

**DONEGAL
SCHOOL DISTRICT**

Student Code of Conduct

Board Approved
June 9, 2009

Revised & Approved
June 3, 2010

Donegal School District is an equal opportunity education institution and will not discriminate on the basis of race, religion, age, national origin, gender, sexual orientation, or disability in its activities, programs or employment practices as required by Title VI, Title IX, Section 504 and the American Disabilities Act. All written materials are available in an alternate format upon request.

Dear Student and Parent/Guardian:

This Code of Student Conduct outlines the rules and regulations that are designed to maintain a standard of conduct in the schools of the District. The publication is intended to accomplish the following purposes:

1. It meets the legal requirements of Section 12.3(c) of Title 22 of the Pennsylvania Code, which requires that the District adopt a code of student conduct and distribute copies to both students and parents. It also meets the requirements of Act 26 of 1995 as it relates to possession of weapons and the Safe Schools Initiative. To comply with this provision, this Student Code of Conduct will be included in a condensed format in student and parent handbooks and will also be available in each school library.
2. It establishes a rational standard of behavior that is expected of students in achieving the objective of providing a safe environment for the pursuit of knowledge.
3. It helps prepare students for life in a democratic society where adopted laws govern and maintain a measure of protection and security for citizens within the framework of freedom.

The Code includes many of the strategies used to maintain a safe and disciplined environment. It also has a strong focus on a cooperative effort among students, parents and school personnel and helps to define the essential role of each participant in the process.

The Student Code of Conduct is to give school District students and their parents/guardians an understanding of the general rules and guidelines for attending and receiving an education in our schools. In case of a conflict between Board Policy and the provisions of this code, the Board Policy most recently adopted by the Board will prevail.

Students and parents/guardians should be aware that this document is reviewed annually since policy adoption and revision is an ongoing process. The changes will generally supersede the provisions found in the Code, which will become obsolete by the newly adopted policy. The Student Code of Conduct is not a contract between the school and the parents/guardians or students. It can be amended at any time at the discretion of the District. If policy changes are enacted during the school year, the Administration will communicate those changes to students, staff and parents/guardians.

Please review this document with your family and help us in our task of guiding young people toward self-discipline, an important part of learning, to enable them to assume a responsible role in our society.

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FOREWORD

The public schools have a compelling responsibility to develop reasonable rules and regulations regarding student conduct. The schools have an institutional responsibility to provide a safe and healthy environment for students. The climate of the school must provide for the protection of the rights of students to receive an education. Recent reports have validated this need and emphasized the absolute necessity for reasonable rules and regulations that govern student conduct. There can be no excellence in education without an orderly instructional environment. Teachers must be able to teach and students must be able to learn in an environment that is free from undue disruption. This Student Code of Conduct is intended to be a clear and understandable message of the critical nature of this mission.

ELEMENTS OF A POSITIVE LEARNING ENVIRONMENT

The maintenance of a positive learning climate in the schools of the District is dependent upon the provision of a controlled environment free from undue interference or disruption. To accomplish this objective, four critical elements must exist:

1. The Board of School Directors and Administration must determine the rules and regulations that apply to student conduct, the penalties for violations and the rights and responsibilities of individuals within the system.
2. School personnel must be familiar with the structure of the system and work diligently to insist upon proper behavior and guide students toward self-discipline.
3. Students must be aware of rules and regulations and be willing to assume progressively greater responsibility for their behavior.
4. Parents must be familiar with the rules and regulations and be willing to support the school in the attempt to provide a productive climate for learning.

This Code of Student Conduct is intended to provide a base for this interaction and cooperation of these critical elements.

GENERAL PROVISIONS

Free Education and Attendance (FAPE)

All persons residing within the Donegal School District between the ages of 5 years 7 months by Sept 1 of the attending year and 21 are entitled to a free and full education in the public schools of the District. Parents and guardians of all children between the ages of 8 and 17 are required by the Compulsory Attendance Law to ensure that their children attend school. Students who have not graduated and are attending regularly may not be asked to leave school after they have reached 17 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from school or from extra-curricular activities because of being married or pregnant, unless it can be medically determined that the activity would be harmful to the health and welfare of the individual. Consistent with the Pennsylvania Human Relations Act (43 P.S. ss 951-963) and all other non-discrimination statutes, no student shall be denied access to a free and full public education on account of race, religion, gender, sexual orientation, national origin or disability.

Educational Environment

The Donegal School District is committed to maintaining an educational environment free from hazing, harassment and intimidation. All employees and students are to be treated with dignity, respect and courtesy, regardless of race, gender, religion, disability, age, national origin or sexual orientation. Harassment or intimidation shall be defined as any action that is so offensive as to undermine or detract from another employee's/student's worth or educational experience. Students who feel they are being harassed should see an administrator or guidance counselor. Students who are found guilty of hazing, harassment or intimidation shall be subject to appropriate discipline. Any of the above may also violate local, state and/or federal law and may be the basis for exclusion under those provisions.

To the extent the District disciplines a student for verbal expression, the District does not intend to regulate any particular viewpoint or content, that is, free speech, but rather to set a standard to address the appropriateness of the manner in which the message is conveyed and to protect against substantial disruption or interference with the rights of other students or the work of the school.

LEGAL AUTHORITY

Public schools are governed by the complex interaction of the U.S. Constitution, federal law and regulations, the Statutes of the General Assembly of the Commonwealth of Pennsylvania, the Regulations of the State Board of Education, adopted policies of the Board of School Directors and court decisions. Administrative regulations at the District and building levels flow from these laws.

The general authority of school officials can be found in Section 510 of the School Code that reads in part: *"The Board of School Directors in any school District may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper, regarding the management of its school affairs and the conduct and deportment of all pupils attending the public schools in the District, during such time as they are under the supervision of the Board of School Directors and teachers, including the time necessarily spent in coming to and returning from school."*

This general authority is extended to administrators and teachers in Section 1317 of the Code. This section gives school personnel in Loco Parentis (in place of the parent) status and reads:

"Every teacher, vice-principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardian, or persons in parental relation to such pupils may exercise over them."

This broad authority is limited by the constitutional rights of students, court decisions, and the Regulations of the State Board of Education. All actions under this section must meet the test of reasonableness.

Suspension and expulsion of students, the most serious penalties for misbehavior, are also authorized by statute. Section 1318 of the statute provides:

"Every principal or teacher in charge of a public school may temporarily suspend any pupil on account of disobedience or misconduct and any principal or teacher suspending any pupil shall promptly notify the District superintendent or secretary of the Board of School Directors. The board may, after a proper hearing, suspend such child for such time as it may determine or may permanently expel him. Such hearings, suspension, or expulsion may be delegated to a duly authorized committee of the board or to a duly qualified hearing examiner, who need not be a member of the board, but whose adjudication must be approved by the board."

The length of exclusion from school and the nature of the hearings required are outlined in Section 12.8 of the State Board Regulations.

The Board of School Directors of the Donegal School District has adopted policies that relate to its expectations regarding school climate and pupil conduct. Copies of these policies are available in the District office, school offices and libraries.

EXPECTATIONS

Student Responsibilities (from 22 Pa Code 12.2)

Student responsibilities include regular attendance, conscientious effort in classroom work, homework and conformance to school rules and regulations. Most of all, students share with the Administration and faculty, 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 or her fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and students who are involved in the educational process. Students should express their ideas and opinions in a respectful manner.

It is the responsibility of the students to conform to the following:

1. Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Students should assume that until a rule is waived, altered or repealed in writing, it is in effect.
2. Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
3. Dress and groom to meet fair standards of safety and health and not to cause substantial disruption to the educational process.
4. Assist the school staff in operating a safe school for students enrolled therein.

5. Comply with all local, state and federal laws.
6. Exercise proper care when using all facilities and equipment.
7. Attend school daily and be on time for all classes and other school functions.
8. Make up work and assessments when absent from school.
9. Pursue satisfactorily to complete the courses of study prescribed by Commonwealth and Donegal School District authorities.
10. Report accurately in student media.
11. Not use obscene language in student media or on school premises.

Dress Code

The Board of School Directors in any school entity may impose limitations on dress and may require pupils to wear standard dress or uniforms. Dress policies may be applicable throughout the school entity or may be applicable to one or more school buildings within the school entity (Section 1317.3 of the School Code).

Aspects of personal appearance require one's attire to be neat and not create a health or safety hazard or disrupt the educational process. Students have the responsibility to keep themselves, their hair and their clothing clean. For the safety and welfare of students, teachers in specific areas – i.e. labs and physical education classes – may require particular modes of dress. Also, teachers or administrators may require or exclude a more specific type of dress for special events such as field trips, concerts, etc.

It is the sincere hope of the school community that a student's dress will always be within reasonable limits of decency, morality and propriety and will reflect pride in the individual student, his/her family and the Donegal School District. Part of the District's educational process is to prepare students for eventual employment and to teach that expectations in attire differ between school/work and recreation. Students who require exemptions to the dress code due to religious or medical reasons should see a building administrator.

Appropriate disciplinary measures will be taken with students not complying with the dress code; students will not be permitted to attend class until acceptable adjustments are made to their appearance. Students with dress code violations will be initially asked to make adjustments and may be assigned disciplinary consequences. Flagrant or repeated violations of the dress code will result in the assignment of more serious discipline.

The rules outlined below are provided to help students comply with appropriate dress during the school hours and at school-sponsored activities. The limitations have been described in order to result in uniform enforcement and to minimize subjective determinations.

The State Board of Education's regulations concerning dress codes for students states that attire which causes the disruption of the educational process or which constitutes a health or safety hazard is not permitted in school.

Student dress and general appearance is a shared responsibility among students, parents/guardians and the school. Students of the Donegal School District are expected to dress in a manner that is supportive of a positive learning environment that is free of distractions and disruptions. There is a direct correlation between student dress and student behavior. Students will be expected to observe modes of dress, styles of hair and personal grooming, which support the learning environment. The purpose of this dress code is to assure that consistency and interpretation is implemented District-wide, thus providing equitable treatment for all students. Any dress which jeopardizes the health, safety or welfare or which can be considered materially or substantially disruptive to the educational process is prohibited. Students wearing prohibited attire will be asked to change or call home for proper attire. The following additional guidelines will apply:

1. Muscle shirts, spaghetti strap shirts, tank tops, "off the shoulder" shirts, halter tops, tube tops, midriff, see-through or backless shirts and blouses are not permitted. Shoulder coverings must be at least two inches in width.
2. Cleavage and/or undergarments should not be exposed.
3. The length of skirts, dresses and shorts shall reflect modesty and good taste. Length should reach a minimum of mid thigh.
4. The student's abdomen and back should not be exposed. The top of the pants/skirt and the lower hem of the top must come together.
5. Pants should be of appropriate size and fit and must not expose undergarments. Pants that lace up the sides must be tightly laced.
6. Clothing should be neat and have a tailored appearance, free from inappropriate holes, writing, pins, chains etc.
7. Articles of clothing or personal items that exhibit the advertising signs, symbols or the slogans or phrases of alcohol, drugs, weapons, or tobacco products are not considered appropriate for school dress for students. Clothing, outerwear, purses or backpacks that exhibit slogans, phrases or symbols such as swastikas or

confederate flags that would be considered offensive because of their violent, sexual or racial connotations are unacceptable and strictly prohibited.

8. Hats, hoods, do-rags and skullcaps or sunglasses may not be worn inside the building.
9. Leisure/sleepwear including slippers may not be worn.
10. Any body piercings which present a health and/ or safety problem or create a distraction to the positive learning environment are prohibited.
11. Wallet/dog chains and spiked jewelry are not permitted.
12. Gang clothing, symbols or other items associated with gangs may not be worn, displayed or carried.
13. Safe footwear shall be worn at all times.
14. The dress code applies to all school sponsored events, including dances, co-curricular events, etc. Exceptions may be made to the dress code based on religious restrictions with appropriate documentation.

Faculty advisors and coaches of extra curricular activities are authorized to recommend to the building administrator any reasonable specific dress or hair requirement or exceptions to the Student Dress Code they deem suitable for participation in the activity in accordance with the school's dress code.

If a student violates the dress code, he/she will be instructed to change and may receive a disciplinary consequence. Flagrant or repeated violations of the dress code will result in the assignment of more serious discipline.

Sportsmanship

There is a growing concern over unacceptable and unsportsmanlike fan behavior at athletic contests. While in attendance at after-school events, all school rules are in effect and violations include, but are not limited to, being evicted from the game/premises, receiving an alternative education assignment or suspension from school and/or prohibition from attending future events.

When attending or participating in an event to support and cheer for teams, fans are there to enjoy the skill and competition, not to intimidate or ridicule the other team, its cheerleaders or fans. Actions meant to demean opposing players, teams, spectators and officials are not in the highest ideals of interscholastic athletics and will not be tolerated. A ticket is a privilege to observe the contest, not a license to verbally assault others and to be generally obnoxious. Recognize and show appreciation for an outstanding play by either team. Respect the integrity and judgment of contest officials and learn the rules of the game in order to understand and appreciate why certain situations take place. Students are to be a positive role model through actions and by censuring those around them whose behavior is unacceptable.

Attendance: General Information

The Pennsylvania School Code 1732 requires students to be in regular attendance. Upon receipt of satisfactory written evidence explaining the reason for an absence, a principal may excuse an absence. **The Donegal School District requires written documentation to be turned in within three school days after the absence.** Failure to turn in a written excuse within three school days results in the absence being unlawful. Parents/guardians may mail or fax written excuses within the three days if they choose to do so. The responsibility for submission of excuse cards rests with the parent/guardian in the elementary schools and the student in the middle and high schools.

Good attendance and being on time are necessary for successful academic performance. These habits also are exceedingly important for success at postsecondary institutions as well as in future work experiences.

Attendance: Extra-curricular

In an effort to stress the importance of academics to students, the District has instituted the following Attendance Policy.

Students must be in school for 180 minutes per school day in order to be eligible for all clubs, activities, and/or practices and/or contests. This excludes funerals, job shadowing, and college visitations. A student who is excused and/or unexcused absent from school for a total of 20 or more school days (7,820 minutes) during one semester, shall not be eligible to participate in any club, activity, and/or athletic contest/practice until the student is in attendance for a total of 60 school days (23,400 minutes). On the 61st school day following the twentieth day of absence, the student will be reinstated to extra-curricular and co-curricular activities.

If a student is sent home by the nurse, he/she cannot return to practice or participate in his/her activity that day or evening without administrative approval.

Attendance: Absences

When a parent/guardian sends a written explanation to school about an absence of a student, the absence is not automatically excused. It becomes an excused absence when the Administration has classified it as such in accordance with the attendance policies of the Donegal School District.

Excused absences, as permitted by the State Department of Education, are granted for illness, death in the family or near relative, court summons, medical or dental appointments, in-school suspension, out-of-school suspension, approved school activities, approved school field trips, personal catastrophe, religious holidays, impassable roads and quarantine.

Unlawful absences may include truancy, cutting a class, out of town, missed the bus, car trouble, not checking in or out of the office, unexcused tardy, driver license exam and absence through parent neglect. Unlawful absences are temporary and may become excused upon the presentation of a written note from a parent/guardian that provides reasons compatible with the definition of an excused absence.

Students must be present by 9:30 AM for grades 7-12 and 10:30 AM for grades K-6 to take part in any extra-curricular activity. Students arriving to school after the designated time may take part in extra-curricular activities if the proper medical note is submitted to the main office upon arrival to school.

Students, regardless of age, may not sign a parent's name on an excuse card.

Parents/guardians may call the School Office voice-mail to report a student absence. However, the parent must still send a written explanation to meet the requirements of the school attendance policy.

Attendance: Excuse Cards

Students who are absent or tardy must, on their return to school, bring to the office a note signed by parent/guardian stating the date(s) absent and the reason for the absence. The school provides an excuse card for this purpose, but a hand-written note is acceptable. The student has three (3) school days to bring in a written excuse or the absence will be declared UNLAWFUL.

Students who are required to submit a doctor's excuse must follow the same procedure and timeline. A doctor's excuse must be signed by a medical practitioner verifying the student's absence. It is recommended that students ask at the doctor or dentist for an official excuse before leaving the appointment.

Attendance: Excessive Absences

Any student who misses excessive days of school without prior approval and/or arrangements (home-bound instruction) from the Donegal School District may be recommended to the Donegal School Board for expulsion by the Administration.

Upon 10 days of absences (excused or unlawful), a letter shall be sent to parents requiring a doctor's excuse for all future absences. Failure to present a doctor's excuse will result in an unlawful absence. No makeup work is allowed for unlawful absence.

Pursuant to the State Board of Education Regulations 22Pa Code 11.24. Children whose names are on the active membership roll, who are at anytime in the school term absent from school for 10 consecutive school days, shall thereafter be removed from the active membership roll unless one of the following occurs:

- 1) The District has been provided with evidence that the absence may be legally excused.
- 2) Compulsory attendance prosecution has been or is being pursued.

A student over 17 years of age regardless of grade or academic standing: **1)** who has been absent for 10 school days (excused or unlawful) will be informed by the Administration that all future absences must be excused. Any absences beyond the 10 school days must be accompanied by a doctor's excuse. If the student accumulates three (3) unlawful absences after the 10 days, the student may be subject to disciplinary action including recommendation for expulsion; **2)** shall be considered under the control of the parent/guardian for purposes of student welfare, discipline and/or attendance.

Attendance: Anticipated Absences

Students who wish to be excused for anticipated absences which may include but are not limited to family vacations, religious functions or showing at the Pennsylvania Farm Show should file a request five (5) school days in advance of the scheduled absences. Parents should fill out the Pre-Approved Trip Form for each child, which may be secured by the student in the office.

The Donegal School District supports college visits for fact-finding and/or admissions appointments with college officials. Documentation to support the date and time of the visit, signed by a college official, is required. "Take your child to work day" opportunities require the submission of a pre-approved trip form.

Truancy: Excessive Unexcused Absences

Truancy from school or class is an absence without parent/guardian permission or an absence that is ruled as unlawful by the Administration. Truancy is an **unlawful** absence. No make-up work is allowed. In-school suspension is assigned for truancy. Subsequent truanies may result in suspension, a parent/guardian conference and may result in a recommendation to Children and Youth Services.

The parents/guardians of students under 17 years of age who accumulate three unlawful absences shall be sent an offense notification letter notifying them of this violation. These parents are liable for prosecution for subsequent unlawful absences according to the compulsory school attendance laws of the Commonwealth of Pennsylvania. Subsequent notices will be filed with the local District Magistrate for prosecution. Truancy Elimination Plans will be developed in accordance with district procedures.

Attendance: Student Release during the School Day

The Donegal School District will release a student during the school day under the following circumstances: Students will be released from school only to their parents/guardians or persons authorized on the student emergency card. Parents/guardians or authorized agents must sign the early dismissal log indicating the date, time and reason why the student was released from school.

If a student is ill, the office or the nurse will call the parent/guardian to pick up the student at school. Parents/guardians may indicate to school officials who may pick up their student through written authorization such as a fax or signed note. Parents/guardians may also indicate through written authorization that a student may be released from school under his or her own supervision. An excuse card is required upon the student's return to school.

If a student presents a parent note for early dismissal prior to the beginning of the day, arrangements for the dismissal of that student will be made at the requested time. If the student is to leave without a parent to appear at school, the office shall call the parent to verify the early dismissal. A telephone number where a parent or guardian can be reached on that specific day must be provided for all early dismissals. Teachers do not have the authority to release students early from school.

If the parent or guardian of a student cannot be reached, the student will not be given permission to leave early. Students and parents should use this procedure to avoid unnecessary class interruptions and having to wait for a student. Students who are 18 years old or older must follow the procedures as outlined above.

Attendance: Dismissal from School

No students are to be in the halls after dismissal time without the authorization of the Administration or under the direct supervision of a faculty member.

Students who participate in activities that start later than 3:00 PM will be allowed to stay in the building only under the direct supervision of coaches, advisors, and/or district employees(s). Students who return for an activity will be admitted into the building five (5) minutes prior to the beginning of a rehearsal or meeting or 30-45 minutes prior to an event.

Students are not permitted to wait after school for a later activity. This means if a practice, rehearsal or game begins at 5:30 pm, students may not linger at school until that time.

BEHAVIOR MANAGEMENT

The Public School Code of Pennsylvania gives every teacher and administrator the right to exercise the same authority as to the conduct and behavior of students in the school during the time they are in attendance, including the time required in going to and from their homes, as parents, guardians and persons in parental relations may exercise over them. The use of corporal punishment for the purpose of controlling or modifying student behavior is forbidden. For the purpose of this provision, corporal punishment is defined as any physical contact that would be intended to inflict pain and cause physical injury to a student and would include paddling and spanking.

Teachers and school authorities may use reasonable force under the following circumstances:

1. To quell a disturbance.
2. To obtain possession of weapons or other dangerous objects.
3. For the purpose of self defense.
4. For the protection of persons or property.

The use of physical restraint may be used by school personnel when a student is at risk of self-injury, injuring others or damaging property and when other behavioral deterrents have failed.

Behavior management techniques, strategies and procedures will be used to the extent necessary to ensure that schools are not disrupted by inappropriate student behavior. Functional Behavior assessments will be developed as appropriate to assess student behavior. IDEA regulations will be followed for all disciplinary infractions for students with IEP's.

Searches

School authorities may search a student's locker or desk and seize any unauthorized materials. Students are specifically advised that they should have no expectation of privacy with respect to their use of such lockers which are subject to random, periodic and/or sweeping inspections and searches (including the use of certified scent dogs). Such materials may be used as evidence against the student in disciplinary proceedings. Prior to an individual locker search, the student shall be notified and given an opportunity to be present; however, where school authorities have a reasonable suspicion that the locker contains materials which pose a threat to the health, welfare and safety of students in the school, student lockers can be searched at any time without a prior warning.

If a student is suspected of possession of illegal or unauthorized materials on his or her person, the student shall be referred to the principal or assistant principal. The administrator will confront the student privately with the accusations and ask the student to consent to a search. If the student resists or uses force, the police may be called for assistance.

If school authorities have reasonable suspicion a student has illegal or unauthorized material in his or her vehicle on school property, absent compelling circumstances, the student shall normally be notified and given the opportunity to be present while school personnel conduct a search of the vehicle. School personnel will notify law enforcement authorities and advise them of the circumstances which led to their belief of the possession of illegal or unauthorized materials. Possession of illegal or unauthorized material in a vehicle on school property will result in removal of parking privileges in addition to the disciplinary consequences related to the offense.

Theft by unlawful taking or disposition

1. Movable property - A person is guilty of theft if he unlawfully takes or exercises unlawful control over, movable property of another with intent to deprive him thereof.
2. Immovable property - A person is guilty of theft if he unlawfully transfers or exercises unlawful control over, immovable property of another or any interest therein with intent to benefit himself or another not entitled thereto.

Theft of property lost, mislaid or delivered by mistake

A person who comes into control of property of another that he knows to have been lost, mislaid or delivered under a mistake as to the nature or amount of the property or the identity of the recipient is guilty of theft if, with intent to deprive the owner thereof, he fails to take reasonable measures to restore the property to a person entitled to have it.

“Door to Door” Provision

Sections 510 and 1317 of the School Code both give school personnel authority as to the conduct and behavior of students “during the time they are in attendance, including the time required in going to and from their homes.” It is important for parents and students to be aware of this provision. The safety of the students of this District is of the highest importance.

Off-Site or After-Hours Conduct

In some circumstances, off-site or after-hours conduct may subject students to school discipline. Whether school discipline will be imposed depends on whether the misconduct causes disruption or it is reasonably foreseeable that disruption may result. The actual or foreseeable disruption may be to school work or to the school community, by using school property or equipment or by involving school activities or interactions in the planning, organizing or advertising of the misconduct, **including but not limited to conduct utilizing various forms of technology.**

All facilities (including parking lots) used for school events are covered by school policy. Examples include, but are not limited to: Athletic fields and parking lots as well as other facilities/parking areas for such events as the prom and

graduation, concerts, fun nights, etc.

Contact with Law Enforcement Agencies

The Board of School Directors has established a policy with regard to contact with law enforcement agencies involving discipline as a result of activities occurring on school property or at a school event. Some examples of law enforcement contact are as follows: Police assistance will be requested when a person fails to respond to a request to leave the premises, when any person is creating a disturbance and fails to respond to requests to cease and desist or when any action threatens the health, safety or welfare of any person. The police will also be contacted when any person other than police officers are in possession of a dangerous weapon. Police will be contacted for identification of substances and assistance in the investigation of all violations of the Dangerous Drugs, Device and Cosmetics Act (Purdon's Pennsylvania Statutes, 35 P.S. Sections 780-101 through 780-144) or drugs, including those which fall under the "look alike" category. Police may also be contacted for cases of verbal or physical assault or violation of local, state or federal law depending on the seriousness of the incident. Victims of violations of local, state and federal law may choose to file charges under these statutes independent of school disciplinary actions. School personnel are often asked why they do not file charges for some specific student disciplinary incidents. While the school has broad discretion in student discipline matters, the school does not have jurisdiction to file charges in all incidents. The police and/or the District Attorney will make that decision after an incident report is filed by the school.

Weapons, Ammunition and other Hazardous Items

Students are not permitted to have weapons, ammunition or other hazardous instruments or materials in their possession in school, on school property, at a school-sponsored event or on school transportation. Violations of the Weapons Act, explained below, are a serious matter and carry a mandatory consideration of expulsion from school for a period of a full calendar year.

Act 26 of 1995 of the Pennsylvania Legislature provided additional requirements for reporting and required the development of a Memorandum of Understanding between the School District and the police departments of jurisdiction. A Memorandum was developed and includes the following guidelines for notification:

1. As used in this statement, the term "weapon" shall be identical to the provisions of Section 1317.2 of the Public School Code which reads: "The term "weapon" shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury". Replica weapons and "look-alike" weapons are also prohibited.
2. The principal/designee of each school in the Donegal School District shall report all acts of violence and incidents that involve the possession or use of a weapon to the Superintendent. Verbal notification should occur as soon as practical after the event followed by a written report within 24 hours.

The written report shall include the following:

1. Name, age and grade of the student.
 2. Name and address of the school.
 3. Circumstances surrounding the incident, including type of weapon and extent of injuries, if any.
 4. Name of law enforcement officer involved.
 5. The name, address and telephone number of the parent with an indication as to whether or not the parent was contacted and the extent of their involvement with the investigation.
3. The administrator dealing with the incident shall immediately contact the appropriate police department and request their assistance in all incidents involving a weapon or "look alike" weapon on school property, any school sponsored activity or any school owned or leased vehicle transporting students to school or school activities. A reasonable effort will be made to contact the parent and invite them to be present for the investigation. If appropriate, the responding officer shall be encouraged to consider filing criminal charges.
 4. The administrator will then file a detailed report to the Superintendent.
 5. The administrator will file the appropriate reports to the Department of Education and the Chief of Police of the appropriate police department in all incidents of possession of weapons or violent behavior. These reports should be filed as soon as possible.
 6. The Chief of Police and the Administration of the Donegal School District shall conduct an annual review of the Memorandum of Understanding and, if needed, amend appropriate protocols and procedures.

Bullying, Intimidation, Harassment or Extortion

The school will not tolerate actions by students that could fall under the classification of bullying, intimidation, harassment or extortion. Not only do they harm the intended victims, but they also affect the climate of the schools and the opportunities for students to learn and achieve in school. Students must be taught that the individual rights of other students will be safeguarded. Bullying may be physical, verbal, emotional or sexual in nature. Some examples of actions that will not be tolerated are as follows: punching, poking, hair pulling, biting, excessive tickling, extorting, defaming, blackmailing, ostracizing, exhibitionism, sexual propositioning, sexual harassment or abuse and sexual assault. Other examples include: hurtful name-calling, teasing, gossiping, humiliating and making fun of personal characteristics such as race, gender, religion, disability, ethnicity or sexual orientation; **whether it occurs person to person, written or electronic communication, gestures or pictures** when those actions substantially disrupt or interfere with the rights of another student or the work of the school or are as offensive and severe as to deny another student's access to educational programs.

Bullying

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying/cyberbullying by district students.

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school and/or outside a school setting, that is severe, persistent and/or pervasive and has the effect of doing any of the following:

1. Substantial interference with a student's education.
2. Substantial creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyber-bullying via any form of electronic communication including, but not limited to phone, text messaging, internet, websites, email, blogs, chat rooms, and/or instant messaging.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised and/or sanctioned by the school.

The Board encourages students who have been bullied or who are aware of bullying to promptly report such incidents to the building principal, school counselor, teacher, or other adult.

Each administrator, teacher and student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

Violations may be considered as Level I, II, III, IV disciplinary infractions depending upon the character, severity, and frequency of the actions as determined by the administration.

Hazing

Students are prohibited from conducting any activities that involve hazing. For purposes of this policy, hazing is defined as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or as a condition for continued membership in or participation in any student organization or on an athletic team. The term shall include, but not be limited to, any brutality of physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquor, drug or other substance or any other forced physical activity which adversely affects physical health and safety of the individual and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of the individual or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or participation in an organization or team is directly or indirectly conditioned shall be presumed to be forced activity, the willingness of an individual to participate in such activity notwithstanding.

Unauthorized Devices & Confiscation

According to Section 1317.1 of the Public School Code, the possession by students of telephone paging devices, commonly referred to as beepers, shall be prohibited on school grounds, at school sponsored activities and on buses and other vehicles provided by the school District. Students who have a need to be contacted should make special arrangements through the school office so that instruction will not be interrupted by students using these devices. Due to

the potential safety hazard, laser pointers, **shock pens and gaming devices** are also not permitted in school. **Cellular phones are to be turned off and out of sight during school hours, unless being used as part of an instructional activity supervised by a teacher.** The District will not be responsible for electronic devices lost, stolen or damaged.

Electronic devices that cause interruptions in the educational process may be taken by teachers and turned in to the office. These will be available for students or parents at the discretion of the administration. Any devices that may pose a safety hazard will be returned only to a parent. Illegal materials will be turned over to the police. Personal use of cameras, video equipment and/or other electronic recording devices is not permitted without prior approval of the administration.

Smoking and Use of Tobacco

Act 145 of the 1996 session of the General Assembly of the Commonwealth of Pennsylvania specifically prohibits the use and/or possession of tobacco by pupils in school buildings and on school buses and on school property owned by, leased by and under the control of the Donegal School District. To protect the health of the future citizens and to provide role models for the youth of the District, the Donegal School District has enacted by resolution a smoke-free environment in all enclosed areas of the District and has prohibited smoking by all persons on school property. Portions of this Act and policy are enforceable under civil penalty with a fine which may exceed fifty (\$50.00) dollars plus court costs.

Video Taping/Media Release

The Donegal School District has numerous opportunities throughout the year to release pictures and/or news information about our students to the local newspapers, radio and television stations. This information is also used in District wide publications. The purpose of the pictures and information is to promote our District's programs and goals. There may be times when a classroom or school program is video taped for archival **or public relations** reasons. If parents prefer that pictures of or information about their student NOT be used for these purposes, they will need to advise the building principal in writing annually. Videotaping and photographing of students by parents, guardians and visitors during the school day without permission of the administration is prohibited.

Security Cameras

As a security/safety precaution, please be advised that the school buildings and campus are monitored by a twenty-four (24) hour video camera system. Video recordings may be used for disciplinary and/or criminal proceedings. Cameras may be used on school buses to monitor safety and behavior. Video recordings may be used for disciplinary and/or criminal proceedings. Parents/Guardians may view bus video when the incident directly involves their children. Parents/Guardians may only view video recordings in the presence of an administrator.

District Medication Policy

Students may not transport medication to or from school. All medication (prescribed or over-the-counter) must be brought to school by a parent or other responsible adult. Medication must be brought to school in the original container.

All medication (prescribed or over-the-counter) brought from home must have a signed written order from a doctor and a parent's signature. No medication will be given without proper consent, including all daily medication, bee sting medication, and inhalers. The consent form must include the following information: student name, name of medication, dosage and route, time medication is to be taken, reason for taking medication, name of physician prescribing medication, dates medication is to be taken, and possible side effects.

Any change in the original medication order (such as a change in dosage or a discontinuation) requires a new written order from a physician. The student is responsible for reporting to the nurse's office at the designated time to take the medication. Non-prescription nutritional or herbal supplements will be administered only with a written authorization from a parent and a physician.

Students may carry inhalers, bee sting medication, and diabetic equipment/medication with them as long as they have written permission from a doctor and parent, stating that the student is both capable and responsible for self administering the medication. The student must notify the nurse immediately upon each use for follow-up. Other than the above list, medication may not be kept in the student's locker, purse, backpack, or on the student's person, etc.

Medication provided by school will be given as long as the nurse's office has parental permission. The required form is sent home at the beginning of the school year with emergency contact information.

Any student who possesses, uses or distributes any medication (whether prescribed or non-prescribed) is in violation of this policy and is subject to severe disciplinary action. A violation of the Medication Policy will result in a *minimum* assignment of suspension and may involve a hearing with the Board of School Directors.

Position Statement from the School Physicians and Athletic Trainer

Ergogenic aids are any supplement, food or additive that is thought to improve physical performance and are purchased over the counter. Some student-athletes, in an attempt to find the competitive edge, continue to search out and experiment with these products. Ergogenic aids are easily purchased and are in high demand among athletes.

There is no substitute for proper nutrition. The use of ergogenic aids may be harmful as many of these products have little or no data as to their efficacy or side effects. These products come in many forms including but not limited to powders, tablets, capsules, drinks, gum and supplement bars. For additional information, student athletes should contact their family physicians.

The Donegal School District does not endorse or recommend the use of these products in ANY form and strongly oppose the use of any ergogenic aid.

Note: With the above statement from the physicians and trainer and the safety of students being of utmost importance, possession or use of an ergogenic aid during school hours without the permission of a parent and under the supervision of the school nurse, at a school-sponsored activity or on school transportation, will be treated as a violation of the Medication Policy.

Drug Abuse

The school board finds that the possession, use, distribution or delivery of controlled substances, "look-alike" drugs and alcoholic beverages at school or while engaged in activities subject to the control by the school District is a matter of great concern and potentially injurious to the health, safety and welfare of students. Students are prohibited from possessing, using, transmitting, manufacturing or showing evidence of recent consumption of any controlled substance, "look-alike" drugs and alcoholic beverages. Students are also prohibited from having drug-related paraphernalia in their possession.

For the purpose of this section, the following definitions will apply:

Controlled Substance - A controlled substance is any substance, the possession, use or delivery of which is regulated by the Controlled Substance, Drug, Device and Cosmetic Act of the Commonwealth of Pennsylvania, Act of April 14, 1972, found in Purdon's Pennsylvania Statutes, 35 P.S. sections 780-101 through 780-144, as amended.

"Look-alike" Drug - A "look-alike" drug is a non-controlled substance that has a stimulant or depressant effect on human beings and/or substantially resembles a controlled substance in appearance.

Alcoholic Beverage - An alcoholic beverage is any intoxicating liquor, wine or brewed or malt beverage regulated under the Liquor Code of the Commonwealth of Pennsylvania, Act of April 12, 1951, P.L. 90, and Art. 1, Section 101, et seq., as amended.

Mood-Altering Substance - Any substance inappropriately used by a student that is intended to alter mood or is a health endangering compound.

Transfer/Distribution - To deliver, sell, pass, give or share from one person to another or to aid therein.

Drug paraphernalia - Any utensil or item that, in the judgment of the Administration, can be associated with the use of drugs, alcohol, mood-altering or health endangering substances or as the term is defined in the Controlled Substance, Drug, Device and Cosmetic Act of the Commonwealth of Pennsylvania, Act of April 14, 1972, found in Purdon's Pennsylvania Statutes, 35 P.S. sections 780-101 through 780-144, as amended.

Violation of use and/or possession of any of the above substances will be evaluated on a case by case basis and will result in an out-of-school suspension of 3 to 10 days. Evaluation of the offense by the Superintendent will determine if referral to the School Board is appropriate.

Donegal School District considers the possession, use and/or transmission of any of the above substances or items on school property a serious offense. All violations shall be referred to the appropriate police departments for their disposition. None of the provisions of this policy shall be construed to prohibit or regulate student's use, possession or transportation of medication prescribed for the student by a licensed physician. Students using over the counter and prescription medications are required to follow the District Medication Policy.

Student Assistance Programs

Active Student Assistance Programs are in place at both the secondary schools in the District. The major focus of this program is to help students and parents experiencing problems related to drugs, alcohol and mental health issues to interface with agencies in the community which can provide ongoing counseling assistance. Level IV disciplinary violations involving substance abuse at the secondary level may require the student to participate in and successfully complete the Student Assistance Program assessment and any recommended counseling and/or interventions. At the Elementary School, Guidance Counselors and the Social Worker are in place to provide assistance to students and their parents in academic, social and behavioral areas.

A student with a drug-abuse related problem seeking help and advice from school personnel shall not be reported as an infraction of the prohibition and shall not be penalized. School personnel from whom the student requests assistance will refer the student to the appropriate counselor, school nurse, or designated member of the Student Assistance Program. Communication will be held confidential in accordance with Act 63 of 1972, unless immediate treatment appears necessary. If medical treatment appears necessary, the parents will be notified immediately.

NETWORK / INTERNET USE POLICY

Responsible Use Guidelines for the Internet

The Board recognizes the benefits of providing students and staff accesses to the Network/Internet. Students, staff and administrators of the Donegal School District have an opportunity to access the Internet to facilitate the need to prepare themselves to be computer literate in an increasingly technological world, to foster educational and personal growth in technology, to gather information and to improve communication skills. It is understood that the School District does not have sufficient staff to monitor every aspect of student use of the Network/Internet. Therefore, the purpose of the Acceptable Use of Network/Internet Guidelines of the School District is to foster independent use of the school District's network, subject to compliance with procedures and standards for appropriate network behavior and communications. The following Acceptable Use of Network/Internet Guidelines apply to all users when they access any network connection of Donegal School District.

It is understood that cooperation is critical in the use of the Network/Internet at the Donegal School District. The School District's goal is to use the Network/Internet to prepare students to become computer literate in an increasingly technological world. It is understood that a minor's independent use of the School District's network is necessary to attain such a goal, subject to the procedures and standards for appropriate network behavior.

Violation of these Acceptable Use of Network/Internet Guidelines may result in serious student discipline, subject to the Student Disciplinary Code and/or staff and administrative discipline and is subject to guidelines adopted by the Board of School Directors.

Only those individuals who fulfill the basic minimum skills necessary to obtain an account shall be authorized to use the network. The District reserves the right to update and/or modify the basic minimum skills necessary for network access.

Accessing or transferring materials to or from any Donegal School District network without the consent of the owner is a violation of federal law and is expressly prohibited.

It is understood that use of the network is a privilege. The primary use of the network shall be reserved to those individuals who utilize materials that are of "educational value" to students of the Donegal School District. For the purpose of these Guidelines, "educational value" shall mean those areas of network access that have a direct impact on the student's educational program at the School District. Use of the network for e-mail to be remitted to friends, chatting, social networking, reading jokes, blogging, searching sport sites, gaming or other actions that are not directly related to school curricula are not deemed to be of "educational value." Use of the system for defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening and racially offensive and/or illegal material or other prohibited activities shall not be permitted. The School District will use reasonable efforts to prevent such material from entering the school network, within the confines of the law. Individuals are encouraged to report such entry of material into the system to an administrator.

Use of electronic mail and other network communications facilities to harass, defame, offend or to disseminate defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or illegal material or to otherwise annoy other users of the network is forbidden. Each user has a responsibility to report all such violations. Only those contacts leading to appropriate “educational value” are permitted.

All users must recognize that email or network messages may contain thoughts, conclusions and certain biased perceptions that were never intended for publication. There may be liability for defamation for spreading false and disparaging information about third parties, particularly comments on students, employees or various vendors. Such discussions or use on the network is expressly prohibited.

No personnel or student information, which is protected by the Family Educational Rights and Privacy Act, shall be disseminated through the network.

All users of the network must comply with the electronic Communication Privacy Act of 1986, as amended and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of email messages by third parties, as well as online appropriateness of certain material being remitted on the Internet. The Act does permit interception or disclosure if either the sender or receiver of the communication consents. Further, the Act recognizes that the School District may monitor student and staff email messages, as long as the interception device is included in the email equipment.

Any attempt to research or circumvent system security, guess passwords or in any way gain unauthorized access to the network resources is forbidden and shall result in serious disciplinary action. Use of the Internet for commercial gain or profit is not allowed. Users may not move, repair, reconfigure, modify or attach external devices to the system without prior approval from the Administration. The District Administration reserves the right to monitor all network accounts. Additional rules and restrictions may be added at any time. Users are responsible for reading and following these rules. Time restrictions on use of the Internet may be imposed to ensure quality of use.

The District Administration reserves the right to use electronic devices, cards or any other media to monitor how individuals perform their research in order to determine whether or not an employee or student is using the system for items of true “educational value.” Professional employees of the school will assist in the monitoring of student use of the Internet. Students or employees who violate the network guidelines of the School District may be denied future network privileges for a defined period of time or be subject to additional disciplinary measures as set forth in the Student Code of Conduct or in any other rules of the District, which may be applicable.

Parents/Guardians will be asked to sign a form similar to the following:

I understand that the network has opened a vast resource for school entities throughout the United States. I understand students now have opportunities to access research databases that heretofore were unavailable to many schools. I understand the Internet opens up the possibility of students having access to possible defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or illegal material by “surfing through the Internet.” The Donegal School District will use its best efforts to limit such access to only areas of educational value. However, it is understood that no matter how much supervision and monitoring the School District provides, there will always be the potential of your child coming into contact with possibly defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or illegal material. We understand that because of First Amendment concerns, it is difficult to implement any form of monitoring system to filter through these kinds of materials. Notwithstanding this fact, we recognize the importance of our child(ren) becoming technologically aware in an increasingly technological society and we consent the use of the Internet.

Note: Access to the Network/Internet is not permitted until the parent/guardian returns a signed document granting permission for access. If the parent/guardian does not wish to grant permission for his/her child to use the Network/Internet, a written document signed by the parent stating that the student may not use the Network/Internet must be given to the appropriate building administrator each school year.

Students will be asked to sign a form similar to the following:

I have read, understand and WILL abide by the Donegal School District’s Acceptable Use of Network/Internet Guidelines. I realize that violation of these provisions may result in loss of Internet privileges, as well as serious disciplinary actions. This may include revocation or suspension, of network privileges and disciplinary consequences appropriate legal action.

Plagiarism/Cheating

Section 7324 of the Crimes Code of Pennsylvania makes it a misdemeanor of the third degree to offer for distribution any dissertation, thesis, term paper, essay, report or other written assignment or to sell or offer for distribution any assistance in the preparation of such assignments for submission to an educational institution to meet the requirements for a degree, diploma, certificate or course of study. *Assignment* means a written, recorded, pictorial, artistic or other academic task. *Prepare* means to create, write or in any way produce in whole or substantial part of any such assignment.

Furthermore, according to Writing Research Papers (8th ed.), author James D. Lester defines plagiarism as “purposely using another person’s writing as your own” (138). He further describes plagiarism as “the flagrant, dishonest use of sources without [accurate] documentation...” (140). Because academic integrity is important to the faculty and students of the Donegal School District and because plagiarism is a serious and legal issue facing students, the Donegal School District requires each student to conform to these rules of conduct when presenting another author’s ideas:

1. Acknowledge borrowed material by introducing the quotation or paraphrase with the name of the authority. This practice serves to indicate where the borrowed materials begin.
2. Enclose within quotation marks all quoted materials.
3. Make certain that paraphrased material has been *rewritten into your own style and language*. A simple rearrangement of sentence patterns is unacceptable.
4. Provide specific [accurate] in-text documentation for each borrowed item. For example, MLA style requires author’s name and page for all in-text references.
5. Provide an [accurate] bibliographic entry on the Works Cited page for every source cited in the paper.
6. Omit sources consulted but not cited in the text.

Students may routinely be required to provide reference materials to verify sources or a computer service may be used to verify the accurate use and citation of source material. Further, a check of sources may also be based on a random selection of students or an entire class. If the Administration agrees that plagiarism has occurred, the grade may be reduced.

The Donegal School District considers cheating or plagiarism a very serious offense. As a result we have taken a pro-active stance to preventing incidents of plagiarism through the use of a researched-based collegiate program entitled Turn-it-in.com. This computer program will determine beyond a reasonable doubt the originality of a student’s work while providing the tools necessary for helping students to learn to avoid using the work of others without granting the source due credit.

Cheating involves one or more of the following actions:

- To provide or use the work of another person as your own.
- To copy information from another student’s test, examination, book, report or paper.
- To plagiarize or to use another person’s idea.
- To prepare for cheating in advance such as having a copy of a test to be given or having been given, using the test or notes during a test or examination or talking while taking quizzes, tests or examinations.
- To fail to follow test procedures and/or instructions announced by a teacher (such as no talking, turning around in a seat, using notes, texts).
- To use any electronic device to aide in the educational endeavor.

When a teacher determines that an act of cheating/plagiarism has taken place, he/she will meet with the student, contact the parent and notify the Administration. A conference will be scheduled to discuss the incident. The student may be given an opportunity to redo the assignment or may receive a reduction in grade to as low as a “0%” as a consequence for plagiarism or cheating.

DISCIPLINARY OPTIONS

After/Before School Detention

Detention is the keeping of students before or after school hours for disciplinary purposes. Students involved will have advance notice in order to make transportation arrangements. Disciplinary detention procedures and scheduling will be determined at the building level.

In School Suspension

An In School Suspension Assignment is an administrative disciplinary action, which temporarily removes the student from his/her regular class schedule. The student is assigned to a highly structured, restrictive educational setting for a period of one to ten consecutive days. The student's educational progress, supervised by a staff member, continues within this setting. Credit is given for classroom work completed. (In School Suspension is held during regular school hours.) Privileges that were restricted as a result of the suspension are reinstated the morning following the last day of the suspension.

Exclusions from School

Suspension - Suspension is a severe administrative disciplinary action that is taken only when: (1) milder forms of disciplinary action have been ineffective in correcting the students behavior, (2) the student commits a violation found within the Level II, III, IV classification or (3) the student represents an immediate danger to him/herself or to the school community. During the period of the suspension, the student:

1. Must stay at home during regular school hours. Students may not go to work or run errands.
2. **Minor students must be supervised by an adult during the term of the suspension.**
3. May not enter school District property--at any hour of the day or night, except with prior approval of the Principal.
4. May not attend or participate in any school-sponsored activity--either curricular or extra-curricular.
5. Is expected to complete all assignments to the best of his/her ability. Completed assignments are to be submitted to teachers upon the student's return to school. A reduction in grade or no credit may be given for any work that is not completed.
6. Privileges that were restricted as a result of the out of school suspension maybe reinstated at the discretion of the Principal.

Suspension is exclusion from school for a period of 1 to 10 consecutive school days; suspensions will be assigned by the Administration. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. An attempt will be made to notify parents of the student on the day the suspension is imposed. The parents will also be notified in writing with a copy forwarded to the Superintendent's office.

Informal Hearing - When the suspension exceeds three (3) school days, the student and the parents will be given the opportunity for an informal hearing before the building administrator. The hearing shall be offered to be held within the first five (5) days of the suspension. The purpose of this informal hearing is to enable the student and the parent to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is intended to bring forth all relevant information regarding the event for which the student may be suspended and to encourage the student's parents to meet with the administrator to discuss ways to avoid future offenses.

Due Process Requirements - The following due process requirements are to be observed in regard to the informal hearing:

1. Notification of the reasons for the suspension shall be given in writing to parents or guardians and the student.
2. Sufficient notice of the time and place of the informal hearing shall be given. The informal hearing will take place within the first five (5) days of the suspension.
3. A student has the right to question any witness present at the hearing.
4. A student has the right to speak and produce witnesses on his/her own behalf.

Effect of Suspension – The following Effects of Suspension apply:

1. **EXAMS AND SCHOOL WORK:** Students shall have the responsibility to make up exams and work missed during the period of the suspension and shall be permitted to complete these assignments within guidelines established by the School Administration. Work not completed may be assigned a 0%.
2. **SCHOOL ACTIVITIES:** Students may not participate in any school activities during the period of suspension. Students are not permitted on any school property at any time during the period of suspension, except to confer with the administrator or to pick up or deliver work assignments at a time designated by the administrator.
3. **LOSS OF PRIVILEGES:** Students could lose school privileges following the suspension depending upon the severity of the offense. The type and length of lost privileges is to be determined by Administration.
4. **OUT OF SCHOOL SUSPENSION:** Athletes in grades 9-12 who violate Board Policy 227 may be removed from their athletic team for a time period determined by the Code of Conduct Committee.

Expulsion - Expulsion is exclusion from school imposed by the Board of School Directors for a period exceeding ten school days and may be permanent expulsion from the school rolls. All expulsions require either an Agreement and Waiver of Hearing and an Agreement for Expulsion signed by the student, parents(s) and School Board or a prior formal hearing before a committee of the Board of School Directors or a duly authorized committee of the board or a qualified hearing examiner appointed by the board. When the hearing is conducted by a committee of the board or a hearing examiner, a majority vote of the entire school board is required to expel a student. The formal hearing will be scheduled during the first ten days of the suspension. If it is impossible to schedule a hearing during this ten day period, the student may be returned to school pending the hearing.

Students who are less than 17 years of age are subject to the Compulsory School Attendance Laws even though expelled. The initial responsibility for providing the education rests with the student's parent or guardian through placement in another school or through tutoring or through an alternate educational program approved by the District. If the parents or guardians are unable to provide the required education, they must within thirty days submit to the District superintendent written evidence outlining the attempts which have been made and the reasons for non-compliance. If thirty days pass without the District receiving satisfactory evidence that the required education is being provided, the District will contact the parent. If these efforts are not productive, the District has the option to provide some alternate educational program or take action in accordance with Chapter 63 of The Juvenile Act (42 PA. C.S. 6301-6308).

Formal Hearing - The following due process procedures are to be observed with regard to the formal hearing:

1. Notification of the charges shall be sent to the student's parents or guardian by certified mail or courier delivery.
2. Notice of the time and place of the hearing must be given.
3. The hearing shall be held in private unless the student or parent requests a public hearing.
4. The student has the right to be represented by counsel.
5. The student has the right to be presented with the names of witnesses against the student and copies of the statements and affidavits of those witnesses.
6. The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.
7. The student has the right to testify and present witnesses on his or her own behalf.
8. A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at his or her own expense, to a copy of the transcript.
9. The proceeding shall be held within 15 school days of the notification of the charges, unless mutually agreed to by both parties. Hearings may be delayed for any of the reasons set forth in 22 Pa. Code 12.8(b)(9).

Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. Notice of a right to appeal the results of a hearing shall be provided to the student with the expulsion decision.

The Board of School Directors has defined the types of offenses that could lead to exclusion from school. These offenses may take the form of suspension or expulsion and include but are not limited to the following:

1. Insubordination or defying school authorities
2. Destruction or willful defacing of school property
3. Hazardous or unauthorized use of vehicles
4. Use, possession or distribution of dangerous drugs or drug-related paraphernalia as defined in the "Dangerous drugs, Device and Cosmetics Act"
5. Use, possession or distribution of "look-alike" drugs defined as a non-controlled substance that has a stimulant or Depressant effect on humans and resembles a controlled substance in appearance
6. Use, possession or distribution of anabolic steroids as defined in Act 93 of 1989
7. Use, possession or distribution of alcoholic beverages
8. Use, possession or distribution weapons or fireworks
9. Fighting or physical assault
10. Theft
11. Gambling
12. Use of profane language or obscene language or gestures
13. Disorderly, vicious, illegal or immoral conduct
14. Persistent or severe harassment, intimidation, extortion or bullying
15. Participation in or responsibility for causing damage, destruction or vandalism to District property or to the Personal property of District employees, whether on or off school premises.
16. Verbal or physical assault directed toward a District employee, either on or off school premises

17. Violation of any local, state or federal law, as appropriate
18. Persistent violation of school rules and regulations or an accumulation of minor offenses
19. Excessive unexcused absence or tardiness by a student not subject to compulsory attendance laws
20. Possession, use or distribution of any weapon as defined by Act 26 of 1995 to include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of inflicting serious bodily injury
21. Possession **or** use of any incendiary devices to include but not be limited to lighters or matches
22. Terroristic Threat/Bomb Threat
23. Possession, use or distribution of any replica or “look-alike” weapon as defined in School Board Policy.

BUILDING RULES AND REGULATIONS

Because of the organizational structure of the classroom, the teacher is responsible for developing a positive climate for learning within the classroom. Individual class rules will be developed by the teacher and communicated to the students throughout school year.

Regularly scheduled parent conferences and frequent parent contact are the primary thrust of discipline with children of school age. The teacher and parent may develop a plan to attempt to eliminate the source of any misconduct.

In cases of recurring misconduct, the teacher will refer the case to the administrator in charge of the building. The building administrator will determine the course of action to be followed in each case, consistent with the provisions of this Code.

Guidelines for Disciplinary Action: Elementary and Secondary

The Appendix outlines improper conduct that disrupts the normal educational process and classifies the conduct into four categories: Level I Violations, Level II Violations, Level III Violations and Level IV Violations. To provide consistency in the application of penalties, a guide to the classifications of misbehavior is included in the Appendix. It should be understood that the Appendix is a guide and individual cases may warrant the modification of classifications and penalties as deemed appropriate by the Administration.

ANY VIOLATION OF THIS CODE MAY ALSO VIOLATE THE EXTRACURRICULAR CONDUCT CODE AND BE SUBJECT TO THE PENALTIES CONTAINED THEREIN.

ALL DISCIPLINARY ACTIONS INVOLVING SPECIAL EDUCATION STUDENTS SHALL BE CONSISTENT WITH APPLICABLE STATE AND FEDERAL LAW AND REGULATIONS.

APPENDIX I-LEVELS OF DISCIPLINARY VIOLATIONS

Levels of Disciplinary Violations

Level I violations are those that are considered to be minor discipline infractions and are routinely handled by the teacher.

Level II violations are of a less serious nature than those outlined in Level III. Level II includes persistent violations within the Level I category as well as violations that are defined as Violations of the Attendance Policies of the Commonwealth of Pennsylvania and the Donegal School District. Level II violations are generally handled by an administrator.

Level III violations are those that are serious in nature and may result in discipline that includes an alternative education assignment, suspension and/or expulsion from school. Police may be notified depending upon the seriousness of the violation.

Level IV Violations are defined as follows:

- Any acts whose consequences endanger the health, safety or welfare of the individual or others in the school community.
- Acts which result in violence to another person or his/her property or the property of the school District. Such acts are usually malicious in their motivation and pose a threat to the safety of others in the school community.
- Possession, use or distribution of substances banned by school policy.
- Persistent disregard of school rules.

GRADES K-6
APPENDIX– LEVEL I VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary Options are examples of alternatives and should not be interpreted as an all-inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
<ul style="list-style-type: none"> • Running, throwing items, littering • Excessive talking • Minor horseplay/teasing • Dress code violation • Consumption of food and beverages outside the cafeteria • Late to class • Possession of an unauthorized device • Cafeteria or hall misbehavior • Incomplete academic work • Other improper conduct of a minor nature • Teasing 	<p>Procedure carried out by classroom teacher</p>	<ul style="list-style-type: none"> • Warning • Parent contact • Loss of Recess • Change in seating assignment • Referral to Guidance Counselor • Behavior contract • Teacher detention/ loss of recess

GRADES K-6
APPENDIX - LEVEL II VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary options listed are examples of alternatives and should not be interpreted as an all inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
Unlawful absence, full or partial day.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Detention • Suspension
Truancy, full or partial day...any absence for a student of any age that is unlawful and occurs without the consent of the parent or guardian.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Detention • Suspension
Unlawful tardiness to school.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Parent contact • Detention • Suspension
<ul style="list-style-type: none"> • Classroom disruption • Gambling • Improper hall behavior • Loitering in lavatories/ hallways • Minor insubordination/defiance • Dress code violation • Possession of an unauthorized device • Inappropriate language • Cafeteria misbehavior • Minor theft • Unauthorized solicitation • Rough horseplay • Misuse of pass • Misrepresentation of the truth • Other improper conduct • Restroom misbehavior • Plagiarism • Bullying • Failure to serve detention 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Parent contact • Warning • Loss of recess • Withdraw privileges • Change or alter clothing to comply with dress code • Detention • Suspension • Restitution for all damage or loss if appropriate.

GRADES K-6
APPENDIX - LEVEL III VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary options listed are examples of alternatives and should not to be interpreted as an all inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
<ul style="list-style-type: none"> • Using profane or obscene language/gestures • Being in unauthorized area of bldg • Chronic disruption to the learning environment 	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p>	<ul style="list-style-type: none"> • Parent contact • Loss of recess • Detention • Suspension • Expulsion
<ul style="list-style-type: none"> • Insubordination, defiance, verbal disrespect (including obscene language and/or gestures) indirectly toward any adult (substitute) • Theft • Forgery • Harassment: including verbal, physical, racial, ethnic or sexual harassment – person to person or through electronic means • Hazing • Direct or indirect threat • Possession of lighters or other incendiary devices • Insubordination • Inappropriate distribution of material(s) • Possession of unauthorized material(s)/object(s) • Persistent violation of Level I or II violations • Leaving school (building and/or grounds) without permission • Cheating • Disorderly, vicious or immoral conduct • Aiding or abetting in the delinquency of a student • Unlawful trespass • Defiance/disrespect/repeated insubordination • Other improper conduct of a serious nature 	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p>	<ul style="list-style-type: none"> • Parent contact • Detention • Suspension • Police notification • Restitution for all damages or loss if appropriate • Expulsion
<p>Pushing, shoving, hitting, fighting, assaulting, biting, tripping, kicking, etc.</p>	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p>	<ul style="list-style-type: none"> • Parent contact • Detention • Suspension • Expulsion • Police notification
<p>Violation of computer, internet access, filtering policy; blogging</p>	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p>	<ul style="list-style-type: none"> • Parent contact • Denied computer/internet privileges

Donegal School District
Student Code of Conduct

Examples of Violations	Procedure	Disciplinary Options
		<ul style="list-style-type: none"> • Detention • Suspension • Expulsion • Police notification
Possession or use of tobacco	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Parent contact • Required contact with Magistrate for a civil offense carrying a penalty of at least \$50 plus costs • Suspension • Police Notification
Violation of the District Medication Policy	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police Notification

GRADES K-6
APPENDIX - LEVEL IV VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary Options are examples of alternatives and should not be interpreted as an all-inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
Use, possession or being under the influence of a non-prescribed controlled substance, alcohol, mood-altering substance or "look-alike drugs". Use or possession of drug paraphernalia.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing with school board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police notification •
Sale or distribution of an over the counter and/or a controlled substance, mood-altering substance, "look-alike drugs," alcohol or dangerous drugs or drug related paraphernalia as defined in the "Dangerous Drugs, Device and Cosmetic Act."	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Parent contact • Police notification
Possession, use or distribution of a weapon, fireworks, fire making devices, hazardous material, or ammunition	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible hearing before the School Board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police notification
<ul style="list-style-type: none"> • Using of profane or obscene language/gestures directly toward any adult (substitute) • Fighting • Major theft • Physical assault directed toward a student/staff. • Participation in or responsibility for causing willful defacing, damage destruction or vandalism of school property or of personal property of District employees. • Sexting • Extortion • Terroristic and/or Bomb Threat/Action • Other improper conduct of a very serious nature 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police notification • Restitution for damages or loss.
Violation of any federal, state or local law while on school property or at any school event.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police notification • Restitution for all damage or loss if appropriate.

GRADES 7-12
APPENDIX – LEVEL I VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary Options are examples of alternatives and should not be interpreted as an all-inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
<ul style="list-style-type: none"> • Running, throwing items, littering • Classroom Disruption • Minor horseplay/teasing • Dress Code violation • Consumption of food and beverages outside the cafeteria • Late to class • Possession of an unauthorized device, i.e. cell phone, IPOD, DS • Cafeteria or hall misbehavior • Other improper conduct of a minor nature • Bullying • Harassment • Incomplete academic work 	<p>Procedure carried out by classroom teacher</p>	<ul style="list-style-type: none"> • Warning • Parent contact • Loss of privileges • Change in seating assignment • Referral to Guidance Counselor • Behavior contract • Teacher detention • Detention

GRADES 7-12
APPENDIX – LEVEL II VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary Options are examples of alternatives and should not be interpreted as an all-inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
Unlawful absence, full or partial day.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Detention • Suspension • Expulsion
Truancy, full or partial day – any absence for a student of any age that is either unlawful and occurs without the consent of the parent or guardian.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Detention • Suspension • Expulsion
Unlawful tardiness to school.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Appropriate aspects of state law shall be enforced. • Parent contact • Detention • Suspension • Expulsion
Persistent Level I violation to include, but are not limited to: <ul style="list-style-type: none"> • Classroom disruption • Improper hall behavior • Loitering in lavatories/hallways • Late to class • Misuse of pass • Public display of affection • Consumption of food or beverage outside the cafeteria • Failure to report to or remain in an assigned area • Failure to serve assigned detentions • Misrepresentation of the truth • Minor insubordination/defiance • Dress code violation • Possession of an unauthorized device, i.e. cell phone, IPOD • Inappropriate language • Cafeteria misbehavior • Leaving the building without permission • Unauthorized solicitation • Harassment • Other improper conduct 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Parent contact • Warning • Guidance Counselor referral • Detention • Change or alter clothing to comply with dress code • Suspension • Expulsion
<ul style="list-style-type: none"> • Parking in an unauthorized area • Unregistered vehicle • Parking illegally 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Loss of parking/driving privileges • Fines • Towing and restitution for costs incurred

GRADES 7-12
APPENDIX - LEVEL III VIOLATIONS

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary options listed are examples of alternatives and are should not be interpreted as an all inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
<ul style="list-style-type: none"> • Using profane or obscene language/gestures • Being in an unauthorized area of the building • Chronic disruption to the learning environment • Gambling 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Detention • Suspension • Expulsion • Police notification
<ul style="list-style-type: none"> • Insubordination • Defiance • Verbal disrespect (including obscene language and/or gestures) toward staff • Forgery • Theft • Harassment: including verbal, physical, racial, ethnic or sexual harassment – person to person or through electronic means • Hazing • Direct or indirect threat • Extortion • Persistent violations of school rules • Cyberbullying • Leaving school (building and/or grounds) without permission • Disorderly, vicious or immoral conduct • Aiding or abetting in the delinquency of a student • Unlawful trespass • Other improper conduct of a serious nature 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Detention • Suspension • Expulsion • Police notification • Restitution for all damage or loss if appropriate
Fighting and/or physical contact.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	An evaluation of the incident by the administration, will determine whether suspension from one (1) to ten (10) days will be assigned. Police notification.
<p>Violation of computer, internet access, filtering policy, blogging, gaming, attempt to research or circumvent system security.</p> <p>Use, possession or distribution of a weapon, fireworks or fire making equipment.</p>	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Denied computer/internet privileges. • Suspension • Expulsion • Police notification • Parent Contact
Possession or use of tobacco products.	The Administrator will evaluate the violation and determine the	<ul style="list-style-type: none"> • Suspension • Police notification

Examples of Violations	Procedure	Disciplinary Options
	appropriate disciplinary option(s).	<ul style="list-style-type: none"> • Required contact with magistrate for a civil offense carrying a penalty of at least \$50 plus court costs • Parent contact
Violation of the District Medication Policy	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p> <p>Possible referral for hearing before School Board.</p>	<ul style="list-style-type: none"> • Suspension • Expulsion • Police notification • Parent contact

GRADES 7-12
APPENDIX – LEVEL IV VIOLATION

Seriousness of the violation may require initiation of discipline at a higher level as deemed appropriate by the Administration. Disciplinary Options are examples of alternatives and should not be interpreted as an all-inclusive sequential list.

Examples of Violations	Procedure	Disciplinary Options
Persistent violations of Level III	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board	<ul style="list-style-type: none"> • Parent Contact • Suspension • Expulsion • Police Notification
Use, possession or being under the influence of a non-prescribed controlled substance, over the counter medications, alcohol, mood-altering substance or “look-alike drugs”. Use, possession or distribution of drug paraphernalia.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent Contact • Suspension • Expulsion • Police notification
Use, possession, sale or distribution of a controlled substance, mood-altering substance, “look-alike drugs,” alcohol or dangerous drugs or drug related paraphernalia as defined in the “Dangerous Drugs, Device and Cosmetic Act.”	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent Contact • Suspension • Expulsion • Police notification
Use, possession or distribution of a weapon, fireworks or fire making equipment.	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent Contact • Suspension • Expulsion • Police notification
<ul style="list-style-type: none"> • Physical assault directed toward a student/staff. • Participation in or responsibility for causing willful defacing, damage destruction or vandalism of school property or of personal property of District employees. • Terrorist, i.e. Treat/Action • Bomb threat • Use of profane gestures or language toward staff • Fighting • Major theft • Cyber Bulling • Sexting • Harassment: including verbal, physical, racial, ethnic or sexual harassment – person to person or through electronic means • Violation of suspension 	The Administrator will evaluate the violation and determine the appropriate disciplinary option(s). Possible referral for hearing before the School Board.	<ul style="list-style-type: none"> • Parent contact • Suspension • Expulsion • Police notification • Restitution for damages or loss

Examples of Violations	Procedure	Disciplinary Options
<ul style="list-style-type: none"> Other improper conduct of a very serious nature 		
<ul style="list-style-type: none"> Violation of any federal, state, or local law while on school property or at any school event. 	<p>The Administrator will evaluate the violation and determine the appropriate disciplinary option(s).</p> <p>Possible referral for hearing before the School Board.</p>	<ul style="list-style-type: none"> Parent contact Suspension Expulsion Police notification Restitution for all damage or loss.

APPENDIX II-TRANSPORTATION

Transportation is provided to students enrolled in the Donegal School District in order to assure equal educational opportunity to all students by making it possible for them to attend school. This is a contracted service. The drivers do not work for the Donegal School District. They are, nevertheless, in charge of students while they are on the school bus. In the event a student's behavior on the bus becomes a problem, the driver will submit a report to the appropriate administrator. The main objective of the transportation services is the safety of the children.

School Attendance Areas

The attendance area for each school located in the Donegal School District shall be designated by the Board of School Directors. Students shall attend the school within their attendance area. The residence of the student shall be considered the same as the residence of the parents or other legally appointed guardian. Request for exceptions to this policy shall be investigated and are subject to approval by the Superintendent.

Upon approval of the Superintendent a student, who attends a school outside their residence area, the parents/legal guardian must take full responsibility for transporting such student to and from school.

Student Conduct

The administrator of the school is responsible for seeing that the conduct of the students while on the bus, is in conformity with the Transportation Rules for Students. The authority to deny transportation privileges to any student rests with the administrator, or designee, of the school. Administrators will exercise the authority and responsibility of their offices to ensure appropriate student behavior on school buses and to see that those personnel assigned to supervise bus transportation handle the disciplinary problems on buses in a firm and reasonable manner.

The administration of the school is responsible for seeing that the conduct of the students, while on the bus, is in conformity with the "Transportation Rules for Students," which are to be posted. Cameras may be used on buses to monitor safety and behavior. Video recording may be used for disciplinary and/or criminal proceedings.

Discipline Procedures

Students who are assigned to ride buses that service Donegal School District must assume certain responsibilities. As such, students who are assigned to ride Donegal School District buses will conduct themselves in a manner that is not hazardous to other students and the safe operation of the school bus. All student discipline policies of the Board of School Directors will apply to all students on school buses.

When the administration is advised of a violation of the "Transportation Rules for Students" and where the principal determines, as a result of the investigation, that a major violation of the "Transportation Rules for Students" has occurred, the following options shall be available for use by the administration:

Level I—Offenses/violations will be addressed by the bus driver.

Level II—Offenses/violations will be addressed by the administration. At the K-6 level, after three (3) cumulative Level II violations, all subsequent violations will be considered major offenses. At the 7-12 level, one (1) level II violation, all subsequent violations will be considered major offenses and will result in suspension off the bus.

Level III and /or Level IV will be considered major offenses.

Major offenses will follow the following progression:

FIRST MAJOR OFFENSE –Parent conference (either in person, by telephone conversation, letter or e-mail) and, if deemed appropriate by the Administration, withdrawal of transportation services for not less than one (1) school day to ninety (90) school days.

SECOND MAJOR OFFENSE –Parent conference (either in person, by telephone conversation, letter or e-mail), and, if deemed appropriate by the Administration, withdrawal of transportation services for not less than three (3) school days to ninety (90) school days.

THIRD MAJOR OFFENSE –Parent conference (either in person, by telephone conversation, letter or e-mail) and withdrawal of transportation services for not less than five (5) school days to ninety (90) school days.

FOURTH MAJOR OFFENSE—Parent conference (either in person, by telephone conversation, letter or e-mail)and withdrawal of transportation services for not less than seven (7) school days and, if appropriate, for not less than ninety (90) school days.

FIFTH MAJOR OFFENSE –Parent conference (either in person, by telephone conversation, letter or e-mail) and withdrawal of transportation services for not less than ten (10) school days and, if appropriate, for not less than ninety (90) school days.

SIXTH MAJOR OFFENSE—Violation of the “Transportation Rules for Students” may result in a suspension from school and off the bus for the remainder of the year. Also, any act by a student which contributes to a school bus accident will be reported to the police officer investigating the incident.

Responsibilities of Parents

Each parent has a definite role in the safe and efficient operation of a school’s transportation system. If the transportation program, as a whole, is to function effectively, the parents must assume their responsibilities to the program and extend cooperation and support to the people charged with its operation.

Parents should be aware that the privilege to ride a school bus may be temporarily or permanently revoked if the “Transportation Rules for Students” are violated.

Parents are responsible for the safety of their children from the time they leave home in the morning, until the time they board the school bus; and at the end of the school day, from the time the school bus departs the bus stop and the children reach home. Once the child enters the school bus, the responsibility lies with the bus driver and the school Administration. In order to ensure the safe and efficient operation of the student transportation program, parents must also accept the responsibilities to:

1. Cooperate with the school authorities and the school bus driver in promoting safe and efficient services for all passengers.
2. Insist upon good behavior on the part of their children while riding the school bus.
3. Insist that their children occupy the seats which have been assigned to them.
4. Instruct their children as to their responsibility for damages caused to the property of others, including the school bus.
5. Inform their children that they should arrive at the designated school bus stop at least five (5) minutes before the scheduled arrival time of the school bus.
6. Walk with younger children to and from the school bus stop, using this opportunity to teach the children proper pedestrian practices. If the parents cannot accompany their children, arrangements should be made, if possible, for older children (brothers, sisters or neighbors) to escort the younger children to and from the school bus stop.
7. Encourage their children to obey all traffic rules, signs and signals.
8. Set an example for their children by their own safety practices.
9. Inform their children of the transportation rules for students.

Transportation Rules for Students

The following additional transportation rules apply to all students riding school buses to and from schools in the Donegal School District. In addition, all other policies adopted by the Board of School Directors regarding student behavior on school property will be enforced on Donegal School District buses.

1. Students violating the transportation rules may have transportation be suspended or revoked for the entire school year.
2. The driver shall be in full charge of the school bus and the students, except in the presence of a designated employee, who shall then be in charge of the students. If a student fails to obey the driver, it will be considered an act of insubordination. (III)
3. Students must be at the bus stop at least five (5) minutes before the scheduled arrival time of the bus. (I)
4. Students may only board or disembark from the bus at the stop to which they are officially assigned. Students may not leave the bus on the way to or from school without permission of the driver. Requests from parents for the student to ride other buses must be made in writing and state the reason for the request. Prior administrator approval is required and the availability of a seat will be the first consideration in this decision; many of the Donegal school busses are filled to capacity.
5. Students will sit in the seat that has been assigned to them by the driver and/or administration. (II)
6. Students must face forward at all times and keep their arms, legs and personal items out of the aisle. (I)
7. Students must remain in their seats when the bus is in motion. Changing seats while the bus is in motion is prohibited. (II)
8. Pushing, hitting, kicking, or tripping another individual out of the seat and/or on the bus is prohibited. (III)
9. Throwing objects of any nature on the bus, or out of the window, at any time is prohibited. (III)
10. Students must not extend any part of their bodies through bus windows. (II)
11. Students must converse in a normal manner. Loud, profane or obscene language or gestures will not be permitted. (III)
12. With the exception of their books or other school equipment, students may not transport other items on the bus without the permission of the driver. (I)
13. Large items such as musical instruments, school projects or fundraising items may not be transported on the bus when they are of such a size that they cannot be held on the student's lap along with the student's other belongs. Students who wish to transport musical instruments, school projects or fundraising items on the school bus, must have prior approval from the bus driver. (I)
14. Fundraising items may not be bought or sold on the bus. (II)
15. Students should cooperate in keeping the bus clean and must not damage it. Any participation in willfully defacing, damaging, destruction of, or vandalism to a school bus will result in the immediate suspension of transportation services for the student or students involved. In addition, the cost of repairing the bus must be satisfactorily settled in order to participate in school activities. (III)
16. Students may not eat, drink or chew gum on the bus. Food and beverages may not be visible while the student is on the bus. (I)
17. Students are not permitted to have cell phones on or visible while on the bus. (II)
18. Students may play radios, CD players or other such devices with headphones on the bus and the permission of the driver and Administration. Responsibility for such items shall lie solely with the student. Neither the District nor the Contractor shall be responsible for loss or damage to said radios, CD players or other electronic devices with headphones. (II)
19. Students may not use cameras, cell phones or other electronic devices to take and/or distribute pictures and/or videos while on the bus. (III)
20. Bullying harassment through electronic means is prohibited. (III)
21. No glass items, weapons, ammunition, firecrackers, fire making devices, live animals or any items or substances prohibited in school are to be transported on buses. (IV)
22. Students may not spray or apply cologne, perfume or deodorant of any kind while on the bus. (III)
23. Students serving in school suspension for a bus infraction may not ride the bus while they are on suspension. (III)
24. Students are not permitted to have items hanging off book bags, as this presents a safety hazard to students. (I)

Responsibilities of Contractors and Drivers

1. It shall be the responsibility of the school bus driver to meet the qualifications prescribed by federal, state and local laws and regulations. Regular drivers and substitute drivers must be approved by the Board of School Directors for the Donegal School District.
2. The school bus driver shall be in full charge of the school bus and the students, except in the presence of a school District employee, who shall then be in charge of the students.

**APPENDIX III - AGREEMENT FOR PARTICIPATION IN
EXTRACURRICULAR ACTIVITIES FORM**

**DONEGAL SCHOOL DISTRICT
MOUNT JOY PA 17552**

CODE OF CONDUCT FOR EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES

1. The administration, teachers, advisors and coaches of Donegal School District consider participation in student extra-curricular and co-curricular activities to be a privilege, not a right. Students who participate in these programs are expected to accept the guidelines and responsibilities granted them by this privilege (22 P.S. 511). This Code of Conduct remains in effect 24 hours a day, seven days a week from the first official day of the organization until the last official day of the activity, club, camp, or athletic season. When the student is participating in extra-curricular or co-curricular activities during summer months, which are conducted under the supervision of a school district employee, this Code of Conduct will also remain in effect.
2. The following shall be considered violations:
 - a. Use and/or possession of a controlled substance as defined in Donegal School Board Policy 227.
 - b. Prolonged presence where controlled substances as defined in Donegal School Board Policy 227 are being used illegally. It is the student's responsibility to remove him/herself immediately from the situation.
3. Any violation of Donegal School Board Policy 227 shall warrant automatic and direct consideration by the Code of Conduct Committee and shall result in one of the following disciplinary action(s):

Level I (first offense): Suspension from **all** extra-curricular and co-curricular activities for a minimum of 30 calendar days (excluding Sundays) from the date of the infraction or upon the completion of an investigation by school personnel. Students will also forfeit all awards, letters, recognition, and banquet attendance for the extra-curricular or co-curricular activity/activities they were involved with at time of the offense. This includes all practices, contests, extra-curricular and co-curricular activities, excluding baccalaureate and graduation.

Level II (second offense): Suspension from **all** extra-curricular and co-curricular activities for a minimum of 90 calendar days (excluding Sundays) from the date of the infraction or upon the completion of an investigation by school personnel. Students will also forfeit all awards, letters, recognition, and banquet attendance for the extra-curricular or co-curricular activity/activities they were involved with at time of the offense. This includes all practices, contests, extra-curricular and co-curricular activities, excluding baccalaureate and graduation.

Level III (third offense): Suspension from **all** extra-curricular and co-curricular activities for a minimum of 365 calendar days from the date of the infraction or upon the completion of an investigation by school personnel. Students will also forfeit all awards, letters, recognition, and banquet attendance for the extra-curricular or co-curricular activity/activities they were involved with at time of the offense. This includes all practices, contests, extra-curricular and co-curricular activities, excluding baccalaureate and graduation.

4. **SAP Program:** In addition to the disciplinary action, the student(s) must also successfully follow the recommendations of the SAP team before reinstatement to the activity can occur. If the violation occurs in the summer, the student must provide documentation of a drug and alcohol assessment from the Lancaster Guidance Center or another approved provider. If a student does not participate or begins but does not complete the assessment process and/or does not follow the recommendation of the SAP team, he/she is subject to additional days of suspension from **all** extra-curricular and co-curricular activities. The duration of this additional suspension period will be decided by the Code of Conduct Committee.

NOTE: The SAP group is a multi-disciplinary team composed of school personnel (teachers, staff, administrators, nurses and counselors) which has been trained to understand and work with adolescent chemical use, abuse and dependency. The committee will perform an assessment and make recommendations for further treatment and/or actions. Parental participation is required.

5. The Code of Conduct shall not preclude other action(s) by school or law enforcement authorities, such as but not limited to arrests, fines, probation, suspensions or expulsions.

6. A student may not resume participation in school activities without a written medical determination that no residual evidence of a controlled substance exists, regardless of the level of the violation or type of offense.

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7. The following are other actions which shall warrant automatic and direct consideration by the Code of Conduct Committee and which shall result in disciplinary consequences:
 - a. Social misconduct on or off school grounds.
 - b. Declaration of delinquency by the courts.
 - c. Conduct which reflects unfavorably upon the school district, staff, administration, and/or student body.
 - d. Conduct which adversely affects the morale of the school district and/or any student organization.
 - e. Disruption of the orderly operation of extra-curricular and co-curricular activities and/or the educational environment.
8. Students are required to serve all disciplinary flexes, detentions, and/or suspensions on the date and time they are assigned. Extra-curricular and co-curricular activities are not an excuse for not serving the assigned discipline.
9. If a student is assigned an in-school suspension, the student will be ineligible to participate in practices, dressing for a game, or the game itself held on the day of the suspension assignment. A student serving multiple days of in-school suspension which fall over a week-end in which events are taking place would be ineligible to participate in those week-end events.

DISQUALIFICATION FROM CONTESTS

Any contestant ejected from a contest by a state high school association recognized and/or registered official in that sport for unsportsmanlike conduct or flagrant misconduct shall be disqualified from participating for the remainder of the day and in the next contest on the next play day at the same level (varsity, junior varsity or otherwise).

Any contestant ejected from the last contest in that sport in a sport season shall be disqualified from participating in the first contest in that sport in the subsequent sport season, at any level of competition at any school.

Any student disqualified from a contest will be prohibited from attending the contest from which he/she has been disqualified.

HAZING, BULLYING AND HARASSING

Donegal is committed to maintaining a safe, positive environment for students and staff; one that is free from hazing, bullying and harassing. Hazing, bullying and harassing are prohibited at all times.

Hazing and bullying are defined as any activities that recklessly or intentionally endanger the mental health, physical health or safety of a student for the purpose of initiation or membership in or affiliation with any organization recognized by the Board.

Any hazing or bullying activity, whether by an individual or a group, shall be presumed to be a forced activity, even if a student willingly participates.

The Board encourages students who have been subjected to hazing or bullying to promptly report such incidents to the building principal.

District administrators shall investigate promptly all complaints of hazing and bullying and administer appropriate discipline to any individual who violates this policy.

It is the policy of the Donegal School District to maintain a learning and working environment that is free from harassment in any form, including slurs, jokes, or other verbal, graphic, or physical conduct relating to a person's race, color, religion, ancestry, ethnic background, sex, age, physical condition/disability, among others. It is considered unlawful for any person to harass another person through any conduct or communication which creates an intimidating, hostile or offensive environment.

The Board encourages students who have been harassed to report promptly, orally or in writing, to a designated employee, who shall inform the student of his/her rights and of the complaint process. Students may choose to report harassment complaints to:

- building principals
- teachers
- counselors
- nurses
- administrators

The Board directs that complaints of harassment shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisal nor retaliation shall occur as a result of good faith charges of harassment. Founded incidents will be dealt with as a violation of the student Code of Conduct.

ATTENDANCE

Students must be in school for 180 minutes per school day in order to be eligible for all clubs, activities, and/or practices and/or contests. This excludes funerals, job shadowing, and college visitations. A student, who is excused and/or unexcused absent from school for a total of 20 or more school days (7,820 minutes) during one semester, shall not be eligible to participate in any club, activity, and/or athletic contest/practice until the student is in attendance for a total of 60 school days (23,400 minutes). On the 61st school day following the twentieth day of absence, the student will be reinstated to extra-curricular and co-curricular activities.

ACADEMICS

If a student is failing one class, (reported every Friday), he/she shall be placed on probation for a one-week period. If at the end of that probationary week, the student is still failing the same class, he/she will become ineligible for a one week period (Sunday-Saturday).

If a student is failing two or more classes, (reported every Friday), he/she will become ineligible immediately for the duration of a period of one week (Sunday-Saturday).

In cases when a student's final grade for a semester does not meet the standards of "passing all credits and the percentage must be 60% or above in all classes," said student shall be ineligible to participate in interscholastic athletics for the first twenty (20) school days of the next grading period.

Students who attend summer school and correct their deficiencies, shall be eligible.

ENFORCEMENT BODIES

1. All advisors and coaches, in consultation with the administration, shall have the full authority to enforce the Code of Conduct, including the right to suspend or remove a student from the extra-curricular or co-curricular activity.
2. Should the student feel aggrieved by the decision of the coach, the student may appeal to the Code of Conduct Committee by filing with the Athletic Director, in writing, a request for appeal. The case shall be heard within ten school days of the receipt of the written appeal.
3. Should the student feel aggrieved by the decision of the Code of Conduct Committee, the student may appeal to the Superintendent by filing with the Athletic Director, in writing, a second letter of appeal. The case shall be heard within ten school days of the receipt of the second level appeal.
4. On appeal, the decision of the Superintendent will be final as to matters of fact and penalty imposed.
5. The Code of Conduct Committee will be comprised of:
 - Principal and/or Assistant Principal
 - Athletic Director
 - 3 coaches out-of-season
 - 2 advisors of a co-curricular activity/club

CODE OF CONDUCT FOR EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES

SIGNATURES OF ACCEPTANCE

In order to participate in **all** extra-curricular or co-curricular activities in the Donegal School District, all students and parents are required to formally accept the “Code of Conduct.”

“I have read the Code of Conduct and hereby accept the regulations as stated in this document. I will represent the Donegal School District in a faithful and responsible manner, adhering to its policies, procedures, and expectations for conduct.”

Extra-Curricular/Co-Curricular Activity

Name of Student (Please Print)

Grade

Signature of Student

Date

Signature of Parent/Guardian

Date

Students are required to sign this contract for each activity they choose to join. This Code of Conduct must be returned to the coach or advisor BEFORE the student is permitted to practice and/or participate in the extra-curricular or co-curricular activity.

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