



## Mars Area School District

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Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Number	218
Status	Active
Legal	<u>1. 24 P.S. 510</u> <u>2. 22 PA Code 12.3</u> <u>3. 22 PA Code 12.4</u> 4. Pol. 103 5. Pol. 103.1 <u>6. 22 PA Code 12.2</u> 7. Pol. 235 <u>8. 22 PA Code 12.5</u> 9. Pol. 233 <u>10. 22 PA Code 10.23</u> <u>11. 20 U.S.C. 1400 et seq</u> 12. Pol. 113.1 13. Pol. 113.2 14. Pol. 805.1 15. Pol. 122 16. Pol. 123 <u>17. 24 P.S. 1317</u> <u>18. 24 P.S. 1318</u> <u>19. 24 P.S. 1303-A</u> <u>20. 22 PA Code 10.2</u> <u>21. 35 P.S. 780-102</u> <u>22. 24 P.S. 1302.1-A</u> <u>23. 22 PA Code 10.21</u> <u>24. 22 PA Code 10.22</u> <u>25. 22 PA Code 10.25</u> 26. Pol. 218.1 27. Pol. 218.2 28. Pol. 222 29. Pol. 227 <u>30. 24 P.S. 1338</u> <u>22 PA Code 12.1 et seq</u> <u>22 PA Code 403.1</u> <u>20 U.S.C. 7114</u> <u>34 CFR Part 300</u> Pol. 805
Adopted	June 14, 2016

## **Purpose**

The Board finds 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 non-discriminatory rules and regulations regarding the conduct of all students in the School District 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.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

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.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

The Board prohibits the use of corporal punishment by District staff to discipline students for violations of Board policies and District rules and regulations.[\[8\]](#)

Any student disciplined by a District employee shall have the right to notice of the infraction.[\[9\]](#)

Suspensions and expulsions shall be carried out in accordance with Board policy.[\[9\]](#)

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 local law enforcement and Board policies.[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[5\]](#)

### *Off-Campus Activities*

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via School District furnished transportation.
2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.[\[15\]](#)[\[16\]](#)

3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of school property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

### **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 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 printed in the student handbooks.[\[2\]](#)[\[7\]](#)

The Building Principal shall have the authority to assign discipline to students, subject to the policies, rules and regulations of the District and to the student's due process right to notice, hearing, and appeal.[\[17\]](#)[\[18\]](#)

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.[\[17\]](#)

The assignment of after-school detention shall be a method in dealing with students who commit infractions of school rules and regulations. Assignment of detention shall be authorized by the Building Principal or designee.

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 for the protection of persons or property.[\[8\]](#)

### *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; or conduct that constitutes an offense listed under the Safe Schools Act.[\[19\]](#)[\[20\]](#)[\[21\]](#)

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 local police department 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 local law enforcement and Board policies.[\[14\]](#)[\[19\]](#)[\[20\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)

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 local police department 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.[\[14\]](#)[\[20\]](#)[\[25\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[14\]](#)[\[19\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)

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.

### **Guidelines**

The following are several possible "problem areas" in student behavior. The three (3) recommended levels of discipline to be followed are listed beside each area. The severity of the problem will guide the Building Principal in determining the appropriate punishment. Please be advised that parental notification is required at all levels.

PROBLEM	LEVEL 1	LEVEL 2	LEVEL 3
<b>TARDINESS</b> Arriving late to school.	Warning	Suspension	Suspension Board Hearing
<b>CLASS CUTTING</b> Being absent without a legal excuse	Detention	Suspension	Suspension Board Hearing
<b>DEFIANCE OF AUTHORITY</b> Refusing to comply with requests of school personnel	Suspension	Suspension	Suspension Notify Police Board Hearing

<b>*DISORDERLY CONDUCT</b> Including profanity and obscene behavior, behaving in a way disruptive to the orderly educational procedures of the school	Suspension	Suspension	Notify Police Suspension Board Hearing
<b>STUDENT DRESS</b> Failing to observe the school's dress code	Warn student Change clothes	Detention	
<b>MOTOR VEHICLE</b> Inappropriately using a motor vehicle on school property	Loss of driving privileges Restitution of damages	Same	Same
<b>*BUS BEHAVIOR</b> Not following bus rules	Warn students	Suspension of bus privileges - 3 days	Indefinite suspension bus privileges
<b>*VERBAL ABUSE</b> Using statements which threaten or harm another person	Notify Police Suspension	Same	Notify Police Suspension Board Hearing
<b>FORGERY</b> Writing or using the signature or initials of another person	Suspension	Suspension	Board Hearing
<b>GAMBLING</b> Participating in games of chance for the purpose of winning money	Detention	Suspension	Suspension Board Hearing
<b>STEALING</b> Taking property of others without permission Taking property of considerable value	Suspension Restitution	Notify Police Suspension Restitution	Notify Police Suspension Board Hearing
<b>SMOKING</b> Smoking or using tobacco on school property Possession of tobacco on school property	Citation given to student and Suspension	Same	Same
<b>ELECTRONIC CIGARETTES AND VAPOR PIPES</b> Smoking electronic cigarettes or vapor pipes on school property Possession of electronic cigarettes or vapor pipes on school property	Suspension	Same	Same
<b>DESTRUCTING OR DEFACING PROPERTY</b> Destructing, mutilating, or defacing school or personal property	Suspension Restitution	Suspension Restitution Notify Police	Suspension Restitution Notify Police Board Hearing
<b>*FIGHTING</b> Engaging in physical contact for the purpose of inflicting harm	Suspension	Suspension Notify Police	Suspension Notify Police Board Hearing

<p><b>ALCOHOL AND DRUGS</b> Being under the influence of, using or possessing alcoholic beverages or drugs Selling or distributing alcoholic beverages or drugs</p>	Suspension/Exclusion Notify Police	Same	Same
<p><b>*PHYSICAL ASSAULT</b> Physically attacking another person who doesn't wish to engage in a conflict and who hasn't provoked the attack</p>	Suspension Notify police	Same	Suspension Notify Police Board Hearing
<p><b>ARSON, WEAPONS, &amp; EXPLOSIVE DEVICES</b> Intentional burning of property, possessing and/or using a dangerous weapon; using, possessing or selling explosive devices</p>	Notify police Suspension/Exclusion	Same	Notify Police Suspension Board Hearing
<p><b>*EXTORTION</b> Soliciting of money, or something of value, from another person, in return for protection, or in connection with a threat to inflict harm</p>	Suspension Parent conference Restitution	Suspension/Exclusion Notify Police Restitution	Restitution Suspension Board Hearing
<p><b>CLASSROOM RESPONSIBILITY</b> Not meeting the rules established by the teacher</p>	Suspension	Suspension	Suspension
<p><b>**HAZING</b> When occurring in school organization</p>	Suspension from organization	Exclusion from organization	
<p><b>*OVER-MANIFESTATION OF ROMANTIC AFFECTION</b></p>	Warning	Detention	Suspension
<p><b>CHEATING</b> In class or on tests, class work or homework</p>	Test failure or report period failure	Course failure	
<p><b>*CYBER ABUSE</b> Use of direct behaviors such as teasing, hitting, threatening or restraining another either expressed or written including via computers or other communication devices at school events</p>	Suspension	Suspension Notify Police	Suspension Notify Police Board Hearing
<p><b>*TAUNTING</b> Repetitive and persistent patterns of verbal and/or non verbal behaviors directed by one or more children on another child.</p>	Warning	Detention	Suspension

\*Includes Bullying - Refer to Policy 249 Bullying/Cyberbullying

\*\* Refer to Policy 247 Hazing and Policy 249 Bullying/Cyberbullying

Regardless of anything to the contrary contained in the above policy guidelines, the Administration and School Board retain their inherent power to suspend or expel students for disobedience or misconduct and to institute proceedings in Juvenile Court against students for incorrigibility, truancy, insubordination or other bad conduct or if the presence of any students attending school is detrimental to the welfare of the school or account of the foregoing, as authorized in Article XIII, Section 1318 and 1338 of the Public School Code. [\[18\]](#)[\[30\]](#)