

FERNDALE AREA SCHOOL DISTRICT

SECTION: PUPILS
 TITLE: STUDENT DISCIPLINE
 ADOPTED: FEBRUARY 19, 1986
 REVISED: SEPTEMBER 15, 2004
 MAY 9, 2007
 SEPTEMBER 17, 2014

218. STUDENT DISCIPLINE	
1. Purpose	The Board finds that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment
2. Authority SC 510 Title 22 Sec. 12.3, 12.4 Pol. 103, 103.1	The Board shall establish fair, reasonable and nondiscriminatory 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.
Title 22 Sec. 12.2, 12.3, 12.4 Pol. 103, 103.1, 235	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.
Title 22 Sec. 12.5	The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies and district rules and regulations.
Pol. 233	Any student disciplined by a district employee shall have the right to notice of the infraction.
Pol. 233	Suspensions and expulsions shall be carried out in accordance with Board policy.
Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1	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.
	<u>Off-Campus Activities</u>
	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:

<p>Pol. 122, 123</p>	<ol style="list-style-type: none"> 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. 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.
<p>3. Delegation of Responsibility</p>	<p>The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.</p>
<p>Title 22 Sec. 12.3 Pol. 235</p>	<p>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, school office, on the school's website, and printed in the student handbooks.</p>
<p>SC 1317, 1318</p>	<p>The building principals 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.</p>
<p>SC 1317</p>	<p>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.</p>

<p>Title 22 Sec. 12.5</p>	<p>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.</p>
<p>SC 1303-A Title 22 Sec. 10.2 35 P.S. Sec. 780-102</p>	<p><u>Referral To Law Enforcement And Reporting Requirements</u></p> <p>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.</p>
<p>SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.21, 10.22 Pol. 805.1</p>	<p>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, or in which the incident occurred, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>
<p>Title 22 Sec. 10.2, 10.25 Pol. 805.1</p>	<p>The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect, 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, or in which in the incident occurred, has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.</p>
<p>SC 1303-A Pol. 218.1, 218.2, 222, 227, 805.1</p>	<p>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.</p>
	<p>References:</p> <p>School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A, 1317, 1318</p> <p>PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-102</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 12.1 et seq., 403.1</p>

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

No Child Left Behind Act – 20 U.S.C. Sec. 7114

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 103, 103.1, 113.1, 113.2, 122, 123, 218.1, 218.2, 222, 227, 233, 235, 805, 805.1

NOTES:

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