Student Discipline

REDLINE DRAFT FOR POLICY COMMITTEE CONSIDERATION

Policy Number	218
Status	Redline Draft
Base Policy	PSBA Revision 6/24; proposed for district adoption

REDLINE KEY: ~~deletion~~ | addition | black text retained unchanged.

Drafting note: Only changes with a substantive legal, operational, procedural or current-practice basis are marked. Existing language is retained when no content change is needed.

Purpose

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

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the district.[1][2][3] [4] [5]

The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.[1][2] [4] [5] [6] [7] [8]

{× } The Board shall approve the inclusion of restorative practices in the Code of Student Conduct to address violations where applicable. [9]

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct and district rules and regulations. [10]

Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated. [11]

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy. [7] [11]

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies. [5] [7] [12][13] [14] [15]

On and Off-Campus Activities

This policy and the Code of Student Conduct apply to the behavior of students at all times during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities and while traveling to or from school and school-sponsored activities or at other times while riding in school-provided means of transportation ("on-campus"). This policy and the Code of Student Conduct also apply to student behavior that occurs at other times and places ("off-campus") when:[3]

1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;

2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;

3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;

4. The conduct involves the theft or vandalism of school property; or

5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

Delegation of Responsibility

The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Superintendent or designee shall publish and ~~distribute~~ disseminate to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct, the sanctions that may be imposed for violations of those rules and a listing of students' rights and responsibilities. ~~A copy of the Code of Student Conduct shall be available in each school library and school office and may be included in student handbooks and on the district website.~~ Electronic copies of the Code of Student Conduct shall be available online through the district website and shall be referenced in staff and student handbooks. A copy shall also be available in each school library and school office.[1] [8]

The building principal or designee shall have the authority to assign discipline to students, subject to Board policies, administrative regulations, the Code of Student Conduct and school rules, and to the student's due process right to notice, hearing and appeal. [7] [11] [16][17]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative regulations, the Code of Student Conduct and school rules.[16]

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and/or for the protection of persons or property. [10]

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use or sale of alcohol or tobacco products; or conduct that constitutes an offense listed in the school safety and security provisions of School Code.[18][19][20]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the law enforcement agency that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies. [15] [18][20][21][22][23]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian. [15] [18][24]

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the PA Department of Education on the required form. [15] [20][23] [25] [26] [27] [28]

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy. [29] [30]

The Superintendent shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

Policies Referenced

- Policy 225 - Relations With Law Enforcement Agencies
- Policy 236.1 - Threat Assessment
- Policy 249 - Bullying/Cyberbullying
- Policy 805.1 - Relations With Law Enforcement Agencies

Notes

Act 116 of 2002 defines graffiti as it relates to criminal mischief offenses and defines defiant trespassers - Title 18, Sec. 3304 (3503)

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Legal Footnotes

REFERENCE	REFERENCE
[1] 22 PA Code 12.3 LEGAL REFERENCE	**[2] 22 PA Code 12.4** LEGAL REFERENCE
[3] 24 P.S. 510 LEGAL REFERENCE	**[4] Pol. 103 - Discrimination/Harassment Affecting Students** POLICY REFERENCE
[5] Pol. 103.1 - Nondiscrimination of Students Eligible for Special Education Services POLICY REFERENCE	**[6] 22 PA Code 12.2** LEGAL REFERENCE
[7] Pol. 113.1 - Discipline of Students With Disabilities POLICY REFERENCE	**[8] Pol. 235 - Student Rights and Responsibilities** POLICY REFERENCE
[9] Pol. 146.1 POLICY REFERENCE *Referenced policy is not available in this policy book.*	**[10] 22 PA Code 12.5** LEGAL REFERENCE
[11] Pol. 233 - Suspension and Expulsion POLICY REFERENCE	**[12] 22 PA Code 10.23** LEGAL REFERENCE
[13] 20 U.S.C. 1400 et seq LEGAL REFERENCE	**[14] Pol. 113.2 - Behavior Support** POLICY REFERENCE
[15] Pol. 805.1 - Relations With Law Enforcement Agencies POLICY REFERENCE	**[16] 24 P.S. 1317** LEGAL REFERENCE
[17] 24 P.S. 1318 LEGAL REFERENCE	**[18] 22 PA Code 10.2** LEGAL REFERENCE
[19] 35 P.S. 780-102 LEGAL REFERENCE	**[20] 24 P.S. 1319-B** LEGAL REFERENCE
[21] 22 PA Code 10.21 LEGAL REFERENCE	**[22] 22 PA Code 10.22** LEGAL REFERENCE
[23] 24 P.S. 1306.2-B LEGAL REFERENCE	**[24] 22 PA Code 10.25** LEGAL REFERENCE
[25] Pol. 218.1 - Weapons POLICY REFERENCE	**[26] Pol. 218.2 - Terroristic Threats** POLICY REFERENCE
[27] Pol. 222 - Tobacco and Vaping Products POLICY REFERENCE	**[28] Pol. 227 - Controlled Substances/Paraphernalia** POLICY REFERENCE
[29] 24 P.S. 1302-E LEGAL REFERENCE	**[30] Pol. 236.1 - Threat Assessment** POLICY REFERENCE