student's health record and given in accordance with the Altoona Area School District policy for the administration of medication to students in school.

This will include look-alike drugs **and non-prescription medications/supplements.**

**Look-Alike Drugs** - Any pill, lozenge, capsule, or other tablet or substance which has been manufactured, packaged, or repackaged in the manner so as to appear substantially identical to a prescription or illegal drug, or other controlled substance, or which is packaged in a manner normally used for the illegal delivery of controlled substances, but contains nonprescription or non-controlled substances.

**Non-Prescription Medications / Supplements-** Any pill, lozenge, capsule, tablet or substance that is sold as over-the-counter medication / supplement and is not registered and administered by the school nurse. Examples would include but not be limited to the following list of medications: *Benadryl, Benylin, Dimetapp Cold and Allergy Elixir, Naldecon, Robitussin Allergy & Cough Liquid, Cheracol D, Dramamine, Comtrex, Nytol, Triaminic, Sominex, Sinuatab, Vicks Nyquil, Contac, Alka- Seltzer Plus Night-Time Cold Medicine, Tylenol Flu Night Time, Sudafed, Coricidin, Tussin, Inhalers, Speeders, Forms of Aspirin.....*

**Drug Paraphernalia** - Includes any utensil or item, which, in the school's judgement, can be associated with the use of drugs, alcohol, or mood-altering substances. Examples include, but are not limited to, roach clips, pipes, bowls

**Student Assistance Intervention Team (SAIT)** - A multi-disciplinary team composed of school personnel (teachers, staff, administrators, nurses, and counselors) and other members of the community. The team has been trained to understand and work on issues of adolescent chemical use, abuse, and dependency and will play a primary role in the identification and referral process of students coming to their attention through the procedures outlined in this policy.

**Distribution** - Deliver, pass, sell share or give any alcohol, drug, or mood-altering substance as defined by this policy, from one person to another to aid therein. (A student who has sufficient quantity which would be considered as more than for personal use would be dealt with under the appropriate situation category for distribution).

**Possession** - To have or hold with no attempt to distribute, any alcohol, drug, or mood-altering substance determined to be illegal or as defined by this policy.

**Cooperative** - Shall be defined as the willingness of a student to work with staff and school personnel in a reasonable and helpful manner, complying with requests and recommendations of the members of the Student Assistance Intervention Team.

**Uncooperative** - Shows resistance or refusal, either verbal, physical, or passive, to comply with the reasonable request or recommendations of school personnel. Defiance, assault, deceit, and flight shall also include the refusal to comply with the recommendations of the member of the Student Assistance Intervention Team.

**Days** - Will refer specifically to school days.

**School Property** - Shall include not only actual buildings, facilities, and grounds on the school campus, but shall also include school buses, school bus stops, school parking areas and any facility being used for a school function. School property additionally includes student travel to and from school.

**School Activity** - Shall include student involvement in any curricular or extracurricular activity and encompasses the travel time, the activity itself, and overnight stays. The time period involved in the activity will begin when the student leaves the school property and end when the student returns home.

**Extra-Curricular Activity** - Shall include any school sponsored activity such as sports, band, cheerleading, trips, school clubs, and social activities regardless of the time frame of the activity.

1. **Medical Emergency**

A student demonstrates symptoms of possible drug overdoses (incoherence, inability to respond, vomiting, unconsciousness, etc.). This situation will be handled as a medical emergency.

- a. Immediate Action: The school nurse will be summoned immediately. All standard first aid procedures for medical emergency will be followed. The student is not to be left alone.
- b. Investigation: The principal will investigate the incident. This may include a search of the student's desk, locker, and possessions in the presence of the student. Refer to Student Assistance Intervention Team (SAIT).

- c. Notification of Parents: It will be the responsibility of the Principal, Assistant Principal or designee to notify the parents.
- d. Confidentiality: Confined to those with a legitimate educational interest as mandated by School District Confidentiality Policy.
- e. Disposition of Substance: Not applicable unless student has possession of substance.
- f. Discipline/Rehabilitation: Refer to Student Assistance Intervention Team (SAIT) and the student will abide by their recommendations. If there is evidence of violation, see appropriate situational category.
- g. Notification of Police: Not applicable unless the safety of the emergency victim or the school population is at risk.

2. **Student Inquiry**

A student is making an inquiry about or requesting drug-related help or advice from school personnel.

- a. Immediate Action: Refer to the guidance counselor. Also refer to the Student Assistance Intervention Team (SAIT). The student shall be fully informed of services that are available, their right to receive the service and its confidentiality.
- b. No Need for Investigation
- c. Notification of Parents: Parents shall not be notified without the consent of the student.
- d. Confidentiality: Confined to those with a legitimate educational interest as mandated by School District Confidentiality Policy.
- e. Disposition of Substance: Not Applicable.
- f. Discipline/Rehabilitation: Refer to Student Assistance Intervention Team (SAIT). No need for disciplinary action in this situation.
- g. Notification of Police: Not Applicable

### 3. **Concern Regarding Possible Use**

The possible drug use of a student is of concern; however, there is no evidence of violation of law or school regulation.

- a. **Immediate Action:** A teacher may approach a student in regard to behavior, classroom performance or general health. Students should not be accused of drug use. The teacher shall notify the Principal/Assistant Principal, school nurse, or counselor to discuss his/her concerns. If possible an attempt should be made to discuss the situation in a positive light or to refer the student to a counselor, school nurse, or to the Student Assistance Intervention Team (SAIT).
- b. **Investigation:** Data collection by the Student Assistance Intervention Team (SAIT) or guidance counselor.
- c. **Notification of Parents:** Parents will be notified after the investigation if the Student Assistance Intervention Team (SAIT) feels it is warranted.
- d. **Confidentiality:** Confined to those with a legitimate educational interest as mandated by School District Confidentiality Policy.
- e. **Disposition of Substance:** Not Applicable
- f. **Discipline/Rehabilitation:** The Student Assistance Intervention Team (SAIT) Referral
- g. **Notification of Police:** Not Applicable

### 4. **Drug Related Paraphernalia**

A student possesses drug-related paraphernalia.

- a. **Immediate Action:** Confiscate all items; Principal/Assistant Principal notified.
- b. **Investigation:** Principal or Assistant Principal will search student's desk, locker and possessions
- c. **Notification of Parents:** Parents will be notified by the Principal/Assistant Principal or designee.

- d. Confidentiality: Confined to those with a legitimate educational interest as mandated by School District Confidentiality Policy.
- e. Disposition of Substance: As per policy.
- f. Discipline/Rehabilitation: Immediate 10 day suspension, Administrative Hearing and referral to Student Assistance Intervention Team (SAIT).
- g. Notification of Police: As per policy.

5. **Possession or Suspected Use at School/School Function (First Offense)**

No student shall use, possess or be under the influence of any drug, alcohol or any other controlled substance as defined by the Drug Device and Cosmetic Act, **or non-prescription medication / supplement.**

- a. Immediate Action: Principal/Assistant Principal summoned. Staff member writes an anecdotal report of the incident and submits to the principal.
- b. Investigation: Principal/Assistant Principal conducts investigation. School nurse becomes involved. Principal/Assistant Principal will search student's desk, locker and other possessions in the presence of the student.
- c. Notification of Parents: Principal/Assistant Principal will contact parent/guardian and describe the situation.
- d. Confidentiality: Confined to those with a legitimate educational interest as mandated by School District Confidentiality Policy.
- e. Disposition of Substance: As per policy.
- f. Discipline/Rehabilitation: Immediate out-of-school suspension-mandatory 10 days plus Administrative Hearing. Referral to Assistance Intervention Team (SAIT) and student will abide by their recommendations.

\*For over-the-counter drug and prescription medication:  
1<sup>st</sup> offense – 3 days in-school suspension/parent contact.  
Proof of prescription for student necessary, otherwise 10  
day out-of-school suspension.

g. Notification of Police: As per policy.

6. **Possession or suspected Use at School/School Function  
(Repeated Offense)**

No student shall use, possess or be under the influence of any  
drug, alcohol or any other controlled substance as defined by the  
Drug Device and Cosmetic Act, **or non-prescription medication /  
supplement.**

- a. Immediate Action: Principal/Assistant Principal summoned.  
Staff member writes an anecdotal report of the incident and  
submits it to the principal.
- b. Investigation: Principal/Assistant Principal conducts an  
investigation. School nurse becomes involved.  
Principal/Assistant Principal will search student's desk,  
locker and other possessions.
- c. Notification of Parents: Principal/Assistant Principal will  
contact parent/guardian and describe the situation.
- d. Confidentiality: Confined to those with a legitimate  
educational interest as mandated by School District  
Confidentiality Policy.
- e. Disposition of Substance: As per policy.
- f. Discipline/Rehabilitation: 10 day out-of-school suspension,  
referral to Student Assistance Intervention Team (SAIT).  
Formal school Board hearing for expulsion from school.  
Administration will require that conditions for the return to  
school following the expulsion include an assessment by a  
licensed Drug and Alcohol Clinic and compliance with their  
recommendations. Re-admittance will not be for at least the  
current semester and may be up to one year.

\*For over-the-counter drug and prescription medication:  
Repeated offense – follow progressive discipline after 3 day  
in-school/parent contact. Proof of prescription for student  
necessary, otherwise 10 day out-of-school suspension.

g. Notification of Police: As per policy.

7. **Distribution at School/School Function**

No student shall manufacture, deliver, nor possess with intent to  
deliver, or otherwise be in the process of delivering any drug,  
alcohol, controlled substance, **non-prescription medication /  
supplement**

a. Immediate Action: Confiscation of substance. Immediate  
notification of Principal/Assistant Principal. Student is  
detained.

b. Investigation Student Questioned: Student's desk, locker  
and other possessions will be searched.

c. Notification of Parents: Principal/Assistant Principal will  
contact the parent/guardian and describe the situation.

d. Confidentiality: Confined to those with a legitimate  
educational interest as mandated by School District  
Confidentiality Policy.

e. Disposition of Substance: As per policy.

f. Discipline/Rehabilitation: Referral to Student Assistance  
Intervention Team (SAIT) 10 day out-of-school suspension.  
Formal School Board hearing for expulsion from school. A  
required condition for return from expulsion must be an  
assessment at a licensed Drug and Alcohol clinic and  
compliance with their recommendations. Re-admittance  
may not be for at least the current semester and may be up  
to one school year.

\*This includes over-the-counter and prescription  
medications.

g. Notification of Police: As per policy.

8. **Non-Student Possessing, Using or Distributing**

A non-student is found to be in possession, using, or distributing drugs. Refer to City Police Department for immediate disposition.

9. **Possessing, Using or Distributing on Non-School Time**

A student is found to be possessing, using, or distributing drugs or alcohol on non-school time and not on school property.

- a. Immediate Action: Principal/Assistant Principal and the Altoona Area School District Security will be notified.
- b. Investigation: The Altoona Area School District Security Office will set up a liaison with local law enforcement for reports of student arrests for distribution or use. The Security Office will report to the appropriate principal/assistant principal.
- c. Notification of Parent: Principal/Assistant Principal will have parents notified that the school is investigating the incident.
- d. Confidentiality: Confined to those with legitimate educational interest as mandated by School District Confidentiality Policy.
- e. Disposition of Substance: Not Applicable.
- f. Discipline/Rehabilitation: Students will be suspended from participating in extracurricular activities for a minimum of 45 **calendar school** days up to permanent suspension from extracurricular activities. (This will be determined by the appropriate Assistant Superintendent). Referral to the Student Assistance Intervention Team (SAIT).
- g. Notification of Police: Not Applicable: Police will already be involved)

## 10. Alcohol Testing - Use of Breathalyzer

The Passive Alcohol Sensor is a device used to check for breath alcohol with or without a subject's direct participation. It can be used passively to detect alcohol in containers or in enclosed spaces such as rooms or locker rooms. It can be used actively when a subject is asked to speak across the intake part of the device.

### Active Test

- a. Where school authorities have individualized reasonable suspicion that a student has consumed alcohol in school, on school property, or at a school-sponsored event, the following steps will occur:
  - 1) The student will be detained for observation and questioning by authorized personnel.
  - 2) The student will be asked to speak/breath across the intake part of the Passive Alcohol Sensor. If the student refuses the test, he/she shall be considered to have failed the test.
  - 3) The student will be informed of the determination of the presence or not of alcohol.
  - 4) If it is determined that the student has consumed alcohol, the Student Code of Conduct, Section R, Drugs and Alcohol, will be invoked.
  - 5) If the student denies consumption he or she will be asked to submit to a blood alcohol test at the hospital. Based upon these results the Student Code of Conduct, Section R, Drugs and Alcohol, will then be invoked. If the student refuses to take the blood alcohol test, he/she will be considered to have failed the test.
  - 6) All test results will be provided to the parent or guardian of the students by the school principal.

## **S. EQUAL ACCESS**

1. The Altoona Area School District shall recognize a fair opportunity for students of noncurricular-related groups who wish to conduct a meeting within its limited open forum for the purpose of religious, political, philosophical, or other content of speech at such meetings if, and only if, it is provided that:
  - a. Such a meeting is voluntary and student-initiated.
  - b. The intentions of each and every such meeting are presented in typewritten form to the Superintendent or his/her designee by referring to Section U as to what materials would be acceptable at least three school days prior to the requested meeting date(s). If this group is to meet throughout the year or for an extended period of time, only an initial request is necessary.
  - c. The typewritten intentions of each and every such meeting shall include:
    - 1) The name of the noncurricular-related student group which is interested in holding a meeting for the purpose of discussing subject matter not directly related to the school curriculum.
    - 2) The name(s) of the spokesperson(s), officer(s), and/or significant other member(s) of the noncurricular-related student group who accept the responsibility for such a meeting organization, promotion, and implementation pending written notification from the Superintendent or his/her designee.
    - 3) All such meetings are open to any Altoona Area School District student without regard to race, gender, religious affiliation or national origin.
    - 4) A signed statement by the spokesperson(s), officer(s), or significant other member(s) of the noncurriculum-related student group that the policies pertaining to such meetings have been received, read, and are understood, and moreover, that they have had the opportunity to receive clarification from the Superintendent or his/her designee related to any questions pertaining to the said policies before

organization, promotion, and implementation have been realized. In addition, the individual signing this statement will be responsible for accepting responsibility for reimbursement to the Altoona Area School District for any and all damages or excess costs incurred as a result of occurrences associated with such meetings.

- d. The meeting and any overflow activities/group business shall be conducted between 7:00-7:30 AM and 3:00-4:00 PM on the date assigned by the Superintendent or his/her designee.
- e. The meeting and any overflow activities group business shall be conducted in the classroom specifically identified in writing by the Superintendent or his/her designee.
- f. There is no sponsorship of the meeting by the school district.
- g. Employees of the school are present at the meeting in a non-participatory monitoring capacity. The main purpose of this monitoring shall be custodial in nature and shall include the right to protect the well being of the attendees, to maintain order and discipline and to see that school property is protected against damage and/or theft.
- h. Non-school persons may not direct, conduct, attend, or control meetings of noncurricular-related student groups on school premises.
- i. Such groups are responsible for their own promotion.
  - 1) The use of school media such as the public address system, daily bulletin, the bulletin boards or other aspects of the physical environment used for the purposes of information/advertisement of school sponsored activities/groups are forbidden.
  - 2) So as to alleviate possible confusion and disorder, no promotional activities for such groups shall be permitted until written confirmation of requested meeting date(s) and classroom are received by the spokesperson(s), officer(s), and/or significant other member(s) from the Superintendent or his/her designee.

- 3) Promotional activities shall be restricted to non-instructional time between (7:00-8:00 AM) and (4:00-5:00 PM), shall not include the use of any mechanical/electrical mechanism and shall be conducted in the location identified by the Superintendent or his/her designee or written notice must be received by the Superintendent or his/her designee
  - j. Any sales, fundraising, or other activities for the purpose of commercial gain, by such groups, on school premises is prohibited.
  - k. Any materials/items utilized in unauthorized sales, fund raising, or other activities for the purpose of commercial gain, by such groups, on school premises, will be confiscated by school officials with no option of return of said materials/items.
2. The Altoona Area School District shall recognize that nothing in this policy shall be construed to authorize the District or any subdivision thereof:
  - a. To influence the form or content of any prayer or other religious activity.
  - b. To require any person to participate in prayer or other religious activity.
  - c. To expend public funds beyond the incidental cost of providing the space for student-initiated meetings and providing a monitor for safety and welfare reasons.
  - d. To compel any school agent or employee to attend a school meeting if the content of the speech at the meeting is contrary to the beliefs of the agent or employee.
  - e. To sanction meetings that are otherwise unlawful, refer to Section U.
  - f. To abridge the constitutional rights of any person.

3. The Altoona Area School District shall recognize that nothing in this policy shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on the school premises, to protect the well-being of students and faculty, to assure that attendance of students at such meetings is voluntary, to use its discretion in suppressing speech or activities which might harm or confuse impressionable youth, and to take any reasonable steps to ensure compliance with the provisions of this policy.
4. The Altoona Area School District shall reserve the right to deny a noncurricular related student group the opportunity to meet on school premises or be forced to withdraw that opportunity when any of the provisions of this policy are violated. Furthermore, the Altoona Area School District reserves the right to take reasonable disciplinary action against any and all individuals responsible for the violation of any provisions of this policy or in the course of organizing, promoting, and/or implementing such meetings, violate other standing policies, i.e. the use of obscene or vulgar language or insubordinate actions on the part of group members toward employees or agents of the school or government.
5. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**T. ETHNIC INTIMIDATION**

1. No student(s) shall with malicious intent toward the race, color, religious or national origin of another individual or group of individuals, commit offenses involving danger, coercion, threats, harassment, intimidation, fear, or harm to such person(s).
2. No students shall, with malicious intent toward the race, color, religious or national origin of another individual or group of individuals, commit offenses.
3. Referral to Civil Authorities for charges under the Ethnic Intimidation Act of 1982 shall be made when deemed necessary by school authorities.

## **U. EXPRESSION/HARASSMENT**

1. The Board of School Directors prohibits any form of student expression/conduct, which materially and substantially interferes with the educational process or invades the rights of students, teachers, or other School District personnel.
2. The Board of School Directors reserves the right to edit and prohibit any form of student expression/conduct made in a school-sponsored expressive activity (e.g. student newspaper or theater production) if the School has legitimate pedagogical concerns about the expression/conduct.
3. The following is a nonexclusive list of student expression/conduct that will result in disciplinary action being brought against a student.
  - a. Expression/conduct that interferes with the rights of other students/teachers and other School District personnel.
  - b. Expression/conduct that materially disrupts class work, administration of the school, programs or activities.
  - c. Expression/conduct that is lewd, vulgar or obscene.
  - d. Expression/conduct that contains fighting words or constitutes unlawful agitation.
  - e. Expression/conduct that is slanderous or derogatory.
  - f. Expression/conduct that creates a clear and present danger to the security, discipline, health, safety, welfare and/or morals of the school population.
  - g. Expression/conduct that leads to a criminal conviction for engaging in force, destruction or seizure of School District property/persons.
4. Assembly
  - a. School officials have the right and duty to protect students within the school, to prevent disruption of the educational process, and to protect school property. Therefore, students who opt to present their grievances before the school through assembly must:

- 1) Do so in a peaceable and orderly manner
- 2) While engaging in such activity, may not prohibit others from moving freely in the school hallways, doorways, or other areas of the building.
- 3) Not engage in destruction of property, riotous action, or other unlawful acts.
- 4) Not deprive others of the right to pursue their studies in a relatively tranquil atmosphere.
- 5) Not interfere with other students' rights to be interviewed by military recruiters or other representatives of other legal organizations, which are invited by the school.
- 6) Realize that although some of the demonstrators may not have directly participated in the disruptive conduct, that they are equally responsible for the actions and statements of the disruptive members of the group.
- 7) Realize that prior to such assemblies:
  - a) The grievances of the person(s) intending to be participant(s) are presented in typed form, to the Superintendent or his/her designee at least 24 hours prior to the subsequent day.
  - b) The name(s) of the spokesperson(s) and/or significant other persons intending to participate in the assembly accompany said typewritten grievances.
  - c) The exact date the person(s) intending to participate in the anticipated assembly plan to conduct such activity shall accompany said typewritten grievances.
  - d) An exact copy of all materials to be displayed or distributed on school premises shall be submitted for preapproval with said typewritten grievances.

- e) It is clear that such assemblies are student-initiated and voluntary.
- f) It is clear that such assemblies are open to any Altoona Area School District student without regard to race, gender, religious affiliation, or national origin.
- g) That the spokesperson(s) and/or significant other persons engaging in such assemblies understand that they accept the responsibility for any and all damages incurred as a result of occurrences associated with such activities.
- h) That the spokesperson(s) and/or significant other persons intending to participate in the assembly provide a signed statement, that accompanies the preregistration list, specifying that said individuals have received, read, and understand the policies and conditions related to such activities.
- i) That the assembly and/or overflow activities shall be conducted between 4:00-5:00 PM on the date specified in the typewritten grievance letter initially submitted to the Superintendent or his/her designee.
- j) That the assembly and/or overflow activity shall be conducted in the area specifically identified in writing by the Superintendent or his/her designee.
- k) That there is no sponsorship of the assembly by the school or its employees.
- l) Employees of the school district are present at the assembly and/or overflow activities in a non-participatory monitoring capacity. The main purpose of the monitoring shall be custodial in nature and shall include the right to protect the well-being of the attendees, to maintain order and discipline, and to see that school property is protected against damage and/or theft.

- m) Non-school persons may not direct, conduct, attend, or control the assembly and/or overflow activities of student groups.
- n) Person(s) intending to participate in the assembly and/or overflow activity are responsible for their own promotion.
  - 1) The use of school media such as the public address system, daily bulletin, the bulletin boards, or other aspects of the physical environment used for the purposes of information and/or advertisement of school-sponsored activities/programs is forbidden.
  - 2) So as to alleviate possible confusion and disorder, no promotional activities for assemblies and/or overflow activities shall be permitted until written confirmation of the receipt of the typewritten grievance letter is received from the principal or his/her designee. This confirmation letter must also include the clear specification of the area designated for the assembly and/or overflow activity, as well as the area clearly specified for promotional activities.
  - 3) Promotional Activities shall be restricted to non-instructional time between (7:00-8:00 AM) and (4:00-5:00 PM), shall not include the use of any mechanical or electrical mechanism and shall be conducted in the location identified by the Principal or his/her designee.
  - 4) The promotional advertising activities of religious groups, on school premises, is strictly prohibited.
- o) Any sales, fundraising, or other such activities for the purpose of commercial gain, by such groups, on school premises is prohibited.

- p) Any material/item utilized in unauthorized sales, fundraising, or other activities for the purpose of commercial gain, by such groups, on school premises, may be confiscated by school officials with no option to return of said materials/items.
  - b. Students not engaged in a peaceful assembly and/or who do not agree with the demonstrator's views may not harass, or otherwise disrupt such an assembly. Students responsible for such disruptive actions will be disciplined accordingly.
- 5. Newspapers and other publications  
Students have the right and are free as editors of other publications to report the news and to editorialize within the following provisions:
  - a. Prior approval from the Superintendent or his/her designee shall be necessary regarding publications to be distributed on school provisions:
    - 1) Publications must be dated/submitted to the Superintendent or his/her designee three days prior to anticipated publication.
    - 2) Students who are not authorized to distribute publications on school premises without written authorization.
  - b. Students who are not members of the publication staff shall have access to its pages.
    - 1) Written and dated material by non-staff members shall be submitted to the Superintendent or his/her designee.
    - 2) Students are not authorized to distribute publications on school premises without written authorization.
  - c. School officials shall supervise student publications published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.

- d. School officials may not censor or restrict material simply because it is critical of the school or its administration.
- e. Constructive criticism of school policies or personnel is allowable, but articles which are more in the nature of personal attacks may be prohibited.
- f. Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.
- g. Students have the responsibility to be aware of the feelings and options of others and to give others a fair opportunity to express their views.
- h. Student publications shall indicate that the opinions expressed are not necessarily those of the school or the student body.
- i. Underground publications include those publications which are printed at the student's own expense and off school premises. These publications shall meet the following provisions:
  - 1) Students have a right to distribute and publish an underground publication so long as it is not libelous, obscene, or would unreasonably lead school officials to forecast a material and substantial disruption with the educational process or the rights of others. In these cases distribution may be denied.
  - 2) Prior approval from the Superintendent or his/her designee shall be necessary regarding publications to be distributed on school premises.
    - a) Publications must be dated/submitted to the Superintendent or his/her designee three days prior to anticipated distribution.
    - b) Students are not authorized to distribute publications on school premises without written authorization.

- 3) Promotional/distribution of underground publications shall be restricted to non-instructional time between (7:00-8:00 AM) and (4:00-5:00 PM), shall not include the use of any mechanical/electrical mechanism, and shall be conducted in the location identified by the Principal or his/her designee.
6. Obscene or abusive language, gestures or symbolism
  - a. No student shall use auditory and/or visual communications that are obscene and/or abusive in nature.
  - b. No student shall knowingly possess, handle or transmit any obscene or abusive written, mechanically or electronically produced, or illustrated materials.
7. SEXUAL CONTENT IN TEXT MESSAGES (SEXTING)

Individuals who send text messages with sexual content, such as images of themselves or others in various stages of undress, may be subject to criminal prosecution. Students in Pennsylvania have recently faced felony child pornography charges for the possession and distribution of nude cell phone images of themselves and/or others. Images containing sexual content, including various stages of nudity, of an individual under the age of 18 meet the legal definition of child pornography, the possession of which constitutes a felony.

Any student in possession of text messages with sexual content on school grounds will be subject to the disciplinary procedure as appropriate, up to and including expulsion where appropriate. Students participating in the taking or distribution of text messages with sexual content risk felony prosecution in addition to any District imposed penalties. *District officials recommend that any student who receives this type of image delete it immediately from their electronic device.*

Such offenses that occur on school property or during school sponsored activities also violate the district's Student Code of Conduct and District policy.

- a. Students found in possession of such photographs or videos could be subject to a 3-day suspension from school.
- b. Students found in possession of such photographs of videos, who have also distributed the same will be subject to a 10-day suspension from school.
- c. Cell phones found in violation of the Student Code of Conduct will be confiscated in accordance with District policy and all inappropriate images will be destroyed.

## 8. Cyber Harassment

“ A person commits the crime of cyber harassment of a child if, with intent to harass, annoy or alarm, the person engages in a continuing course of conduct by communicating repeatedly any of the following by electronic means directly to a child or by publication through an electronic social media service:

- a. Seriously disparaging statement or opinion about the child's physical characteristics, sexuality, sexual activity, or mental or physical health or condition.
- b. Threat to inflict harm

While the School District firmly believes in each student's right to express himself to the extent permissible by law, students do not have the right to express themselves in a materially and substantially unlawful manner which interferes with the educational process, encourages unlawful activity, interferes with another individual's rights or threatens immediate harm to the welfare of the school community.

Every student has the responsibility to maintain a climate within the school that is conducive to wholesome learning and living, to respect the rights of all members of the school community including teachers, administrators and fellow students and to express himself/herself in a respectful manner.

Information published or disseminated on or off of school property that is found to materially disrupt class work, create substantial disorder or invade the rights of others, will not be tolerated by the Administration and shall subject the student to discipline.

**Students are also not permitted to wear gang colors or symbols including the display of colors, symbols, or other paraphernalia with the intent to show allegiance to a gang. Displays associated with undesirable groups/gangs, including language, gestures, or confrontations will be subject to appropriate discipline.**

9. The Altoona Area School District shall recognize that nothing in this policy shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on the school premises, to protect the well-being of students and faculty, and to use its discretion in suppressing expression or activities which might harm or confuse impressionable youth, and to take any reasonable steps to ensure compliance with the provisions of this policy.
10. The Altoona Area School District shall reserve the right to deny the opportunity for expression on school premises or be forced to withdraw that opportunity when any of the provisions of this policy are violated. Furthermore, the Altoona Area School District reserves the right to take reasonable disciplinary action against any and all individuals responsible for the violation of any provisions of this policy or in the course of organizing, promoting, and/or implementing such expression violate other standing policies, i.e. insubordinate actions on the part of group members toward employees or agents of the school or government.
11. In all cases of expression where the building administration denies said expression, the appeal process shall be through the appropriate Assistant Superintendent and then to the Superintendent.
12. Referral to Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **V. STUDENT UNLAWFUL HARASSMENT POLICY**

### **1. Unlawful Harassment Policy:**

It is the policy of the Altoona Area School District to maintain a safe learning and working environment which is free from sexual and other forms of unlawful harassment. All forms of unlawful harassment are hereby prohibited. Any student in the District who engages in conduct which constitutes unlawful harassment shall be subjected to disciplinary action up to and including expulsion. Any student in the District who is subjected to unlawful harassment by other students, district employees, non-district employees (vendors, contractors, volunteers, etc.) in the course of his or her attendance at school, shall have the right to file a complaint under Section IV, as described below, as well as the right to have that complaint promptly, thoroughly, and confidentially investigated.

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board Designates the Assistant Superintendent or designee as the district's Compliance Officer.

Assistant Superintendent  
1415 6<sup>th</sup> Avenue  
Altoona, PA 16602  
(814) 946-8423

The Compliance Officer shall publish and disseminate this policy and the compliant procedure at least annually to students, parents/guardians, employees, independent contractors, vendors and the public. The publication shall include the position, office address and telephone number of the Compliance Officer

### **2. Definition of Unlawful Harassment:**

Unlawful harassment is a form of discrimination prohibited by Title IX of the Education Amendments of 1972; the Pennsylvania Human Relations Act, 43 P.S. Sections 951-963; the Code of Conduct for Educators, 22 PA Code Section 235.10; and 22 PA Code Section 12.4. The following behaviors represent, but are not all inclusive of what constitutes unlawful harassment for the purpose of this policy:

- a. The term unlawful harassment includes, but is not limited to: slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, religion, ancestry, sex, national origin, or disability.
- b. Special attention is called to the prohibition of sexual harassment. Examples of sexual harassment include, but are not limited to:
  - 1) Submission to such conduct is explicitly or implicitly required of the recipient
  - 2) Submission to or rejection of such conduct is used as the basis of school or work related decisions affecting the recipient
  - 3) Such conduct has the purpose or effect of unreasonably interfering with the recipient's school performance or of creating an intimidating, hostile, or offensive learning and working environment.
- c. Specific examples of sexual harassment include, but not limited to:
  - 1) Sexual flirtations, advances, touching, or propositions
  - 2) Verbal abuse of a sexual nature
  - 3) Graphic or suggestive comments about an individual's dress or body
  - 4) Sexually degrading words to describe an individual
  - 5) Jokes, pinups, calendars, objects, graffiti, vulgar statements, abusive language, innuendoes, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or which creates an intimidating, hostile, or offensive learning or working environment.

### 3. **Consequences of Violation**

Any student in the Altoona Area School District who is found to have engaged in conduct constituting sexual or other forms of unlawful harassment may be subject to disciplinary action up to and including expulsion. In addition, any student found to have violated this policy may be required to participate in educational activities and/or counseling services related to sexual or other forms of unlawful harassment as part of any discipline imposed. Determination of the appropriate disciplinary sanctions or educational requirements shall be based upon the circumstances of the individual case, considering the following factors among others:

- a. Severity of the misconduct
- b. Pervasiveness or persistence of the misconduct
- c. Effect on the victim or victims
- d. Intent of the perpetrator

### 4. **Complaint Procedure**

- a. The building principal shall be the person to receive sexual and other forms of unlawful harassment complaints from staff and students in that building and shall be referred to as the "designated" individual. Students shall also be informed that they may lodge sexual and other forms of unlawful harassment complaints with other appropriate individual's in the building or district, including teachers, counselors, nurses, or administrators. Each school year, students shall be notified of the identity of the "designated" individual as well as the other individuals with whom they can lodge a complaint, and shall be informed that these individuals are available to receive sexual and other forms of unlawful harassment complaints, answer questions concerning sexual and other forms of unlawful harassment, and assist the principal in resolving problems within the building. Unlawful harassment complaint forms shall be made available in each school office for individuals who prefer to file such complaints in writing, however, with the District understanding that some individuals may prefer to file a verbal complaint.

- b. Complaints involving student-to-student unlawful harassment which are lodged at the classroom or building level may be resolved informally. If an informal resolution is satisfactory to the complainant and/or complainant's parents, no further investigation or action by the District is required. If the problem cannot be informally resolved, it will be referred to the District Security Office for investigation as described under Section 5.
- c. Sexual and other forms of unlawful harassment complaints filed by students against District employees shall be investigated promptly, thoroughly and confidentially under Board Policy, "Unlawful Harassment".
- d. Complaints, which are referred to the Security Office, shall be investigated immediately under the general supervision of the Altoona Area School District Solicitor. The investigation shall include, but not be limited to, the following:
  - 1) Interview of complainant
  - 2) Interview of accused
  - 3) Interview of any other persons with personal knowledge of the allegations of the complainant.
- e. Sexual and other forms of unlawful harassment complaints filed by students against non-district employees (vendors, contractors, volunteers, etc.), shall be referred to District Security for legal disposition.

Any students or employees involved in such an investigation shall be required to maintain strict confidentiality. The privacy of the persons involved in the complaint will be kept as confidential as possible, consistent with the District's legal obligations and the necessity to investigate allegations and to take disciplinary actions where the unlawful harassment has occurred.

All sexual and other forms of unlawful harassment complaints shall be promptly, thoroughly, and confidentially investigated.

## 5. **Disposition of Complaint**

- a. In all cases investigated by the District Security Office, a report of the investigation shall be made in writing to the Superintendent, Assistant Superintendent and the building principal.
- b. If the Security Office finds evidence that unlawful harassment may have occurred, the Superintendent, Assistant Superintendent, and/or building principal shall determine what, if any, unlawful harassment has occurred, the suitable remediation and/or discipline. Any disciplinary action shall be subject to limitations of the Student Code of Conduct, School Code, State Board regulations and other applicable law, and any applicable collective bargaining agreement. All records of such findings will be subject to the provisions of District policies pertaining to maintenance and dissemination of student information.
- c. If the Security Office does not find evidence that unlawful harassment has occurred, the Superintendent, Assistant Superintendent, and building principal shall be notified. Under no circumstances shall any record of a complaint which is found to be without basis be placed in an accused student's record or released to any person other than the Superintendent, the Assistant Superintendent, or the building principal, without consent of the accused, or unless required by law.
- d. If the investigation is inconclusive, the Security Office shall so state in its report. The Superintendent, Assistant Superintendent, and/or building principal may, at their discretion, require non-disciplinary educational activities to be conducted as a result of an inconclusive investigation. Under no circumstances shall the accused or the complainant be disciplined based upon an inconclusive investigation.

- e. If it is concluded that the accused is not guilty of unlawful harassment, and that the complaint was lodged in bad faith, the Superintendent, Assistant Superintendent and/or building principal may impose suitable discipline on the complainant, subject to the limitations of the Student Code of Conduct and other applicable laws. In addition, if the Security Office finds evidence that the accused retaliated against the complainant in any way because of the complaint, then the Superintendent, Assistant Superintendent and/or building principal may impose disciplinary action on the accused with the same limitations described above.

## **W. EXPULSION/SUSPENSION**

- 1. Suspension is exclusion from school for a period of from one to ten consecutive school days.
  - a. Suspensions may be given by the principal or person in charge of the public school.
  - b. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety, or welfare of the school community is threatened.
  - c. The parents/guardians and the superintendent or his/her designee shall be notified immediately in writing when a student is suspended.
  - d. When the suspension exceeds three school days, the student and parent shall be given the opportunity for an informal hearing.
    - 1) 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.
    - 2) The informal hearing is meant to encourage the student's parents/guardians to meet with the principal to discuss ways by which future offenses can be avoided.

- 3) The following due process requirements are to be observed in regard to the informal hearing:
  - a) Notification of the reason for the suspension shall be given in writing to the parents or guardian and to the student.
  - b) Sufficient notice of the time and place of the informal hearing shall be given.
  - c) A student has the right to question any witnesses present at the hearing.
  - d) A student has the right to speak and produce witnesses on his own behalf.
  - e) The District shall offer to hold the informal hearing within the first five days of suspension.
- e. Suspensions may not be made to run consecutively beyond a 10 school day period without an Administrative Hearing.
- f. Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments.
  - 1) Students have the responsibility to communicate with their guidance counselor while on suspension so as to ascertain books, papers, and other materials needed to complete work and prepare for exams missed due to suspension.
    - a) Students may be required, and should be prepared, to take make up exams on the day they are readmitted to school after a suspension of one to five days. In extremely extenuating circumstances the teacher may extend the deadline a maximum of two school days.

- b) Students may be required, and should be prepared, to take make up exams within five school days from the day they are readmitted to school after a suspension of six to ten days. In extremely extenuating circumstances, the teacher may extend the deadline a maximum of two school days.
  - c) Students may be required, and should be prepared, to turn in make up work within two school days from the day they are readmitted to school after a suspension on one to five days. In extremely extenuating circumstances, the teacher may extend the deadline a maximum of two school days.
- 2. Exclusion is expulsion from school by the Board of School Directors for a period exceeding ten school days and may be permanent expulsion from school rolls. All expulsions require a prior formal hearing.
  - a. A formal hearing may be held before the Board of School Directors or a duly authorized Committee of the Board, or a qualified hearing examiner appointed by the Board. Where the hearing is conducted by Committee of the Board or a hearing examiner, a majority vote of the entire School Board is required to expel a student.
    - 1) The following due process requirements are to be observed with regard to the formal hearing:
      - a) Notification of the charges shall be sent to the student's parents or guardians by certified mail.
      - b) Sufficient notice of the time and place of the hearing must be given.
      - c) The hearing shall be held in private unless the student or parent requests a public hearing.
      - d) The student has the right to be represented by counsel.

- e) The student has the right to be presented with the names of the witnesses against the student, and copies of the statements and affidavits of those witnesses.
  - f) The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.
  - g) The student has the right to testify and present witnesses on his own behalf.
  - h) A record must be kept of the hearing, either by stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript.
  - l) The proceedings must be held with all reasonable speed.
- 2) Where the student disagrees with the results of the hearing, recourse is available in the appropriate Court of the Commonwealth. It is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate Federal District Court.
- b. During the period prior to the hearing and decision of the Board of School Directors in an expulsion case, the student shall be placed in his normal class except:
- 1) If it is determined after an informal hearing that student's presence in his/her normal class would constitute a threat to the health, safety, morals or welfare of others and it is not possible to hold a formal hearing within the period of suspension, the student may be excluded from school for more than ten school days, if the formal hearing is not unreasonably delayed.
  - 2) Any student so excluded shall be provided with alternative education which may include home study.

- c. Students who are less than 17 years of age are still subject to the compulsory school attendance laws even though expelled, and they must be provided an education.
  - 1) The initial responsibility for providing the required education rests with the student's parents or guardians, through placement in another school, through tutorial or correspondence study or through another educational program approved by the District's Superintendent.
  - 2) If the parents or guardians are financially unable to provide for the required education, they must within 30 days submit to the school district written evidence so stated. The District has the right to challenge the written evidence and, if satisfied, has the responsibility to make some provisions for the student's education.
  - 3) Review for return after expulsion
    - a) The Board of School Directors may require that the student complete all or part of the following requirements for readmission to school.
      - i. A letter to the Superintendent requesting readmission.
      - ii. Written statement from law enforcement officer that the child is rehabilitated for the school setting.
      - iii. Written statement from psychologist and/or counselor that the child is rehabilitated for the school setting.
      - iv. Written statement from the social worker that the child is rehabilitated for the school setting.
      - v. Two letters from community leaders, i.e. ministers, business persons, that the child is rehabilitated for the school setting.

- vi. All or any of the above requirements must be met, as determined by the Superintendent or his/her designee, before the student is readmitted to school.
  - vii. The student and parent will be provided with a list of requirements for readmission to school at the end of expulsion.
- 3. Suspension and Expulsion of Exceptional Students: These procedures supersede procedures outlined in "Student Rights and Responsibilities".
  - a. Suspension of Intellectually Disabled:
    - 1) The school determines whether to suspend by referring the matter to the Multidisciplinary Team (MDT) consisting of the child's special education teacher, school psychologist, special education supervisor, and the parent. The team considers the following:
      - a) Student behavior
      - b) Threat of student to self and others
      - c) School Discipline Policy
      - d) Other options
      - e) Student's handicap
      - f) Student's Individualized Education Program (IEP) and placement
      - g) Relationship of handicap to student's behavior

- 2) When suspension is recommended the school must:
    - a) Issue a Notice of Recommended Educational Placement (NOREP)
    - b) Obtain written parental approval
    - c) Implement the suspension
  - 3) When parent approval cannot be obtained, i.e. parent is not available, and an emergency exists, the school may request approval from the Pennsylvania Secretary of Education or his/her designee
    - a) The request may be by telephone
    - b) The request must include the reason for suspension
  - 4) The Pennsylvania Secretary of Education or his/her designee reviews the request and may approve the suspension if the criteria are met namely, that the school can demonstrate that alternative methods have been tried without success in alleviating the problem. The school may suspend the student, if approved by the Pennsylvania Secretary of Education or his/her designee, but still must issue a Notice of Recommended Assignment (NORA) and conduct a hearing if requested.
- b. Suspension of other Exceptional Students: Requirements of "Student Rights and Responsibilities" apply; no other requirements are applicable.
- c. Prior to the school considering exclusion for more than 10 day consecutive or 15 cumulative days in a school year of identified exceptional students:
- 1) The Multidisciplinary Team (MDT) must determine whether to exclude considering:
    - a) Student behavior
    - b) Threat of student to self and others
    - c) School Discipline Code

- d) Other options
  - e) Student's handicap
  - f) Student's Individualized Educational Program (IEP) and placement
  - g) Relationship of handicap to student's behavior
  - h) Priority order of placement
- 2) When exclusion is recommended the school must:
- a) Issue a Notice of Recommended Assignment (NORA)
  - b) Obtain written parental approval
  - c) Implement the exclusion
- 3) When parental approval cannot be obtained, and an emergency exists, the school may request approval from a federal court.
- a) The request must be in writing
  - b) The request must include documentation that Notice of Recommended Assignment (NORA) was issued to the parent.
  - c) The request must include documentation of an offer of alternative education assignment and that the student is clearly an immediate threat to himself and/or others.
  - d) The federal court reviews the request and may approve the exclusion if criteria are met. The school may exclude the student, if approved by the federal court; however, if the parent disagrees, a special education hearing must be conducted immediately.

4. Any student(s) who is/are present on school premises when suspended or expelled and who do not have written authorization from the principal or his/her designee to be present on school premises during such times will be prosecuted for trespassing.

**X. EXTORTION**

1. No student shall obtain the property or services or any benefit from another induced by blackmail, ultimatum, intimidation, threatened exposure of any secret tending to subject any person to hatred, contempt or ridicule, or wrongful use of actual or threatened force, violence, or fear.
2. Referral to District Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**Y. FALSE FIRE ALARMS OR TAMPERING WITH SAFETY EQUIPMENT OR DEVICES**

1. No student shall willfully, maliciously or recklessly tamper with fire alarms, security alarm, fire extinguishers, emergency exit doors, emergency exit lights, hallway mirrors, emergency eye washers, emergency blankets, emergency posters, direction, information, labels, signs, or any other such equipment or devices with the intent to deface, alter, manipulate, or interfere with its intended use.
2. No person shall intentionally and/or recklessly pull, play with, hang on, or otherwise manipulate fire and/or security alarms in any way that interferes with their intended use.
3. Referral to District Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**Z. FLAG SALUTE AND PLEDGE OF ALLEGIANCE**

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

- b. Students who choose to refrain from such participation shall respect the rights and interest of classmates who do wish to participate.
- c. Students who choose to refrain from such participation shall remain respectfully silent throughout the Flag Salute and Pledge of Allegiance.
- d. All students who choose to refrain from such participation shall have their names submitted to the building Principal by the teacher in charge of said student during the times participation in these activities is requested.
  - 1) It shall be the responsibility of the building Principal or his/her designee to notify, in writing, the parents or guardians of students who choose to refrain from participation in the Flag Salute and/or the Pledge of Allegiance.
  - 2) It is also the building Principal's or his/her designee's responsibility to notify the parents or guardian of the requirements of respect for the rights and interests of classmates and also for non-disruptiveness of this activity.
  - 3) Copies of these letters must be forwarded to the Assistant Superintendent.
- e. Students whose manners or actions are disruptive during the Pledge of Allegiance or the Flag Salute shall face disciplinary action deemed appropriate by the school authorities.
  - 1) It shall be the responsibility of the building Principal, or his/her designee, to notify, in writing, the parents or guardians of students who choose to refrain from participation in the Flag Salute and/or the Pledge of Allegiance.
  - 2) The parents or guardians must also be informed of the stipulations of respect and non-disruptiveness necessary for their child to avoid disciplinary action by school authorities.

**AA. FORGERY, ALTERATION OR FALSIFICATION OF SCHOOL COMMUNICATIONS**

1. No student shall knowingly forge, alter, or otherwise falsify any school document or communications.
2. Nor shall any student assist nor procure another to forge, alter, or falsify any school document or communication. Such communications include, but are not limited to:
  - a. Hall passes
  - b. Tardy to school or absent from school excuses
  - c. Early release passes
  - d. Request for temporary absence
  - e. Field trip requests
  - f. Scheduling changes
  - g. Dental or doctor appointments
  - h. Requests for educational trips or tours
  - i. Permanent records
  - j. Athletic eligibility
  - k. Report cards
  - l. Graded papers
  - m. Computer files/Internet passwords/ID's/and/or program

**BB. INSUBORDINATION**

1. Students have an obligation to comply with reasonable requests from school officials.
2. Any student behavior which undermines the authority of school officials in the conduct of his/her school function will not be tolerated, nor will any show of disrespect toward school authorities:
  - a. On the school premises during and immediately before or after school hours.
  - b. On the school premises at any time when the school is being used by a school sponsored group, noncurricular-related student group, and/or private non-school person(s) group.
  - c. Off school premises at any school activity, function, or event.

- d. Off school premises involving violations or possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly, and/or immediately result in adverse affects on the education process, when there is a reasonable need to preserve overall school discipline, when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonableness in the effect including danger to the health, safety, or morals of students within the school system.

#### **CC. LIGHTED OBJECTS**

- 1. The possession or use of any lighted, burning or ignited objects in any area of the school's buildings is strictly prohibited.  
**POSSESSION of a LIGHTER is prohibited and the violation is subject to discipline per Student Code of Conduct.**
  - a. A violation of said policy may result in a violation of City Ordinance No. 4854 which carries a fine.
  - b. 1st Offense - 3 Days In-School Suspension  
2nd Offense - 5 Days In-School Suspension  
3rd Offense - 3 Days Out-of-School Suspension

#### **DD. OFF CAMPUS**

Any student who, without authorization from the principal and/or his/her designee, is present on school premises and who leaves said premises before the dismissal bell, will be disciplined by the school administration for being off campus.

#### **EE. OFF LIMITS**

- 1. No student(s) shall be permitted to frequent areas, buildings, or establishments deemed as off limits by school authorities.
- 2. Student(s) who violate this policy will be disciplined for insubordination

## **FF. PAGING DEVICES/CELLULAR PHONES**

No student shall be permitted to use telephoning paging devices and/or cellular phones in school. Any student violating this cellular phone policy shall have his/her phone taken by the School District, and the School district retains the right to review the contents of the cellular phone when taken in violation of the Policy.

## **GG. REPEATED CODE OF CONDUCT VIOLATIONS**

A student shall not repeatedly fail to comply with the Student Code of Conduct or directions of Principals, teachers, or other authorized school personnel during any period of time when he/she is properly under the authority of school personnel.

## **HH. SEARCHES**

1. In general, the search as actually conducted must be reasonably related in scope to the circumstances which justify the interference (search) in the first place, i.e. the measures adopted must be reasonably related to the objectives of the search and not be excessively intrusive in light of the past history and school record, age, and sex of the student and the nature of the infraction. Searches should be not more intrusive than necessary to discover that for which the search was instigated.
2. In general, at no time should school officials conduct a search, which requires a student to remove more clothing other than his/her shoes or jacket. If school officials are convinced that a more intrusive strip search is required to expose contraband, they should advise the proper law enforcement agency and the student's parent or guardian, as soon as possible, of the grounds for their conclusions.
  - a. Probable cause, not reasonable suspicion, shall be required for all strip searches.
  - b. Generally, strip searches should be conducted by the police, preferably off school premises.
3. School lockers and other storage spaces are school property loaned to the student for the student's convenience and use for legitimate purposes only.
  - a. Circumstances which put the safety of students or school officials at risk or could result in substantial property damage also will constitute sufficient reason for school, police and/or fire officials to conduct a thorough search of all school property. A bomb scare is an example of such an emergency

4. School authorities may search a student's locker if they have reasonable suspicion that a student has violated a rule or guideline set forth in the Student Code of Conduct.

Examples of such violations are the reasonable suspicion that a student:

- Has stolen an article or money
  - Possess obscene or abusive written or illustrative materials
  - Possess forged, altered, or falsified school communications
  - Has damaged the interior of the locker
  - Has an unclean or unkempt locker that presents a health or safety hazard
  - Is in an unauthorized or unassigned locker
  - Possess tobacco products
  - Possess illegal contraband
- a. Prior to such a locker search, the students shall be notified and given an opportunity to be present. Any inappropriate or illegal materials found in the locker will be seized and shall be used as evidence against the student in discipline proceedings.
  - b. However, where school authorities have reasonable suspicion that a locker contains materials, which pose a threat to the health, welfare, and safety of students in the school, student lockers may be searched without prior warning and any contraband seized. Such material shall be used as evidence against the student in disciplinary proceedings. If reasonably possible, the student will be present for the search.
  - c. Locker searches shall be conducted in the presence of another staff member and in the presence of the student responsible for the contents of the locker, if possible.
5. School authorities are authorized to conduct searches of student property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine, pose a threat to the health, welfare, and safety of students or is prohibited by School Board regulation or by law.
    - a. Student property may include, but not be limited to: purses, book bags, coats, luggage, cars, and other such belongings.
    - b. Such searches of student's property will be done by a school official in the presence of a second witnessing school official.

6. Where school authorities have reasonable suspicion that a student has on his/her person materials which pose a threat to the health, welfare, and safety of students in the school, a pat down search of such a student's person may be done by a school official of the same sex in the presence of a second witnessing school official.
7. Where school authorities have reasonable suspicion that a student has on his/her person, materials that pose a threat to the health, welfare, and safety of students in the school, a pocket search of the student's person may be done where the student will be asked to empty his/her pockets. This search will be done by a school official of the same sex in the presence of a second witnessing school official.
8. During a pocket search, a student may also be directed to remove his/her shoes.

## **II. SCHOOL SAFETY ZONES**

1. It is the policy of the Altoona Area School District and the Commonwealth of Pennsylvania to afford special protection to our young people by making public and private schools and the areas of the community adjacent to the schools free from the illegal and harmful activities of drug distributors.
2. This policy is part of the national movement, which is underscored in the federal Comprehensive Crime Control Act of 1984, which, likewise, makes it a federal crime to sell drugs in or near a public or private elementary or secondary school.
3. Referral to School Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **JJ. SELLING OF MERCHANDISE**

1. No student, school-sponsored student group, nonschool-sponsored student group or other individuals will be permitted to sell merchandise on school premises without the written authorization of the school principal.
2. The administration shall confiscate such material with no option of return.

## **KK. SKATEBOARDS, ROLLERSKATES, PEDICYCLE , AND SCOOTERS**

1. No student shall, at any time, ride upon, or utilize in any manner upon the traffic ways, sidewalks, playgrounds or any other places open to pedestrian traffic on the premises of the Altoona Area School District any skateboard, rollerskates, scooters, pedicycle, or any other human-powered device.
2. No student shall, at any time, erect, or place any type of ramp designated for use with skateboards, rollerskates, scooters, pedicycles, or other human powered vehicles, on traffic ways, sidewalks, playgrounds or other places open to pedestrian traffic on the premises of the Altoona Area School District.
3. Violation of this policy may result in addition to disciplinary action, the confiscation of the device, or devices, being used in violation of this policy by school authorities. Confiscation will be accordingly:
  - a. First offense: Pending a pick up directly and personally by the parent or guardian.
  - b. Second and subsequent offenses: Remainder of the school year with pick up directly and personally by the parent or guardian.
4. Referral to District Security and/or Civil Authorities for charges under City Ordinance 5051 shall be made when deemed appropriate by school authorities.

## **LL. SMOKING**

1. Smoking is prohibited at all times in school buildings, on school-furnished transportation and on school property owned, leased or under the control of the school district.
  - a. A violation of said policy, where a lighted object is utilized in any enclosed indoor area, during, before, or after school hours, shall result in a violation of City Ordinance No. 4854 which carries a fine of not less than \$50.00 nor more than \$300.00 and cost of prosecution.
  - b. Smoking, before/after school hours, in any enclosed indoor area owned, leased, or under the control of the school district may also result in a violation of Senate Bill 26, Section 10.01, Clean Indoor Air Act which carries a fine of not more than \$50.

c. In addition, a student shall be disciplined as outlined Student Code of Conduct.

- 1) 1st Offense – 3 Days In-School Suspension
- 2) 2nd Offense – 5 Days In-School Suspension
- 3) 3rd Offense – 3 Days Out-of-School Suspension

**MM. STUDENT CONDUCT WHILE A MEMBER OF EXTRA-CURRICULAR OR CO-CURRICULAR ACTIVITIES.**

Inappropriate student conduct and/or behavior while representing the school as a member of any extra-curricular or co-curricular activity could result in discipline up to and including removal from the team, club, or squad at the discretion/recommendation of the coach/advisor, principal, and/or assistant superintendent

**NN. STUDENT MEALS**

1. Students are expected to eat in the lunchroom during the time he/she is scheduled.
2. Student meals are restricted to those normally brought from home or provided by the school cafeteria.
  - a. Deliveries of foodstuffs to the school, without the Principal or his/her designee authorizing such deliveries are strictly prohibited.
  - b. The administration shall confiscate such material with no option of return.

**OO. TERRORISTIC THREATS**

1. A student shall at no time threaten to commit any crime of violence with the purpose to terrorize another or to cause evacuation of a building, place of assembly, or facility of transportation, or otherwise cause serious public inconvenience, or in a reckless disregard of the risk of causing such terror or inconvenience:
  - a. On the school premises during and immediately before or after school hours.
  - b. On the school premises at any time when the school is being used by a school-sponsored group, noncurricular-related student group, and/or private nonschool person(s) group.
  - c. Off school premises at any school activity, function, or event.

- d. Off school premises involving violations or possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly, and/or immediately result in adverse affects on the educational process, when there is a reasonable need to preserve overall school discipline, when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonableness in the effect including danger to the health, safety, welfare, or morals of students within the school system.
2. Referral to District Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

**PP. THROWING OBJECTS INTO OCCUPIED VEHICLES OR ONTO A ROADWAY**

1. No student shall intentionally throw, shoot or propel a rock, snowball, stone, brick, or piece of iron, steel or like metal, or any deadly or dangerous missile, or fire bomb, or other object into any private vehicle, instrumentally of school-provided/contracted transportation or public transportation.
2. No student shall intentionally throw, shoot, drop or cause to be propelled any solid object from windows or any other location adjacent to a roadway, onto or toward said roadway.

**QQ. TOBACCO**

1. The possession and/or use of any tobacco products, by students will not be permitted in school buildings, on school transportation, on school property, owned by, leased by or under the control of the school district.
2. No student may sell or otherwise furnish tobacco in any form to persons under 18 years of age. The penalty for such action may be the referring of said individual to civil authorities as a summary charge that carries a \$25.00 fine for first time offenders and a \$100.00 fine for subsequent offenses.
3. A student possessing and/or using tobacco products on school premises shall be suspended in the following manner:
  - 1<sup>st</sup> Offence – Three (3) Days In-School Suspension
  - 2<sup>nd</sup> Offence – Five (5) Days In-School Suspension
  - 3<sup>rd</sup> Offence – Three (3) Days Out-of-School Suspension

4. All students are to be given a warning at the beginning of the school year regarding the consequences of distributing/using/or possessing tobacco on school premises.
5. Vapor pens, and electronic cigarettes will also fall under this section of the Code of Conduct.

**RR. UNAUTHORIZED PRESENCE ON SCHOOL PREMISES**

1. A student shall not intentionally make any unauthorized appearance, nor remain after having been ordered or requested to leave by any school employee possessing apparent authority over student conduct:
  - a. On the school grounds where the student is currently enrolled, during any period of suspension, expulsion, or exclusion from the school of regular enrollment, and/or any period of suspension from extracurricular activities from the school of regular enrollment, where such order of suspension, expulsion, or exclusion has been, in fact, made known to the student prior to the incident of unauthorized appearance.
  - b. On the school grounds of any school other than that student's school of current enrollment at any time other than when a school activity, function, or event is being held and the student's presence is either required or permitted, based upon a predetermination by the Principal of the school at which the activity is being held.

The student shall abide by rules related to suspension from extracurricular activities when consideration is given to attending a school activity, function, or event on the grounds of any school other than that student's school of current enrollment where such order of suspension has been made known to the student prior to the incident of unauthorized appearance.

- c. Referral to District Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **SS. WEAPONS/VIOLENCE POLICY**

The state legislature in passing the "Safe Schools" law for the purpose of providing a safe educational environment in Pennsylvania Schools provides that:

1. **EXPULSION FOR WEAPONS POSSESSION:** Any student who is determined **to be in possession of or who brings** a weapon onto any school property, any school-sponsored activity, or any implement of school transportation will be expelled in excess of one year.
  - a. Weapon is defined to include, but not limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shot gun, rifle, bow and arrow, and any other tool, instrument or implement capable of inflicting serious bodily injury.
  - b. The Superintendent may at his discretion, recommend discipline short of expulsion on a case-by-case basis. Any reduction in discipline is not to be considered a precedent to be followed in future cases.
  - c. The Superintendent shall take all steps necessary to comply with the Individuals With Disabilities Education Act.
  - d. Nothing in this policy shall be construed as limiting the authority or duty a school has to make an alternative assignment or provide alternative educational services.
2. Reporting Provisions
  - a. The district shall immediately report all incidents involving the possession of a weapon to local law enforcement officials.
  - b. Reporting to the Local Law Enforcement Agency shall be made in accordance with written procedures developed with the said law enforcement agency.
  - c. The district shall report to the State Department of Education, on a semi-annual basis, all incidents or acts of violence or prohibited possession of a weapon under this policy.

3. Affidavit of Parent/Guardian
  - a. The District shall prior to the registration of any student, obtain from the student's parent/guardian an affidavit detailing any suspensions or expulsions from any school system in the U.S. which were the result of violence or the possession of a weapon.
4. Transfer of Disciplinary Records

The District shall request the disciplinary records of any student transferring into the District. The District shall comply with all requests to send disciplinary records of any student transferring out of the District to that student's new district. Said requests shall be honored within 10 days.
5. Availability of Records

Records created under this policy will be available for inspection to the student and his parent/guardian, other person having control or charge of the student, school officials, and the state and local law enforcement officials as provided by law.  
Available records include:

  - a. A statistical summary of acts of violence on a school-by-school and district-wide basis.
  - b. The disciplinary records of any student will be available to that student and his guardian.

## **TT. DANGEROUS INSTRUMENTS/CONDUCT**

1. A student shall not knowingly possess, handle, or transmit any object that can reasonably be considered as a DANGEROUS INSTRUMENT:
  - a. On school premises during and immediately before or after school hours.
  - b. On school premises at any time when the school is being used by a school-sponsored group, noncurricular-related student group, and/or private nonschool person.
  - c. On school premises at any school activity, function, or event.

- d. Off school premises at any time involving violations or possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly and/or immediately result in adverse affects on the education process when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonableness in the effect including danger to the health, safety, welfare, or morals of students within the school system.
2. This rule does not apply to normal school supplies like pencils or compasses unless such instruments are utilized in such a manner as to reasonably be construed as weapons or dangerous instruments.
3. This rule does apply to, but is not limited to, any "look-alike" weapon, mace, any explosive including firecrackers, teargas canister, smoke bombs, or incendiary devices, any stick, chain, squirt guns, water balloons, bean-shooters, slingshots, snowballs, and other dangerous objects, tools, instruments, or implements capable of directly and/or indirectly inflicting bodily injury, and is of no reasonable use to a student at school, or any other device or instrument which, in the manner in which it is used or intended to be used, is calculated or likely to produce bodily injury.
4. Referral to District Security and/or Civil Authorities for charges under the Pennsylvania Criminal Code shall be made when deemed necessary by school authorities.

## **UU. SPECIAL EDUCATION**

Special education students may be disciplined by the procedures outlined in this policy. If a special education student is to be suspended either in-school or out-of-school, the appropriate Program Supervisor or the Special Education Director must be contacted by the building principal to determine if there is a need to convene an Individualized Educational Planning Meeting. The Team may also determine whether the student's behavior is a manifestation of his/her disability.

## VII. DISCIPLINARY STRUCTURE

If the School Disciplinary Code is to be effective in reducing discipline problems, student behaviors must be placed into categories from minor to major and must be related to appropriate disciplinary responses. Through knowledge of such information, students, parents, and school staff learn which student behaviors are unacceptable and which responses will be utilized as a consequence. By pairing these misbehaviors with sound disciplinary responses, the school insures that its disciplinary practices and procedures are consistent, reasonable, fair, and equitable.

In accordance with the above, disciplinary infractions are categorized into three levels, a sample group of misbehaviors is listed, along with a range of possible disciplinary responses. However, because of the nature of certain infractions, particularly in the most serious categories, a specific disciplinary response has been made mandatory.

All examples, procedures and disciplinary responses are applicable:

1. During time spent in travel to and from school.
2. In school, or during school hours at school-sponsored activities on or off school premises.
3. In concert with after school and weekend school-sponsored activities on or off school premises.
4. During non-curricular related student group meetings on school premises.
5. During meetings/activities on school premises sponsored by non-school person(s).
6. Any time outside of school involving violations of possible violations of the Pennsylvania Criminal Code, and/or when such conduct or conditions may directly, and/or immediately result in adverse affects on the educational process, when there is a reasonable need to preserve overall school discipline, when there is a reasonable need to preserve respect for teachers and other school employees, and/or when there is reasonableness that the effect could include endangering the health, safety, welfare, or morals of students within the school system.

There are a multitude of acts, which are not and cannot be precisely spelled out in written regulations of a school district. Since it is impossible to develop an all inclusive list of offenses and in accordance with Section 1318 of the Pennsylvania School Code, conduct not specifically addressed in this Student Code of Conduct, nevertheless, would fall within the scope of "student misconduct" and be subject to disciplinary action deemed reasonable by school authorities.

The policies contained in this code will be made available to students, parents and school personnel.

A. Levels of Misbehaviors or Irresponsibility

1. Level I – Isolated Incidents of Misbehavior or Irresponsibility

Misbehaviors that occurs once or infrequently; the major goal is to teach the child the appropriate behavior

a. Isolated Incidents of Misbehaviors include, but are not limited to:

- i. Classroom disruptions
- ii. Disrespectful/obscene language/gesture
- iii. Refusal to cooperate
- iv. Teasing/Verbal threats/intimidation
- v. Being in an unassigned area without permission
- vi. Lying/forgery
- vii. Disobedience
- viii. Stealing
- ix. Cheating
- x. Rudeness

b. Direct Interventions by Staff

- i. Clear messages and a firm statement of expectation
- ii. Warning
- iii. Immediate Consequences/Anecdotal Record for teacher

c. Consequences (Formal)

- i. Application of the Classroom Discipline Plan
- ii. Application of Bus/Van or Walker Discipline Plan
- iii. Application of Cafeteria Discipline Plan
- iv. Application of the Patrol Discipline Plan

## 2. Level II - Chronic or Serious Misbehavior or Irresponsibility

Misbehavior that has occurred several times or is serious enough to warrant a Level II action; the goal is to teach the child, through staff and parental intervention, about the seriousness of his/her misbehavior and how to behave appropriately.

- a. Chronic or Serious Misbehaviors or Irresponsibility include, but are not limited to:
  - i. Classroom disruptions
  - ii. Disrespectful/obscene language/gesture
  - iii. Refusal to cooperate
  - iv. Teasing/verbal threats/intimidation
  - v. Being in an unassigned area without permission
  - vi. Chronic lying/forgery
  - vii. Disobedience
  - viii. Theft
  - ix. Cheating
  - x. Rudeness
  - xi. Bullying
- b. Direct Intervention by a Staff Person, Building-Based Team, or Principal. The following interventions may be implemented before imposing consequences.
  - i. Conflict Resolution
  - ii. Parent Contact
  - iii. Contracting
  - iv. Behavior Modification
  - v. Referral to Counselor
  - vi. Student Support Team Referral
  - vii. Mental Health Team Referral
  - viii. Consultation with principal when classroom plan has been exhausted
- c. Formal Actions Issued at the Discretion of the Teacher or Principal
  - i. Parent notification, detention (one day)
  - ii. Parent conference detention (two days), and rewards withheld

d. Formal Actions Issued at the Discretion of the Principal

- i. Parent conference, suspension (one to three days), and rewards withheld
- ii. Parent conference, suspension (three to ten days\*), and rewards withheld

\*When suspension exceeds three school days, the student and parent shall be given the opportunity for an informal hearing.

3. Level III – Severe Misbehavior or Irresponsibility

These are serious behaviors that endanger self or others; the goal is to maintain a safe, secure, and healthy learning environment. We will utilize all school, community, and legal resources to correct the misbehavior.

a. Severe Misbehaviors include, but are not limited to:

- i. Possession of guns, knives, or toy look-alikes
- ii. Continued blatant disrespect/defiance
- iii. Possession/use of alcohol, tobacco, and other drugs or look-alikes
- iv. Coming to school under the influence of drugs, alcohol, or tobacco
- v. Physical violence with harm and/or intent to harm
- vi. Bomb threats
- vii. Out-of-control behavior (acting out)
- viii. Tampering with fire alarms
- ix. Theft
- x. Vandalism
- xi. Repeated truancy
- xii. Bullying

b. Direct Intervention by Administrator. One or more of the following may be applied:

- i. Discipline report filed
- ii. Administrative conference with student
- iii. Parent notification/involvement
- iv. Legal action (Some behaviors may lead to legal action and will go directly to the Superintendent, School Board, and/or Police)
- v. Referral to counseling, student support team, or mental health
- vi. Interventions initiated at discretion to the principal

- c. Physical violence and/or out-of-control behavior. One or more of the following may be applied by the Principal:
  - i. Parental notification/involvement in direct intervention listed above
  - ii. Child sent/taken home. Conferences before child returns to school
  - iii. Administrative actions such as suspensions (one to three days; three to five days; or five to ten days\*) and rewards withheld
  - iv. Suspension (ten days\*) rewards withheld and recommendation for expulsion (board hearing)

\* When suspension exceeds three school days, the student and parent shall be given the opportunity for an informal hearing.

#### B. Special Education

- 1. All disciplinary measures reported to the building Special Education Supervisor or Special Education Director.
- 2. Special education students present unique disciplinary profiles. Special education students may be able to adhere to the regular education discipline policies; however, only the Individualize Educational Plan developed for each child can determine this capability.
- 3. For this reason, each special education disciplinary action will be dealt with on a case-by-case basis with the building principal and the Special Education Supervisor/Director consulting to determine the appropriate action. After such consultation, all procedures will follow Chapters 14 and 342, which are the Pennsylvania Department of Education Special Education Regulations and Standards.

#### C. Principal's Clause

Discretion will be afforded to the building principal in dealing with severe discipline problems pertaining to all areas. Therefore, the above actions may not necessarily be followed in the order stated when dealing with extreme incidents.

## D. Detention

Elementary education is an important part of a child's development toward the goal of becoming a self-disciplined adult. We are fortunate to have an excellent teaching staff and concerned parents who support this goal. Crucial instruction is interrupted when teachers must deal with multiple inappropriate behaviors. To help the school provide the best possible education in a safe and orderly environment, and to guide the child toward a self-disciplined adulthood, the following Detention Guidelines have been adopted:

### 1. Guidelines for Detention

- a. Detention will be held either before or after school for a period of time as determined by the principal and staff. Detention will be supervised by a professional.
- b. Elementary pupils must have notice given to parents by the teacher 24 hours in advance of the day of detention.
- c. Only authorized school personnel may accompany a child during detention.
- d. Parent/guardian must adhere to the following procedures:
  - i. Before school detention - parent/guardian or approved adult must accompany the child to the school at the designated time and place of detention.
  - ii. After school detention - parent/guardian or an approved adult must pick up the child at the school at the designated time and place following detention. Failure to do so will result in the child being assigned to the Altoona Area Security Officers or being taken to Police Headquarters if the parent/guardian cannot be located.
- e. Except for the student serving detention, all other students must arrive or depart at the regularly scheduled arrival and dismissal time
- f. Failure to serve detention could result in one-day suspension with all rewards revoked.
- g. Detention results as a consequence of multiple and/or severe inappropriate behavior; therefore the principal may assign detention without following the sequence of the classroom plan.

## 2. Behaviors That Could Result in Detention

- a. Multiple violations of the established classroom discipline plan.
- b. Repeated infraction of cafeteria, building, or patrol rules (One-day detention assigned after three notices within the marking period. After that, one day of detention for each disciplinary notice within the same marking period. A fresh start begins with each new marking period.).
- c. Disrespect or obscene language or gestures.
- d. Obscene books, pictures, and/or drawings.
- e. Hitting, kicking, and/or fighting.
- f. Bullying, verbal threats, extortion, etc.
- g. Safety violations - tripping, shoving, jabbing, or stabbing with objects.
- h. Forging parent signature on school documents.
- i. Cheating - classroom tests, homework, changing answers on tests.
- j. Stealing or selling objects for money.
- k. Repeated violation of the dress code.
- l. Disrespect/Insubordination.
- m. Other.

## E. Cafeteria

### 1. Expectations

- a. Follow the directions of the Cafeteria supervisors.
- b. Speak and act respectfully (no fighting, pushing, name-calling, back-talk, screaming, or foul/inappropriate language).
- c. Stay in your seat or line unless given permission to move.
- d. Food is to be eaten (no spitting or throwing food or any other items, no sharing food).
- e. Gum and soda are not permitted.
- f. All food, straws, napkins, and silverware must remain in the cafeteria.
- g. Unnecessary items are not to be brought to the cafeteria (no pencils, pens, textbooks, paper, or toys).

### 2. Consequences for Inappropriate Behavior:

(Applied on a monthly basis):

- a. First Consequence – Verbal Warning from Teacher (Teacher documents)
- b. Second Consequence – Written Warning from Teacher and Parent Signature
- c. Third Consequence Two days assigned seating, Parent Signature and/or Loss of Reward
- d. Fourth Consequence Five days assigned seating, Parent Signature, Loss of Rewards, and/or Detention (three days)

### 3. Severe Clause

This action results from, but is not limited to: fighting, foul/profane language, throwing food, multiple violations. One or more of the following may be applied:

- a. Referral to Student Support Services.
- b. Extended cafeteria isolation, loss of rewards
- c. Suspension (one to ten days\*) loss of rewards
- d. Principal's Clause - Repeated serious violations may necessitate that the parent or adult of the parent's choice supervise the child during breakfast and lunch.

### F. Bus/Van Regulations

The most important bus passenger regulations affecting safety which all pupils, parents, bus/van operators, and school officials should be aware of are:

1. Minor Violations include, but are not limited to:
  - a. Trying to distract the driver's attention
  - b. Being discourteous to and not obeying the driver
  - c. Refusing to sit in assigned seat
  - d. Standing or changing seats while the bus/van is in motion
  - e. Being discourteous to other children
  - f. Crowding to the door before the bus stops
  - g. Pushing and jostling when getting on bus/van
  - h. Throwing articles out of the bus/van
2. Consequences for Minor Violations:
  - a. First Offense: Warning only by Driver
  - b. Second Offense: Warning and written report by Driver to the school office with a copy to Transportation Office. This may result in school disciplinary action.
  - c. Third Offense: The same as that for a major violation

3. Major Violations include, but are not limited to:
  - a. Smoking or using tobacco in any form
  - b. Destroying bus/van property
  - c. Throwing objects in the bus/van
  - d. Fighting on the bus/van
  - e. Striking matches
  - f. Swearing on the bus/van
4. Consequences for Major Violations
  - a. First Offense: Suspend offender from bus for five (5) school days or until such time as the parents have a consultation with the school officials and a pass is presented by the student to the bus driver from the school official.
  - b. Second Offense: One (1) month suspension from bus
  - c. Third Offense and Subsequent Offense: Loss of riding privileges

G. Elementary Walkers

1. Minor Violations include, but are not limited to:
  - a. Running
  - b. Arriving at school more than five minutes early
  - c. Being consistently late
  - d. Failure to follow correct route
  - e. Refusal to listen or follow the patrol/school guard's directions
  - f. Walking in the street

- g. Crossing without permission
  - h. Throwing snowballs or any other object
  - i. Failure to proceed between home and school in a timely manner
2. Consequences for Minor Violations
- a. First Offense: Teacher/student conference
  - b. Second Offense: Teacher/student conference, School Walkers – Report of Violation, Parent signature
  - c. Third Offense: Principal conference. Same as major violation.
3. Major Violations include, but are not limited to:
- a. Fighting
  - b. Smoking or substance use
  - c. Chewing snuff/tobacco
  - d. Destroying property
  - e. Any act which endangers the health or safety of self or others
4. Consequences for Major Violations. One or more of the following may be applied:
- a. Conference with the principal
  - b. Conference with the principal and parents
  - c. Loss of rewards
  - d. Detention
  - e. Suspension

\* Consequences are dependent upon the severity of the student's behavior and may not necessarily follow the step-by-step procedures listed above.

## VIII. School Safety Patrols

The approval, support, and encouragement by school authorities is an important part of the Safety Patrol Program. The School Superintendent has the leadership role in determining Safety Patrol discipline guidelines. The principal of each school must provide assistance by following through with the administrative details that are required for maintenance of the program. The Principal should work with the faculty advisor regarding the selection and training of the patrols.

The Board of directors is empowered to organize school safety patrols and, with the permission of the parents, to appoint pupils as members thereof for the purpose of influencing and encouraging the other pupils to refrain from crossing public highways at points other than a regular crossing, and for the purpose of directing pupils not to cross highways at times when the presence of traffic would render the crossing unsafe. (Section 510 - School Code).

- A. Function: It is important to clarify what the functions of the School Safety ARE and ARE NOT.
1. A patrol is to help instruct, direct, and control the members of the student body in crossing the streets/highways at or near the school.
  2. A patrol is to help instruct, direct, and control students at the bus/van stops and on the bus/van itself.
  3. A patrol is to assist with the monitoring of safety practices by the students while in the building or on the school grounds.
  4. A school patrol is expected to be alert and on the job whether working alone, with a partner, or with the school crossing guard.
  5. Patrols do not stop cars. Only the school crossing guards or the police are permitted to stop cars.
  6. The bus/van driver will direct students as to when they may exit or enter the bus/van and when to cross the street.
- B. Selection of Patrols
1. Patrol members will be selected from the 5th and 6th grades by the Principal and the Patrol Sponsor, with input from the instructional staff based on criteria established at each school.
  2. Patrol service is voluntary; a recommended candidate for Safety Patrol may decline to serve.

3. All patrols must submit a signed Application Form indicating written consent from their parents/guardians in order to serve.
4. All patrols must complete the training provided by the Principal and/or faculty advisor.
5. Selection for Safety Patrol will be based on the following qualities:
  - a. Leadership
  - b. Reliability
  - c. Punctuality
  - d. Courtesy
  - e. Respect
  - f. Does not exceed authority
  - g. Good attendance
  - h. Interest in traffic safety
  - i. Extends service to others
  - j. Follows rules (school, walker, bus, and classroom)

C. Rules for Safety Patrol

1. Wear your belt and badge while on duty
2. Take care of your equipment
3. Report to your station on time. The Principal or faculty advisor will assign the post and designate the time
4. Be alert at all times
5. Know the safety rules for walkers and bus/van students
6. Be fair and firm with students, without exceeding your authority
7. Be courteous and polite at all times. Remember to treat others as you would like to be treated.
8. Set an example for others by modeling good school citizenship.
9. Maintain good attendance.
10. Classroom grades must be kept up to the standards set by the classroom teacher.

D. Consequences for Violations of the Rules for Safety Patrols

1. First Offense: Warning
2. Second Offense: One-week patrol suspension, parent/guardian signature
3. Third Offense: Two-week patrol suspension, parent/guardian signature
4. Fourth Offense: Expulsion from Safety Patrol (no benefits, awards or patrol trips)
5. Severe Clause Immediate expulsion from patrol (no benefits, awards, patrol trips)\*

\* Consequences are dependent upon the severity of the student's behavior, and may not necessarily follow the sequence listed above.

**IX. Building Conduct**

A. Assemblies

Misbehaviors during assemblies include, but are not limited to:

1. Booing
2. Whistling (unless appropriate for the type of assembly)
3. Stomping of feet (unless appropriate for the type of assembly)
4. Talking or disruption during presentations
5. Hitting/touching, harassing other students.

B. Lavatories

Misbehaviors in the lavatories include, but are not limited to:

1. Intentionally clogging toilets and/or sinks
2. Failure to place paper towels in the trash can after washing hands
3. Failure to turn off water
4. Roughhousing
5. Climbing on or under stalls

6. Throwing objects within the lavatory or out to the lavatory windows.
7. Defacing school property in anyway (writing on the walls/stalls)

C. General School Rules

1. Parents requesting early dismissal must send a note for principal approval prior to the dismissal.
2. Individual students will not be dismissed early unless accompanied by a parent, guardian, or approved designee. Identification will be requested.
3. Walkers must go straight home unless a note is submitted to the office indicating a change of the student's normal route home.
4. Gum chewing is not permitted anywhere during the school day.
5. Students are to be quiet and polite in classrooms, hallways, stairs.
6. Respect, consideration, and politeness must be shown to all adults and classmates.
7. Running in halls, jumping on stairs, and sliding on railings is strictly prohibited.
8. Shoe laces are to be tied at all times.
9. Clothing which depicts inappropriate pictures or language is not permitted.
10. Students will keep to the right when passing through the halls and stairwells.

D. Consequences for Violations of Building Rules

1. Application of the established classroom discipline plan
2. Application of consequences identified under Level I, II and III (Incidents of Misbehavior).\*

\* Consequences are dependent upon the severity of the student's behavior and may not necessarily follow the step-by-step procedures as outlines in this document.

## **X. TITLE IX-NOTICE OF NONDISCRIMINATION / HARASSMENT**

The Altoona Area School District strives to provide a safe, positive learning environment for students and employees. The District does not discriminate on the basis of sex in the educational programs or activities that it operates and the District works to ensure its operations are in compliance with Title IX.

Title IX of the Education Amendments of 1972 is a federal law prohibiting discrimination on the basis of sex in all education programs and activities operated by recipients of federal funds. It states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

Title IX's protection applies at all elementary and secondary schools, colleges and universities—public or private—that receive federal financial assistance, and at certain other educational institutions. The protection extends to all aspects of these institutions' education programs and activities. Title IX prohibits all forms of sex discrimination, including gender-based harassment, sexual harassment, and sexual violence.

The Altoona Area School District will strive to maintain a learning and working environment that is free from discrimination and harassment. Failure to promptly and equitably investigate alleged sexual harassment or sex discrimination is a violation of Title IX (34 C.F.R. Part 106). The District will act positively to promptly investigate alleged sexual discrimination or sexual harassment claims and to take appropriate corrective action when an allegation is determined to be valid. No retaliation may be taken against any person for making a report of discrimination or filing a complaint in good faith.

Complaints of sexual discrimination or harassment are to be directed to:

Patricia L. Burlingame  
Title IX Coordinator  
Altoona Area High School  
1415 Sixth Avenue  
Altoona, PA 16602  
(814) 946-8305

Title IX Complaints involving the Title IX Coordinator shall be referred to:

Dr. Luke Lansberry  
Assistant Superintendent  
1415 Sixth Avenue  
Altoona, PA 16602  
(814) 946-8218