

2019-2020



Student Handbook & Code of Conduct

*Creating a culture of high expectations,
collaboration, respect and accountability.*



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A Message from Superintendent Brian J. Polito

Dear Students and Families:

On behalf of the Board of School Directors and our teachers, principals and staff, I am pleased to welcome you to Erie's Public Schools for the 2019-2020 academic year. It is truly an honor for us to serve the students of the City of Erie and we look forward to working with you to make this school year a positive one.

Whether you have just enrolled your child for PreK or you are reading this as you prepare to graduate from one of our high schools next June, I ask that you take ownership of your success this school year — this handbook contains important information to help you do just that.

Please read the following document carefully. This resource is designed to provide information about programs and services offered in Erie's Public Schools and to specify the rules that will help us provide all students with a quality education in a safe and supportive learning environment. For our new families, this resource will acquaint you with the district, and for our returning families it will serve as a review.

The expectations for all students are stated clearly in the *Student Code of Conduct* that follows. School regulations and policies should be read carefully as all students are expected to know, understand and follow these guidelines. The policies you will see here have been approved by the Board of School Directors and are the result of significant input from teachers, parents and administrators on the expectations and disciplinary consequences necessary to ensure all students can achieve their academic and personal goals. We believe that in an environment of high expectations, trust, collaboration and respect, we ALL can learn.

If you have a specific question regarding this handbook, please contact your school principal and/or teacher.

Thank you for choosing to attend Erie's Public Schools, and please accept my best wishes for a safe and productive 2019-2020 school year.

Sincerely,
Brian J. Polito, CPA

A handwritten signature in blue ink, appearing to read "B. Polito", is written over a light blue horizontal line.

Superintendent of Schools

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SECTION 1 — INTRODUCTION

The policies set forth in this handbook apply to students attending Erie's Public Schools (EPS). This handbook also contains additional information for students and families.

EPS is committed to excellence for all students. The discipline policy outlined within this handbook is not a means of punishment; rather it is a set of consequences to improve student behavior.

The contents of the Student Code of Conduct section are presented in alphabetical order. Disciplinary consequences are assigned to each infraction. The most serious "Level III infractions," which include Assault/Physical Acts of Violence, Unauthorized Substances, Terroristic Threats/Terroristic Acts and Weapons will result in immediate removal from the regular classroom, pending placement in an Alternative Education Program, or discipline up to and including expulsion from Erie's Public Schools by the Board of Directors. Other infractions will be dealt with as the severity dictates.

As provided by Section 510 of the Pennsylvania Public School Code, all disciplinary infractions apply to student behavior when students are going to and returning from school and school-sponsored events, and at all school sponsored activities including graduation, dances, field trips, etc.

The District recognizes that children in the District's elementary and middle schools are of the age and developmental level that the Administration and the Superintendent need more discretion than at the secondary or high school level when assigning consequences for the discipline of students. This greater flexibility allows the Administration and the Superintendent to utilize interventions in response to student behaviors, either in conjunction with, in addition to, or in lieu of the disciplinary consequences set forth in this policy, when the circumstances so warrant, while at the same time maintaining safety and order within the schools of the District.

For students at the high school level who commit violations beyond the offenses listed, disciplinary penalties may be increased progressively and may be treated immediately as a second or third offense. In the event that multiple violations are committed during the same incident, discipline will be administered based upon the most serious violation. These measures will not only create and maintain a safe environment within the school building for all students, but will also ensure the safety of students coming to and going from school and school-sponsored events. Infractions which are in violation of federal, Pennsylvania or local law could result in adjudication by various law enforcement agencies.

Prior to imposing consequences on any student, each infraction will be thoroughly investigated by school building administrative staff. Students will be afforded the appropriate level of due process, and parent/student/staff conferences will be scheduled to discuss the problem and disciplinary action as required by Pennsylvania law. Students may be referred for counseling via the school counselor, student assistance program (SAP), or other counseling services.

School officials have the authority to search a student when they have reasonable suspicion that a particular student has violated or is violating the rules of EPS or the law and that the search may produce evidence of such violation.

Student discipline records will remain a part of the student's education records. When a student transfers to EPS, a certified copy of the student's discipline record is requested and obtained from the school entity from which the student is transferring. The same is true when a student transfers out of EPS. This record shall be maintained as part of the student's permanent discipline record and shall be made available for inspection as required by law and pursuant to the District's student records policies.



SECTION 2 — RIGHTS OF STUDENTS, PARENTS AND STAFF

The rights of students, parents, and staff are those guaranteed to all citizens in accord with the Constitution of the United States, the laws of the Commonwealth of Pennsylvania, and the rules and regulations of the Pennsylvania Department of Education.

A. RESPONSIBILITIES OF STUDENTS:

1. *Accept each person as an individual human being and promote intercultural and group relations and understanding.*
2. *Apply abilities and interests to the improvement of a knowledge base and to the development and application of learning skills.*
3. *Recognize and function within the policies established by the School Board and school officials.*
4. *Attend school for the purpose of obtaining a quality and meaningful education.*
5. *Abide by rules and regulations necessary for the orderly conduct of school activities by the administration and faculty.*
6. *Implement and abide by rules and regulations developed through the cooperation of student-faculty committees.*
7. *Contribute cooperatively toward the improvement of the teaching-learning situation and strive for the overall betterment of the total school environment.*
8. *Maintain respect for school officials and other students and exhibit conduct reflecting self-control, self-regulation and self-discipline.*

B. RESPONSIBILITIES OF PARENTS/GUARDIANS:

1. *Exemplify an enthusiastic and supportive attitude toward work and education.*
2. *Build a good working relationship between themselves and school personnel.*
3. *Teach their children self-respect, self-control, respect for the law, respect for others and the property of others, and accountability for their actions.*
4. *Insist on prompt and regular attendance.*
5. *Encourage their children to take pride in their appearance.*
6. *Cooperate with the school in jointly resolving school-related problems.*
7. *Become involved in the school.*
8. *Set realistic standards of behavior for their children.*
9. *Help their children develop skills to withstand negative peer pressure.*
10. *Provide a place conducive for study and the completion of homework assignments.*
11. *Motivate their children to develop a keen interest in learning and exploring multiple fields of knowledge.*
12. *Review the Student Handbook as a family, being especially aware of attendance, discipline policies.*
13. *Make sure that their children are in good health. Good health is essential to ensure effective classroom performance.*
14. *Learn all they can about the curriculum and curriculum activities.*
15. *Attend parent/teacher conferences, parent/teacher organization meetings, and special events sponsored by the school.*
16. *Be aware that they are responsible should their children have any financial obligations. These include, but are not limited to, lost books, fines, and damage of property.*

C. RESPONSIBILITIES OF TEACHERS/STAFF:

1. *Promote a climate of mutual respect and dignity which will strengthen the student's self-image.*
2. *Utilize classroom strategies and techniques that contribute to student success.*
3. *Teach students the skills to become responsible citizens.*
4. *Honor "Time on Task." This helps tremendously in preventing most discipline problems.*

5. *Stay close enough to students so as to know what they are doing.*
6. *Always stand outside their doors to greet students, and to say goodbye to them.*
7. *Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for the individual student.*
8. *Guide classroom activities as students learn to think and reason, to assume responsibility for their actions, and to respect the rights of others.*
9. *Help students to cope with negative peer pressure.*
10. *Be sensitive to changing behavioral patterns.*
11. *Strive for mutually respectful relationships with students.*
12. *Assist students and administrators in developing a climate in the school that is conducive to wholesome learning and living.*
13. *Report immediately to the principal any student who may jeopardize his/her own safety, the safety of other students, the safety of teachers, or who seriously interferes with the instructional program of the classroom as required by the Student Code of Conduct.*
14. *Serve as surrogate parents/guardians in matters of behavior, discipline and academics in accordance with Pennsylvania School Law.*
15. *Interpret and review the discipline policy with students in class/advisory period.*
16. *Be fair, firm, and consistent in enforcing the discipline provisions of the Student Handbook in the classroom, in the hallway, in the restrooms, on school transportation, on the school campus, and at all school-sponsored activities.*

D. RESPONSIBILITIES OF ADMINISTRATORS:

1. *Promote a climate of mutual respect and dignity which will strengthen students' self-image.*
2. *Reflect a personal enthusiasm for teaching and learning as well as a genuine concern for individual students.*
3. *Develop procedures which reduce the likelihood of student misconduct.*
4. *Make sure that all incidents are carefully and thoroughly investigated.*
5. *Provide the opportunity for students, staff, and parents to approach the administrator directly for redress of grievance.*
6. *Develop close, cooperative relationships with parents for the educational benefit of students.*
7. *Utilize all appropriate auxiliary staff and community agencies to help parents and students identify problems and seek solutions.*
8. *Be fair, firm, and consistent in all decisions affecting students, parents, and staff.*
9. *Demonstrate, by word and personal example, respect for law and order, self-discipline, and a genuine concern for all persons.*
10. *Strive for mutually respectful relationships with students.*
11. *Establish and maintain building security.*
12. *Assume responsibility for the dissemination and enforcement of the discipline policy.*
13. *Comply with pertinent laws governing hearings, suspensions, and the rights of students.*
14. *Support teachers and parents in their effort to enforce discipline policy.*



SECTION 3 — STUDENT BEHAVIORAL EXPECTATIONS

A. ARRIVE TO SCHOOL AND CLASSES ON TIME. Punctuality is very important.

1. *During homeroom or first period, students and staff will have the opportunity to stand, salute the flag and to recite the Pledge of Allegiance. Students or staff who choose to refrain from standing, saluting the flag, and/or reciting the Pledge of Allegiance, shall respect the rights of those who wish to participate.*
2. *Listen to all announcements and respect the rights of others to listen. Review the weekly schedule.*
3. *Follow the rules of conduct posted in each homeroom/classroom.*

B. REPORT TO CLASS WITH NECESSARY BOOKS, MATERIALS, SUPPLIES, AND ASSIGNMENTS.

1. *Refrain from sleeping in class — this is unacceptable.*
2. *Refrain from eating and drinking in class.*
3. *Refrain from putting feet on desks and chairs.*
4. *Stay on academic tasks until the end of the class period. No one should be in the doorways waiting for the bell to ring.*

C. MOVE THROUGH THE BUILDING IN AN ORDERLY MANNER.

1. *Refrain from running and yelling. Use “inside voice” when talking to teachers and peers.*
2. *When walking in the halls, stay to the right.*
3. *If there is a fire drill or disaster of any kind, follow directions and move silently.*

D. FOLLOW LUNCH SCHEDULE AND RULES. Lunch is a time for fellowship with peers. Use “inside voice” during lunch period.

E. USE CLIPBOARD/HALL PASS APPROPRIATELY. A hall pass is for one student and it must be signed by the teacher.

F. LIMIT DISPLAYS OF AFFECTION (see *Inappropriate Touching and Sexual Conduct in Student Code of Conduct* section).

G. DRESS CODE – General Rules Applicable to All Students, grades Kindergarten - 12

1. **General rules regarding student dress.** *The following regulations regarding student dress generally apply to all District schools, in addition to the more specific requirements of the Dress Code Policy detailed further in this section:*

Though an individual's dress and adornment/appearance is a matter of personal preference and choice, certain styles of dress/appearance are not appropriate in school for the health, safety, welfare of students and staff. Students will be required to change inappropriate clothing or appearance or be sent home to do so and return. For this reason, the following guidelines are established:

- a) *Wear clothes that are not revealing or suggestive, such as see-through blouses, halter tops, tank tops, bare midriffs, cutoffs.*
- b) *Wear clothing, jewelry, and other accessories which do not promote, encourage, or depict any form of drugs (including alcohol), obscene, lewd or vulgar language or action, or promote any illegal activity.*
- c) *Wear pants which are secure around the waist. Pants may not be “distressed” (e.g. have rips or holes).*
- d) *Wear clothing which cannot potentially cause harm to another person, damage to property, or create an unsafe environment.*

- e) Wear shorts and skirts, the hem of which must be no shorter than two inches above the knee.
- f) Students must wear shoes or footwear appropriate for the school setting. Hard soled shoes, including sneakers, are appropriate. Students may not wear open-toed shoes, slippers, high-heels, sandals or flip-flops to school.
- g) Outerwear: Outerwear must be placed in lockers from “bell to bell” and is not permitted to be worn during the school day. Outerwear includes but is not limited to coats/jackets, windbreakers, wind pants, gloves, hats, bandanas and scarves.
- h) Hoodies: Students may wear hoodies during the school day but only if the hood remains down. If a student pulls the hood up during the school day, it will be considered “insubordination” as defined in the Student Code of Conduct.

The administration may impose additional limitations on dress and/or appearance if the attire or appearance causes a disruption of the educational process or constitutes a health or safety hazard.

H. Dress Code Policies:

1. Grades K – 8 Dress Code. Students shall wear:

- a) **Pants or shorts**, in any solid color which must be “dress” or “docker” in style and be worn or belted at the waist. The hem of the shorts must be no shorter than two inches above the knee.
- b) **Shirts** must be oxford, buttoned polo or turtleneck style with sleeves (short or long) and collar and must be in any solid color (e.g., no patterns, words, pictures, etc.). Shirts must be tucked into the pants at all times.
- c) **Optional**, sweaters (v-neck or cardigan), blazer, suit jacket or vest, to be worn over shirt, in any solid colors.
- d) **Skirts, skorts or jumpers**, in solid colors and worn or belted at the waist. The hem of the skirts, skorts and jumpers must be no shorter than two inches above the knee.

Exceptions:

- 1) Exceptions to the K-8 mandatory dress code will be made on a case by case basis in order to accommodate bona fide religious beliefs and special health conditions.
- 2) The wearing of official and approved school club, school organization or school theme uniforms shall not be considered a violation of the Mandatory Dress Code policy.
- 3) School principals or building administrators at each school shall have the discretion to designate “School Spirit Days.” School Spirit Days could include, but are not limited to, non-uniform days, hat days, colorful sock days, special theme days, etc.

2. High School (Grades 9-12) Dress Code. Students shall wear:

- a) **Pants, shorts, skirts, skorts**, in any solid color (e.g. no patterns, words or pictures, etc.), including denim or “jeans,” which must be worn or belted at the waist. The hem of the shorts, skirts or skorts must be no shorter than two inches above the knee.
- b) **Shirts** must be in any **solid** color (e.g. no patterns, words, pictures, etc.). Shirts must be tucked into the pants/skirts at all times, provided, however, students may wear shirts or jerseys with the official or approved name or logo of the home school to which they are currently assigned, including athletic jerseys and club gear.
- c) Exceptions to the High School mandatory dress code will be made on a case by case basis in order to accommodate bona fide religious beliefs and special health conditions.

d) Specific dress requirements may be assigned to students participating in technical labs or other classes or activities that necessitate the wearing of specific clothing in order to maintain the health and safety of that student and others. These class or activity-specific rules will be established by the Building Administrator or classroom teacher and will be delineated in the class, lab or activity syllabus. Failure of a student to abide by these health and safety dress requirements may result in the student's removal from that class, lab or activity.

- I. **SMOKING/TOBACCO.** The use or possession of tobacco products is prohibited in a school building, a school bus or on school property owned by, leased by or under the control of the school district. (Smoking on school property is also prohibited under Section 28.3 of the Fire Code.) Pursuant to 18 Pa. C.S.A. §6306.1 of the Pennsylvania Crimes Code, a pupil conviction of the summary offense of using or possessing tobacco in a school building, a school bus or on school property owned by, leased by or under the control of the school district, shall be sentenced to pay a fine up to \$50.00, plus court costs. See Student Code of Conduct for disciplinary consequences for smoking, including use of electronic cigarettes, vaping, Gutka, Hukkah pipes and smoking paraphernalia. Note that possession and/or use of vaping devices, vape pens advance personal vaporizers (aka MODS), wave cartridges, vape pods and/or any other similar device is considered a violation of the District's Unauthorized Substances Policy (see Code of Conduct).
- J. **LOCKERS AND LOCKS.** Some students in grades K-8 and high school students are given the privilege of being assigned a specific locker in which to store school materials and personal property during school hours. Students are allowed and are encouraged to keep their assigned lockers secure and locked to safeguard their belongings from other students. However, students must understand it is not the intent of the school district to relinquish its exclusive control over the lockers.

All lockers are and shall remain property of the school district. Accordingly, students shall have no expectation of privacy in their school lockers. Students are hereby notified that all authorized school district employees and officials may inspect students' lockers at any time, for any reason.

In order to be granted the privilege of having the use of a school locker, the student, at the beginning of each school year, will be required to sign an acknowledgment which asserts that they have reviewed the locker search policy and they understand they have no reasonable expectations of privacy in their school lockers. Erie's Public Schools supplies locks for use by the students and retains the combination and a master key to access each lock/locker. Master keys and lock combination lists shall be retained by the school administrators, in a secure location. The Administration in each school may authorize the use of a privately-owned lock. In such case, the students must give the combination/extra key to the lock used on their school locker to the Administration. Students are not allowed to share lockers or use lockers not assigned by the Administration.

Most locker thefts are the result of carelessness on the students' part. **REMEMBER TO LOCK THE LOCKER. DO NOT GIVE KEYS OR COMBINATIONS TO OTHER STUDENTS.** If a lock has to be removed by the custodial staff, the student must obtain a permission slip from the homeroom teacher/first period teacher (high school) and have it signed by an administrator verifying that the locker is assigned to the student. **THE ADMINISTRATION HAS THE RIGHT TO SECURE LOCKERS, WITHOUT A LOCK, DUE TO SAFETY CONCERNS.**

- K. **SETTLE CONFLICTS APPROPRIATELY.** Keep your hands and feet to yourself.
- L. **USE APPROPRIATE LANGUAGE.**
- M. **RESPECT SCHOOL PROPERTY AND THE PROPERTY OF OTHERS.**
- N. **RESPECT YOUR PEERS.**
- O. **RESPECT THE STAFF AND VISITORS.**

P. RESPECT YOURSELF.

Q. SEARCH OF STUDENTS.

1. School officials have the authority to search a student when they have reasonable suspicion that a particular student has violated or is violating the rules of the District or any local, Pennsylvania or federal law.
2. Students may also be subject to searches by metal detectors (either hand held or walk through) in conformance with the District's "Weapons Search with a Metal Detector" policy, contained in this Student Handbook, whenever entering school either during school hours and for all extra-curricular activities, including athletic events, dances, graduation ceremonies, etc.
3. Suspicionless searches (examples – random school-wide or classroom student and locker searches, wandng every 3rd student entering a school building, etc.) may be authorized on a case by case basis and shall conform to all relevant Pennsylvania and federal laws.

R. END OF THE SCHOOL DAY – All students must leave the building immediately, unless supervised by a member of the staff.

S. STUDENT IDENTIFICATION PHOTOGRAPH. For security purposes, every student is required to have an annual photograph taken by the District to be included in the student's profile on the District's confidential student information system (*Infinite Campus*). Students who refuse to comply with this requirement shall be considered to be "Insubordinate" within the meaning of the Student Handbook and be disciplined in accordance with that policy. Accommodations for extenuating circumstances will be considered by the Administration on a case by case basis.



SECTION 4 — SCHOOL ASSIGNMENT

SCHOOL ASSIGNMENT/ENROLLMENT – If a student changes residence within the District during the school year which results in that student being assigned to a different District school, the Administration shall comply with the following guidelines:

- a. Generally, students must attend the school assigned to their new residence. The Superintendent or his/her designee may make exceptions to this general rule on a case by case basis for exigent circumstances.*
- b. If a student moves to a new residence after the start of 2nd semester, the student has the option to attend the student's current school if parents can provide transportation to the new school of residence for the remainder of that school year.*

If the Administration is made aware that a student is attending a District school which is not that student's assigned school of residence, the Administration is directed to notify the student and parents/guardians of this District policy and ensure the student is transferred to the school of residence consistent with the provisions of this policy.

The Board of Directors is authorized by the Pennsylvania Public School Code to, upon cause shown, classify and assign pupils to any school as the Board deems best in order to properly educate those students. 24 P.S. §13-1310(a). The Board has delegated to the Superintendent the authority to assign any student attending any school of the District (including Northwest Pennsylvania Collegiate Academy) to any other specific school if the Superintendent believes that assignment is necessary to protect the health, safety or welfare of that student or other students and staff and/or due to the student's violation of the provisions of the Student Code of Conduct.

Family Home-School Resolution Process

Purpose: Parents often seek "school transfers" to solve issues with their assigned home school. A school transfer is not a viable solution and prohibits the district from working in the best interest of our students. Erie's Public Schools does not have an open enrollment policy or school choice. Transfers within the district are not possible and undermine the credibility of all our schools. The boundaries have been carefully drawn to ensure that each school has an equitable enrollment and that each student receives a meaningful educational experience. We are one district, and we work as a collaborative team. We maintain that our students will receive the same quality education from each and every school within our city, and are committed to solving issues at a student's home school.

Each family that voices a concern within a home school will have an opportunity to work with a team of administrators, faculty and staff in finding solutions. The integrity and high quality of the student's education will be the team's singular goal. Careful consideration will be given to a family's concerns and a step-by-step procedure will guide the team toward resolutions and remedies for the anxiety a family is experiencing.

Process to Handle Family and Student Concerns:

1. Meeting with Building Administrators
 - a. Provide solution-based interventions
 - b. Develop meaningful relationships with students and families
 - c. Highlight the strengths of the school
2. Meeting with Assistant Superintendent:

The District's Assistant Superintendent is the next level of Administrative staff who will review continued family or student concerns with their home school. When the situation is beyond the resources of the building administrators, the Assistant Superintendent will provide support from the district and offer additional interventions and services. The Assistant Superintendent will team with building administrators to find solutions and may engage other types of interventions, including, but not limited to:

- a. Special Education
 - b. Student Assistant Program
 - c. Transportation assistance
3. School Transfer Consideration will be given when the situation reveals itself to be beyond repair within the current educational environment or the situation reveals extreme adversity that cannot be solved at the assigned home school. The Superintendent, or his designee, has the authority to grant a school transfer request. If a transfer request is granted, the family and the district must enter into a contract of expectations before the transfer is effective.



SECTION 5 — ATTENDANCE POLICY

ATTENDANCE – The Attendance Policy has been revised consistent with the requirements of Act 138 of 2016. “Attendance” is the presence of a student on days school is in session. “Absence” is the failure of a student to attend school on those days, half days and hours school is in session. Attendance shall be required of all students enrolled in the schools during the days and hours that school is in session, except when the absence is “excused” as set forth below.

A. POLICY STATEMENT: The Board of Directors of Erie’s Public Schools requires that school-aged students enrolled in the schools of this District attend school regularly in accordance with the laws of the state. The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and participation in well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose. The Board believes there is an educational nexus between classroom presence and achievement and that class attendance is relevant to the pupils’ overall performance, achievement and academic success. It is the policy of the Board that pupils who are “truant” or have missed class due to unexcused days shall receive no credit for work or tests missed on the unexcused days , provided, however, the Administration in each building has the discretion to award credit to individual students who are involved in the truancy system and, as a result, have participated in “extra-help” nights at school.

B. DEFINITIONS:

1. “Citation” shall mean a nontraffic citation or private criminal complaint.
2. “Compulsory school age” shall mean the period of a child’s life from the time the child’s parents elect to have the child enter school and which shall be no later than eight (8) years of age until the child reaches seventeen (17) years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school. According to the Pennsylvania State Supreme Court in *Commonwealth v. Kerstetter*, 2014 PA LEXIS 1500 (Pa., June 16, 2014), although parents are not required to enroll their child in kindergarten, once the election to enroll a child in school (including kindergarten) is made, the child is subject to the School Code’s compulsory attendance requirements.
3. “Court” shall mean a magisterial district court or a court of common pleas.
4. “Excused absence” shall mean an absence from school which is permitted under this Attendance Policy. Excused absences include:
 - a. Illness – If a student is dismissed from school during school hours for health-related reasons by a certified school nurse, registered nurse, licensed practical nurse or a school administrator or other school official, the student’s absence from school shall be deemed excused.

If a student is unable to attend school due to illness, the student shall submit to the District a written excuse from either his/her parent or licensed practitioner of the healing arts within three (3) school days after the absence. Failure to submit a written excuse within this time frame shall result in the absence being recorded as unexcused.

If a student accumulates more than ten (10) absences due to illness during one school year, the school administration shall require the student to provide a medical statement or excuse from a licensed practitioner of the healing arts for every subsequent absence due to illness. Failure to provide the requested medical excuse shall result in such absence being classified as unexcused. The District will send a notification to the parent/guardian/person in parental relation after a student has accumulated

eight (8) absences due to illness during the school year, warning them of the implementation of the ten day rule.

- b. Death in the family, to allow for student to attend funeral or burial services.
- c. Religious holidays and religious instruction (with religious instruction limited to a total of not more than 36 hours per school year).
- d. Emergency – school administrators will determine whether a specific circumstance qualifies as an “emergency” on a case-by-case basis.
- e. Delay or absence of school bus.
- f. Educational tour/trip/high school shadow.
- g. Family trips – Special permission is required for students to take family trips during the school year. At least two (2) weeks prior to the trip, the parent/legal guardian must submit a written request to the Superintendent of the District. The Superintendent will review the student’s records (attendance, disciplinary and academic). Students who have a history of attendance issues, discipline issues and/or who are in academic jeopardy may not receive approval from the Superintendent to take a family trip during the school year. The school administration shall only approve one family trip per student per year and the duration of that trip may not exceed five (5) school days. Family trips that are not preapproved by the Superintendent shall result in the student’s absence being recorded as unexcused.
- h. Court appearance.
- i. Dental, medical and therapy appointments – Students who need to leave school for the purpose of obtaining professional health care, dental care or therapy service rendered by licensed practitioners shall submit a note from the parent and/or an appointment card from the doctor/dentist/therapist to the school office prior to the appointment. **Students/parents are asked to schedule medical appointments after school as much as possible.** The student must obtain written proof from the doctor/dentist that he/she appeared at the appointment, which **must be returned to the Attendance Office upon the student’s return to school, or the absence from school will be considered UNEXCUSED. Students must come to school prior and return to school after their scheduled appointment. Leaving unreasonably early or returning unreasonably late from these appointments will be considered unexcused absences from school.**
- j. Weather emergency – If the Superintendent orders the schools closed, parents are not required to send a written excuse for their child’s absence on that day. If the Superintendent makes a public announcement that parents may use their discretion whether to send their child to school, parents may make the determination whether to have their child attend school. If the child misses school on an official “parent discretion day,” the parent must send a written excuse regarding that weather-related absence with their child upon the child’s return to school. Failure to send a written excuse in these circumstances will result in the absence recorded as unexcused.
- k. Pennsylvania Agricultural Fair Act trips – as required by Section 1329(b) of the Pennsylvania Public School Code, students may be excused for participation in a project sponsored by an organization that is eligible to apply for a grant under the Pennsylvania Agricultural Fair Act, 3 P.S. §1505.

High School Only:

College visitation.

Junior/Senior excusal for interviews – When students have a written invitation or appointment to participate in a job interview, college admission, nurses’ training, trade or technical school as well as other post high school plans, they may be excused for a total of three (3) days during their Junior/Senior year. The student is to obtain a permission slip from the appropriate guidance counselor and have this completed before the day he/she is to be excused. After the appropriate counselor gives permission,

the counselor sends a copy of the same to the attendance secretary. For early morning appointments, the request from the parent may be brought the day prior to the appointment.

5. "Habitually truant" shall mean six (6) or more school days of unexcused absences during the current school year by a student who is of compulsory school age.
6. "Offense" shall mean each citation filed by the District with the Court for a violation of the requirement for compulsory school attendance requirements regardless of the number of unexcused absences alleged in the citation.
7. "Person in parental relation" shall mean a:
 - a. Custodial biological or adoptive parent.
 - b. Noncustodial biological or adoptive parent.
 - c. Guardian of the person of a child.
 - d. Person with whom a child lives and who is acting in a parental role of a child.

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child defined under 42 Pa.C.S. § 6302.

8. "School" shall mean the educational entity in which the child is enrolled.
9. "School attendance improvement conference" shall mean a conference where the child's absences and reasons for the absences are examined in an effort to improve attendance, with or without additional services. A "School Attendance Improvement Plan" will be drafted at this conference. The following individuals shall be invited to the school attendance improvement conference:
 - a) The child.
 - b) The child's person in parental relation.
 - c) Other individuals identified by the person in parental relation who may be a resource.
 - d) Appropriate school personnel.
 - e) Recommended service providers.
10. "School attendance improvement plan" shall mean a plan developed during the school attendance improvement conference, the purpose of which will be to identify the factors causing the truant behaviors and strategies which are intended to result in more regular attendance patterns.
11. "School day" shall mean the length of time that a compulsory school aged child is expected to be receiving instruction during a calendar day. The District has determined one school day is comprised of 330 minutes in grades 7-12 and 300 minutes in grades K-6.
12. "School-based or community-based attendance improvement program" shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.
13. "Truant" shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a compulsory school aged child.
14. "Unexcused absence" shall mean an absence from school which does not fall into one of the "excused absence" categories and/or for which a written explanation has not been submitted within the time period and in the manner required by the District in this Attendance Policy.
 - a. An out-of-school suspension is not considered an unexcused absence.
 - b. Students will receive no credit for work/assignments/tests which are due or are taken on dates that are unexcused, except for when the building administrator grants an exception on a case by case basis

when a student is involved in the truancy process and has participated in “extra-help” programs at the school.

- c. Students who accumulate more than twenty (20) unexcused absences during their senior year may not walk during the graduation ceremony, although the Building Principal may make exceptions on a case by case basis when/if the student breaks the pattern of absences and goes a period of time with regular attendance.

C. EXCUSED ABSENCES: A student’s absence will be considered “excused” only if it falls within one of the categories defined above. The following procedure shall be followed when a student is absent from school:

1. Parents are requested to call their student’s School Attendance Office by 9:00 a.m. on the day their student is absent to report all excused absences or tardies.
2. Within three (3) school days from when a student returns to school after an absence, he/she must present a written excuse from a parent or guardian (or physician) to the school’s designated attendance officer.
3. The written excuse shall provide the **student’s full name, grade, list the dates of absence and an explanation of the reason(s) for the absence. The parent or guardian must sign and date the written excuse.**
4. Upon receipt of the required written excuse in the mandatory time frame, the absence will be recorded as a “legal absence.” Building Principals may use discretion to extend the 3 day time frame for submitting excuses for extenuating circumstances, on a case by case basis but in no event may a Building Principal accept excuses later than ten (10) calendar days from the date of the student’s return from the absence.

Excused absences are not to be considered perfect attendance. The only exceptions to this policy are: school-related field trips, weather emergencies, District/school sanctioned sports or other extra-curricular activities, absence from school for religious instruction. No other exceptions are made.

The following reasons for absences are NOT legal and shall NOT count as “excused” absences: family vacations, personal business (work/hair appointments/shopping), oversleeping, missing the bus, car problems, hunting, babysitting siblings or others, senior skip day, general excuses (such as “out of town,” “at an appointment,” or “family emergency”). Building administrators will contact parents to gain further explanation of general excuses.

D. UNEXCUSED ABSENCES OF COMPULSORY SCHOOL AGED STUDENTS AND TRUANCY VIOLATIONS – Repeated unexcused absences or their equivalent (unexcused tardy minutes or unexcused minutes of class cuts) constitute “truancy” and will result in the referral of the student and his/her persons in parental relation to Court for violation of compulsory attendance laws.

A compulsory school aged student who accumulates ten (10) unexcused absences during one school year will no longer be eligible to participate in and/or attend all extracurricular activities and clubs, including but not limited to: field trips, participating in all athletics and other extracurricular activities, attending (as a spectator) all athletics and other extracurricular activities, dances, etc. However, after a period of improved attendance, the Building Administrator has the discretion to reinstate a student’s privileges to participate in and/or attend extracurricular activities and clubs.

Compulsory aged students must comply with the compulsory education/truancy provisions of the Pennsylvania School Code. The following procedures shall be followed in accordance with mandatory Pennsylvania law:

1. Truant Students. When a student acquires three (3) or more days (or their equivalent) of unexcused absences during the current school year, s/he is considered “truant.”
 - a) Within ten (10) school days of the student’s third unexcused absence, the District will notify in writing the person in parental relation with the student who resides in the same household as the student of the student’s compulsory school attendance violation. This written Truancy Notice shall:

- (i) Include a description of the consequences that will follow if the student become habitually truant (described below); and
- (ii) Schedule a School Attendance Improvement Conference.

When the Truancy Notice is transmitted to a person who is not the parent of the student, the Truancy Notice shall also be provided to the student's parent if the parent's mailing address is on file with the District and the parent is not precluded from receiving the information by court order.

- b) The School Attendance Improvement Conference:
 - (i) Relevant school officials and recommended service providers, the person in parental relation with the student who resides in the same household as the student, the student's parent/s (if possible) and any other relevant individuals shall meet to discuss the reasons for the student's absences in an effort to improve attendance and to create a written School Attendance Improvement Plan ("SAIP").
 - (ii) The Conference shall occur even if the person in parental relation with the student and/or parents decline to participate or fail to attend the scheduled conference. The District officials present at the conference **will proceed to discuss the student's attendance and will draft the SAIP** and shall then provide copies of the SAIP to the student, the person in parental relation with the student who resides in the same household as the student and the student's parent/s if parent/s' mailing address is on file with the District and the District can share the information with the parent/s.
 - (iii) Compulsory school attendance/truancy prosecution shall not take place until the Conference takes place and the SAIP is completed.

2. Habitually Truant Students. Students are deemed to be "habitually truant" when they have acquired six (6) or more days of unexcused absences in the current school year. The procedures followed depend on whether the student is 14 years and younger or 15 years and older:

- a. Procedure for Habitually Truant Students Fourteen Years Old and Younger: If a student has acquired six (6) or more unexcused absences in the current school year and after the SAIP was completed at the Conference, the District shall:
 - (i) Refer the student to:
 - (a) a school-based or community-based attendance improvement program, or
 - (b) the Erie County Office of Children and Youth for services or possible disposition as a dependent child under 42 Pa. C.S. Ch. 63 (relating to juvenile matters). When/if the District refers the student to OCY for this purpose, the District must provide verification to OCY that the School Attendance Improvement Conference was held.
 - (ii) File a citation in the office of the appropriate Judge against the person in parental relation who resides in the same household as the student, provided, however, the Building Administrator may take extenuating circumstances into account and determine not to file a truancy citation on a case by case basis.
- c) Procedure for Habitually Truant Student Aged Fifteen (15) Years or Older: If a student has acquired six (6) or more unexcused absences in the current school year and after the SAIP was completed at the Conference, the District shall:

- (i) Refer the student to a school-based or community-based attendance improvement program or service, if one is appropriate and available in the opinion of the Building Administrator.
 - (ii) File a citation in the office of the appropriate Judge against the child or against the person in parental relation who resides in the same household as the child, provided, however, the Building Administrator may take extenuating circumstances into account and determine not to file a truancy citation on a case by case basis.
 - (iii) If the Building Administrator does refer the student to a school-based or community-based attendance improvement program and the student either refuses to participate in that program and/or continues to incur additional unexcused absences after the referral, the District may refer the student to the Erie County Office of Children and Youth for possible disposition as a dependent child under the provisions of 42 Pa. C.S. Ch. 63. When/if the District refers the student to OCY for this purpose, the District must provide verification to OCY that the School Attendance Improvement Conference was held.
3. Truancy Citations. When the District files truancy citations regarding a student's habitual truancy, the following shall occur:
- a. The citation shall be filed with the Judge based on the location of the school in which the student is enrolled. The school must provide verification that a School Attendance Improvement Conference was held.
 - b. When a truancy citation is filed against a student and/or a person in parental relation who resides in the same household as the child, the Judge (not the District) shall send written notice of the truancy hearing to the school, to the person in parental relation and to Erie County Office of Children and Youth.
 - c. At the truancy hearing:
 - i. The District has the burden of proving beyond a reasonable doubt that, while subject to compulsory school attendance, the student was habitually and without justification truant from school.
 - ii. It is an affirmative defense to a truancy citation filed against a person in parental relation who resides in the same household as the student if the person in parental relation to the student took every reasonable step to ensure attendance of the student at school.
 - iii. The District, to the extent possible, shall inform the Judge of any prior conviction of the child or person in parental relation who resides in the same household as the student for a violation of compulsory school attendance laws. The District, student and person in parental relation will be given an opportunity to present relevant information to the Judge, specifically including the student's attendance after the citation was filed and while the proceeding is pending.
 - iv. The Judge will issue a decision on whether the evidence established whether the student or person in parental relation has violated the compulsory school attendance requirements of the School Code.
 - d. Filing subsequent truancy offenses after the initial truancy hearing: No citation may be filed against a child or a person in parental relation with the child who resides in the same household as the child for a subsequent violation of compulsory school attendance if any of the following circumstances apply:
 - (i) The initial truancy proceeding is already pending against the student or a person in parental relation with the student who resides in the same household as the student and

judgment in the first proceeding has not yet been entered, unless a warrant has been issued for failure of the student or person in parental relation to appear before the court and the warrant has not yet been served.

- (ii) A referral for services has been made to the Erie County Office of Children and Youth and OCY has not closed the case.
- (iii) A petition has been filed alleging the child is dependent due to being habitually truant under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) and the case remains under the jurisdiction of the juvenile court.

4. Penalties for Violating Compulsory School Attendance Requirements.

- a. Both a student or a person in parental relation who resides in the same household as the student may be convicted of a truancy violation. In such case, the following penalties may be ordered by the Judge:
 - i. sentenced to pay a fine for the benefit of the school that is responsible for the truancy proceedings in an amount not exceeding three hundred dollars (\$300) together with court costs except that, in the case of a second offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding five hundred dollars (\$500) together with court costs and, in the case of a third or subsequent offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding seven hundred and fifty dollars (\$750) together with court costs;
 - ii. sentenced to perform community service; or
 - iii. required to complete an appropriate course or program designed to improve school attendance which has been approved by the president judge of the judicial district.
- b. The Judge may suspend the sentence of a person convicted of an offense and may remit or waive fines and costs if the student attends school in accordance with a plan devised by the Judge.
- c. Upon a second or subsequent conviction of a student or a person in parental relation with the student who resides in the same household as the student for a violation of the requirements of compulsory school attendance in a Court within this Commonwealth within a three-year period, the Court shall refer the child for services or possible disposition as a dependent child under 42 Pa.C.S. Ch. 63.
- d. Upon failure of a person to satisfy the penalty of a fine imposed by the Court under Paragraph a, above,, the person in parental relation may be found in contempt of court and, upon conviction, may be sentenced to the county jail for a period not to exceed three (3) days in any one case. The Court shall make such a determination based on specific finding that the person in parental relation had reasonable ability to comply with the penalty imposed and that noncompliance was willful. The following shall apply:
 - i. In the case of a student, the failure to satisfy a fine or costs imposed under this section shall not be considered a delinquent act.
 - ii. The president judge of a judicial district may adopt a local policy under 42 Pa.C.S. § 6304 (relating to powers and duties of probation officers) and the Pennsylvania Rules of Juvenile Court Procedure to provide that a juvenile probation officer may receive allegations that the student who fails to satisfy a fine or costs imposed under this section is dependent for the purpose of considering the commencement of proceedings under 42 Pa.C.S. Ch. 63.
- e. If a student is convicted of a violation of the compulsory school attendance requirements, the Court may send the Pennsylvania Department of Transportation a certified record of the conviction on a form prescribed by the Department only if the student fails to comply with a lawful sentence entered

for the violation and is not subject to an exception to compulsory attendance pursuant to Section 1330 of the School Code.

- f. The Department of Transportation shall suspend for ninety (90) days the operating privilege of a student upon receiving a certified record that the student was convicted of a summary offense under the compulsory school attendance requirements. If the Department of Transportation receives a certified record of a second or subsequent conviction of a student pursuant to this section, the Department shall suspend the student's operating privilege for six (6) months.
- g. A student whose record is received by the Department of Transportation as described above and who does not have a driver's license shall be ineligible to apply for a driver's license under 75 Pa.C.S. § 1505 (relating to learners' permits) and 1507 (relating to application for driver's license or learner's permit by minor) for the time period specified in Paragraph 4(f) above. If the student is under sixteen (16) years of age when convicted, suspension of operating privileges shall commence in accordance with 75 Pa.C.S. § 1541 (relating to period of disqualification, revocation or suspension of operating privilege) for the time specified in Paragraph 4(f).
- h. A student whose driving privileges have been suspended or whose eligibility for a permit or license is delayed under this section may have that license or eligibility restored by providing the Department of Transportation with a form developed by the Department of Transportation containing the following information in the form of a certified record from the student's school that the student:
 - i. has attended school for a period of at least two (2) months after the first conviction or four (4) months after the second conviction without an unexcused absence or unexcused tardy;
 - ii. is subject to an exception to compulsory attendance under Section 1330 of the School Code; or
 - iii. has graduated, withdrawn from school pursuant to compulsory attendance requirements under Section 1327 of the School Code, has received a general education diploma or has enlisted in the military.
- i. Expungement of Record for Student Under Certain Conditions. Upon application from a student who has a conviction of a summary offense of compulsory school attendance violations, the Court shall grant an expungement of the conviction from the student's record if all of the following apply:
 - i. The student has earned a high school diploma, a Commonwealth secondary school diploma or another Department of Education-approved equivalent, or is subject to an exception to compulsory attendance under Section 1330 of the School Code.
 - ii. The student has satisfied any sentence imposed by the court with respect to the conviction, including payment of fines and costs.

If the Court grants an expungement as described under Paragraph 4(i), the Court shall order the Department of Transportation to expunge all administrative records related to the convictions.

E. UNEXCUSED ABSENCES FOR STUDENTS BEYOND COMPULSORY SCHOOL AGE (students 17 years or older):

Students who are beyond compulsory school age are not subject to the truancy provisions of the Pennsylvania Public School Code. However, these students are subject to the following rules related to attendance:

1. Students who have missed days of school or specific classes for reasons that do are not considered "excused" shall receive no credit for work or tests missed on the unexcused days of classes.
2. Students who accumulate ten (10) unexcused absences during one school year will no longer be eligible to participate in and/or attend all extracurricular activities and clubs, including but not limited to: field trips, participating in all athletics and other extracurricular activities, attending (as a spectator) all athletics and

other extracurricular activities, dances, etc. However, after a period of improved attendance, the Building administrator has the discretion to reinstate a student's privileges to participate in and/or attend extracurricular activities and clubs.

F. TARDINESS – Tardiness to school interferes with a student's learning just as if that student is absent from school. Chronic tardiness is unacceptable both in school and in the workplace.

Unexcused tardies may, when added together, constitute the equivalent of an unexcused absence from a day(s) of school, trigger internal District interventions and/or truancy prosecution procedures. NOTE: 330 unexcused tardy minutes constitute one unexcused day of absence in grades 7–12; 300 illegal tardy minutes constitute one unexcused day of absence in grades K–6.

Any student who is not present in school within the first 3.5 hours after the start of the school day, regardless of whether the absence is excused or unexcused, will not be permitted to participate in any school or extra-curricular activity that day.

1. **Grades K – 8** – *A student who is tardy to school after homeroom must report directly to the office where a tardy/excuse form will be completed and given to the student. This form must be presented to all teachers by the student for their signature.*
2. **Grades 9 – 12** - *A student who is tardy to school after the bell rings for first period must report directly to the Attendance Office where a tardy/excuse form will be completed and given to her/him. This form must be presented to all teachers by the student for their signature.*

G. MISCELLANEOUS PROVISIONS RELATING TO ATTENDANCE

- d) **LEAVING SCHOOL WITHOUT PERMISSION/CUTTING CLASS** – a student must have written permission by the parent/guardian describing a legal reason to be absent from school as set forth in Section 5 of this handbook. He/she is not to leave the building or an assigned class for any reason. Under no circumstances should a student call home and ask his/her parents to come and take him/her home. When necessary, such calls should be made by the school nurse or the appropriate administrator. If the student has forgotten his/her written permission, an administrator may call the parent documenting permission received by phone. Failure to comply with this policy shall result in the student being assigned an illegal or unexcused absence for the time missed from school and/or class. Students may be assigned disciplinary consequences for violation of this policy. A "0" will be given in classes which a student has cut or missed without a legal excuse.

- e) **HOMEWORK AND ASSIGNMENTS FOR DAYS OF LEGAL ABSENCES** – When a student is absent (excused), a homework assignment request must be made by parents through the school administrator. At least one day (24 hours) prior notice should be given for instructors to gather all materials requested. Parents may pick up assignments in the office during regular school hours.

After returning to school, the student will have no more than (10) school days to complete all schoolwork.

- f) **PARTICIPATION IN SCHOOL ACTIVITIES AND SCHOOL DANCES** – Any student missing any portion of a school day without an excuse setting forth a legally permitted reason for the absence as defined in the Attendance Policy WILL NOT BE PERMITTED to participate in any school activity that day. **STUDENTS ARE ALSO INELIGIBLE TO ATTEND A SCHOOL DANCE IF**

THEY HAVE HAD ANY SUSPENSIONS IN THE MONTH (30 CALENDAR DAYS) PRIOR TO THE DATE OF THE DANCE.

- g) **ATTENDANCE FOR STUDENTS ON HOME TUTORING PENDING EXPULSION** – For students who are on out of school suspension pending expulsion, the District considers those students legally absent from school for those ten days of suspension. Students will receive home tutoring services after the tenth day of suspension until they return to school or until they begin their expelled placement. One hour of home tutoring is the equivalent of one day of attendance at school, and a student's attendance record will reflect that. A student's failure to attend or participate in one hour of home tutoring shall be considered one unexcused day of absence, unless the parent/guardian submits an excuse for that absence consistent with the District's Attendance Policy.

Compulsory school attendance (truancy) rules apply to students on home tutoring. This means a student's failure to participate in three hours of home tutoring without a legitimate excuse for those absences will equate to three days of unexcused absences, triggering the truancy provisions outlined in the Attendance Policy.



SECTION 6 — STUDENT DUE PROCESS RIGHTS AND EXPULSION POLICY

- A. DETENTION** – Detention does not exclude a student from school. Detention is when a student is required to report to a certain location, as a disciplinary consequence, at a designated time (ex., during lunch, during recess, after school, etc.). Prior to a detention, a student shall be informed the reason for the detention and given an opportunity to respond.
- B. SUSPENSION** – Suspension is exclusion from school for a period of one (1) to ten (10) consecutive school days.
1. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. However, prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.
 2. The student's parents/guardians shall be notified immediately, or as soon as is reasonably practicable, in writing when the student is suspended.
 3. When the suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing. The purpose of the informal hearing is to enable the student and/or parents/guardians 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. (NOTE: When a student is referred for expulsion, the informal hearing is used to make the determination of whether the student's presence in his/her normal class during the period of time after the 10 day suspension has run but prior to the Board of Directors making its final determination on expulsion would constitute a threat to the health, safety or welfare of others.)

The student has the following due process rights in regard to the informal hearing:

- a. *Notification of the reasons for the suspension shall be given in writing to the parents/guardians and to the student.*
 - b. *Sufficient notice of the time and place of the informal hearing shall be given.*
 - c. *A student has the right to question any witnesses present at the hearing.*
 - d. *A student has the right to speak and produce witnesses on his/her own behalf.*
 - e. *The District shall offer to hold the informal hearing within the first five (5) days of the suspension.*
- C. EXPULSION** – Expulsion is exclusion from school by the Board of Education for a period exceeding ten (10) school days and may be permanent expulsion from the school rolls.
- a) Students referred to the Board of Directors for expulsion are entitled to a formal hearing.
 - b) Formal hearings may be held before the entire Board of Directors, or before a committee of the Board.
 - c) Formal hearings shall be scheduled during the ten day suspension period whenever possible. A student will not be excluded from school for longer than fifteen school days without a formal hearing unless mutually agreed upon by the District and the student, although the formal hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - a. *Laboratory reports are needed from law enforcement agencies.*
 - b. *Evaluations or other court or administrative proceedings are pending due to a student invoking his/her rights under the Individuals with Disabilities Education Act (20 U.S.C.A. §1400-1482).*
 - c. *In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.*

- d) When a student is referred for expulsion and after the ten day suspension has run, but before the formal expulsion hearing has been held and/or a final decision has been rendered by the Board of Directors, the student shall be placed in his/her normal class except when it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others. Such determination shall be made at the informal hearing. When it is determined that the student may not be returned to his/her normal class during this interim time period, the student shall be provided with alternative education, which may include home tutoring.
- e) The following due process requirements shall be observed with regard to formal hearings:
 - a. *Notification of the charges shall be sent to the student's parents/guardians by certified mail.*
 - b. *Sufficient notice, given at least three days prior to the hearing, setting forth the time and place of the hearing must be given. A copy of this expulsion policy and hearing procedures shall be included with the hearing notice, as well as notice that legal counsel may represent the student. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.*
 - c. *The hearing shall be held in private unless the student or parent/guardian requests a public hearing.*
 - d. *The student has the right to be represented by counsel.*
 - e. *The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses to the extent permitted by federal law.*
 - f. *The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.*
 - g. *The student has the right to testify and present witnesses on his/her own behalf.*
 - h. *A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy of the transcript, although a copy shall be provided at no cost to a student who is indigent.*
 - i. *Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.*

D. FORMAL HEARING PROCEDURE – At the formal expulsion hearing, the committee of the Board of Directors sits as judge and jury and the Administration presents evidence of the Student Code of Conduct violation to the Board of Directors. The Board of Directors and the Administration are represented by separate counsel. The formal hearings are bifurcated proceedings. The Administration presents evidence of due process and of the alleged Student Code of Conduct behavior violations in the first stage of the hearing. If the Board of Directors feels the Administration has shown substantial evidence exists to support the student's alleged behavior violations, then the second stage of the hearing will commence, at which the Administration recommends a disciplinary consequence. The Administration may present evidence pertaining to the student's prior academic achievement, attendance, discipline history and any other extenuating circumstances it feels relevant to support its recommendation. The student will have an opportunity to cross examine District witnesses in both stages of the hearing, and will be given the opportunity to present his/her own evidence at both stages of the hearing. The committee of the Board of Directors shall make a recommendation to the Board of Directors regarding the outcome of the hearing, which recommendation must be approved by a vote of the Board of Directors at a public meeting.

E. WAIVER OF EXPULSION HEARING – Sometimes, the student, the student's parents/legal guardians and the Administration are all in agreement that a specified disciplinary consequence is appropriate, agreeable and may be put into effect without a formal expulsion hearing. In such situations, the student and parent/legal guardian may voluntarily consent to expulsion, without going through an expulsion hearing before the Board of Directors, when the Administration is confident that such consent is being made voluntarily, knowingly and intelligently by the student and parent/legal guardian. The Board delegates to the Superintendent the authority to enter into a written agreement with the student and parents/legal guardians, in which the student and parents/legal guardians waive their rights to the expulsion hearing and stipulate to the material facts on which the expulsion is based. Such expulsion agreement shall not become final and binding until three (3) business days after execution of the parent/legal guardian. If the parents/legal guardians determine they would prefer to exercise

their child's right to have an expulsion hearing during that interim period of time, they shall so notify the District in writing and the Administration shall schedule said expulsion hearing within ten (10) school days from receipt of that notice. Such expulsion agreements are subject to the approval of the Board of Directors, which fact shall be explained to the student and parent/guardian. In the event the Board refuses to approve an expulsion agreement, the Board shall schedule a formal expulsion hearing in an expedited manner but in no event more than ten (10) school days from the date the Board refuses to approve an expulsion agreement. The student will be provided a form of alternative education throughout this period of time.



SECTION 7 — DISCIPLINARY CONSEQUENCES

A student's discipline infractions will be consequenced as set forth in the Student Code of Conduct section of this Student Handbook. The consequences outlined in the Student Code of Conduct include:

- A. TEACHER DETENTION** – The student must report to the assigned room with appropriate materials as determined by the teacher. A detention notice will be issued to the student 24 hours in advance notifying parent/guardian of date, time and reason for detention. A reasonable amount of time and number of days will be determined by the respective teacher. Students who walk or take the bus are not excused from attending an assigned detention. Parent/guardian will be responsible for transportation at the conclusion of detention.
- B. ADMINISTRATIVE DETENTION** – The grade K – 8 student is assigned forty (40) minutes up to two (2) hours and grade 9-12 student is assigned one (1) or two (2) hours of detention by the appropriate administrator or his/her designee. The student must report to the assigned room on time with schoolwork or academic reading materials. The student will receive a detention notice within 24 hours in advance notifying the parent/guardian of the date, time and reason for detention. A detention notice will be issued to the student 24 hours in advance notifying parent/guardian of date, time and reason for detention. The student will be assigned a date to serve this detention. Students who walk or take the bus are not excused from attending an assigned detention. Parents are responsible for student's transportation.

Community Service Option: Whenever detention is authorized, the building administrator may use his/her discretion and offer the student the option of voluntarily performing a certain number of hours of community service in lieu of serving the period of detention.

- C. IN SCHOOL SUSPENSION (ISS)** – Suspension is the exclusion of a student from his regularly scheduled class(es). Student are permitted to attend school but are assigned to an alternative educational area within the building for the designated time. Prior to a student's referral to ISS, the student must be informed of the reasons for the suspension and has been given an opportunity to respond. The school must communicate to the parents or guardian that the student has been refer to ISS. If the ISS exceeds ten (10) consecutive school days, an "informal hearing" as defined in this Student Handbook with the building principal shall be offered to the student and his/her parent/guardian prior to the 11th day of ISS. Student shall be given the ability to complete their work or complete alternative assignments during this time period. All federal and state laws pertaining to students with disabilities will apply to those eligible students who have been referred to ISS.
- D. OUT OF SCHOOL SUSPENSION (OSS)** – Suspension is the exclusion of a student from school for a period of one (1) to ten (10) days and is in the custody of the parent/guardian during school hours. Students shall have the responsibility to make up exams and work missed while on suspension. The Administration will arrange for classroom assignments and parents may pick up assignments at the school office. *It is the responsibility of the parents and students to contact the school to collect assignments during the student's period of suspension.* Teachers must be given one day to prepare assignments. **Students are not permitted on school grounds during the suspension and are excluded from participation in all school-sponsored activities including, but not limited to, sports events, band activities, academic challenges, and cooperative work experience. Violation of this rule shall be considered a defiant trespass, which shall be considered a suspendable or expellable offense, depending on the circumstances.** A conference will be held with the parent, student, and appropriate staff. Students who are on out of school suspension may not attend or participate in any school activities/events including school athletics, graduation ceremonies and proms.

Community Service Option: Whenever out of school suspension is authorized, the building administrator may use his/her discretion and offer the student the option of voluntarily performing a certain number of hours of community service in lieu of serving the period of out of school suspension.

E. ALTERNATIVE EDUCATION PROGRAM – The District’s Alternative Education Program/s serve/s as an intervention, the focus being on the development of pro-social behaviors. The district offers two distinct programs. The SELF program is for students in grades three through eight (3-8) and is a therapeutic approach based on the Sanctuary model. Students in grades nine through twelve (9-12) attend Alternative Education for Disruptive Youth, which is a Pennsylvania Department of Education sanctioned AEDY site. While attending SELF or AEP, student behavioral needs are addressed through a behavioral assessment, behavior management techniques, individual counseling, group therapeutic and/or psychoeducational exercises. The students’ academic needs are served through multiple strategies based on the student’s defined academic needs. The focus of the educational program is to provide the skills and knowledge necessary to be successful in the school setting and to concurrently provide life skills instruction and career guidance. The length of stay in the program will be based on the progress toward achieving the educational and behavioral goals outlined during the student’s intake process.

When a student is enrolled into SELF or AEP, the program administrator will review with the student expectations of student behavior while enrolled in the program. While enrolled in the SELF or AEP programs, the student Code of Conduct is still applicable and student may receive a consequence consistent with those outlined hereafter including referral to the Board of Directors for expulsion from the District if the student commits any student behavior violation as set forth in the Student Code of Conduct which carries with it a consequence of expulsion. Students may be referred for expulsion at any time should they commit an expellable offense.

Students who are referred to either location are not permitted on school grounds (other than where the Program is located) during their period of enrollment in that program and are excluded from participation in all school-sponsored activities including, but not limited to, school athletics, band activities, academic challenges, graduation ceremonies, proms and cooperative work experience. Violation of this rule shall be considered a defiant trespass, which shall be considered a suspendable or expellable offense, depending on the circumstances.

Reasons for Referral to Alternative Education programming and referral process:

1. Students shall be referred to the Alternative Education Program for engaging in the following behaviors:
 - a. *Disregard for school authority, including persistent violation of school policy and rules;*
 - b. *Display of or use of controlled substances on school property or during school-affiliated activities;*
 - c. *Violent or threatening behavior on school property or during school-related activities;*
 - d. *Possession of a weapon on school property, as defined under 18 Pa. C.S. Section 912 (relating to possession of weapon on school property);*
 - e. *Commission of a criminal act on school property;*
 - f. *Misconduct that would merit suspension or expulsion under District policy;*
2. Students who are referred to Alternative Education programming are entitled to an informal hearing (within the meaning of 22 Pa. Code §12.8(c)) prior to placement in the program. A description of the students’ rights are associated with this informal hearing are set forth in Section 6.B.3 above.
3. Students who are referred to Alternative Education programming for disciplinary reasons are also entitled to access the Level I/Level II hearing process as outlined in the Jordan et al. Consent Decree, Civil Action Number 34-75. Detailed information regarding this Jordan Order hearing process will be provided to the student and family upon a student’s referral to alternative Education programming.

F. EXPULSION- Expulsion is the exclusion of a student from school property, any school-sponsored activity, and any public conveyance providing transportation to a school or school-sponsored activity for any period of time greater than ten (10) school days. Prior to any student being expelled, a formal hearing will be conducted by

members of the School Board, although students may knowingly and voluntarily waive their right to this hearing. **Students who are expelled may not attend or participate in any school activities/events including school dances, graduation and proms, field trips, and athletics. Students who are expelled are not permitted on school property. A violation of this rule shall be considered a defiant trespass and the local police shall be notified.**

Community Service Option: Whenever expulsion is authorized, the Assistant Superintendent or Superintendent may use his/her discretion and offer the student the option of voluntarily performing a certain number of hours of community service in lieu of referring the student for expulsion or to reduce the term of the expulsion period, provided; however, only the Board of Directors may authorize this option in case of a weapon violation.

- G. CHARGES FILED WITH THE POLICE DEPARTMENT** - Any behavior which is in violation of civil or criminal law will be dealt with as the law permits. The District will report incidents to law enforcement officials who may, after investigating the incident, file criminal charges against the student when warranted. The District shall comply with the Pennsylvania Safe Schools Act, 24 P.S. §1301301-A *et seq.*, and its implementing regulations at 22 Pa. Code §10.1 *et seq.*, and the Memorandum of Understanding between the District and the City of Erie Police Department regarding communication with local law enforcement and referral of student behaviors to local law enforcement.



SECTION 8 — INTERVENTIONS

District personnel may utilize various interventions in response to student behaviors in conjunction with disciplinary consequences. The Superintendent reserves the right, due to the age and development of any specific student, to recommend a different disciplinary consequence or use of interventions for that student in response to a disciplinary incident in an effort to promote positive, pro-social change for that student, while at the same time maintaining safety and order within the schools of the District.

Examples of interventions utilized and offered within the District are:

- A. PEER MEDIATION/CONFLICT RESOLUTION** – This program is designed to create awareness with students as to how to resolve differences by talking about them and finding ways to control their anger. This process is used as a method of solving problems which arise among students before these problems reach a point where violence is likely.
- B. PEER MENTORING** – This program is designed to permit a student in a higher grade to promote positive behavior and leadership by mentoring a student(s) in a younger grade. Student would be selected by the building administration to participate in this program.
- C. STUDENT ASSISTANCE PROGRAM (SAP)** – The Student Assistance Program process of working in concert with mental health and drug and alcohol providers maximizes the possibility that a student's problems are properly identified and that the student receives the appropriate services needed to improve his/her prognosis for educational success. The problems that at-risk students face are not always limited to school problems. Students may require services or support outside the realm of the school environment. SAP has proven to reduce student at-risk problems both in and out of the school environment. Additional information is available in Section 19 of this handbook.
- D. AFTER SCHOOL PROGRAMS** – The District provides after school programs that offer tutoring to students.
- E. BEHAVIOR CONTRACTS** – Behavior contracts may be developed to address specific behavior issues of any student in an effort to transform negative patterns of behavior into positive behaviors appropriate for the school setting.
- F. COMMUNITY SERVICE** – The Superintendent, Assistant Superintendent and building administrators (and the Board of Directors, in cases of weapon violations) may use their discretion to offer students the option of voluntarily performing a certain number of hours of community service in lieu of imposing other disciplinary options.
 - 1. The District does not sponsor nor endorse any specific volunteer community service program and the District does not engage in any review of any volunteer community service site.
 - 2. The student is responsible for identifying and participating in an appropriate volunteer community service program/s which is generally intended to benefit issues of poverty, homelessness, hunger, education, the elderly, public health/safety/welfare, and/or any other service work that similarly benefits the community.
 - 3. The District reserves the right not to accept specific community hours if they do not generally fall within the general description set forth above. If the student has a question about the eligibility of any of the community service opportunities he/she wishes to engage in, he/she may ask the building principal of his/her home school as to eligibility prior to commencing the service.

4. The student may not receive payment or any other form of remuneration for his/her performance of the community service hours in order to be eligible to count toward his/her expulsion reduction.
5. The student will be provided with a "Volunteer Community Service Program" form. The student must provide these forms to an individual in charge of the organization for which he/she is performing community service, and said individual must attest to the type of community service the student has performed, the number of hours he/she performed and the date, time and location those hours were performed. The individual attesting to such information must include contact information so the District may contact said individual to verify the information set forth on the form if/when deemed necessary by the District. It is strongly suggested that the student periodically submit these forms to the building principal of his/her home school prior to the end of the expulsion period to ensure the community service hours he/she is performing are eligible to be applied toward his/her discipline consequence reduction.

G. (MIDDLE SCHOOL/HIGH SCHOOL) SCHOOL-BASED JUVENILE PROBATION PROGRAM – A school-based probation officer supervises the probation students with the focus on developing and implementing treatment and behavioral goals as designed with the student, parents, and the school. In addition, supervision includes compliance with court-ordered conditions and response to behavioral problems as reported by the school. School-based probation officers are regular members of the Student Assistance Program (SAP). As a member of the SAP team, the school-based probation officer works closely with other team members with regard to probation clients.

H. SCHOOL WIDE POSITIVE BEHAVIOR SUPPORT PLAN – A school-based program in which a school may elect to participate which reinforces positive behavior. The intent is to create a positive environment of high expectations where students learn to be respectful, responsible and safe. If implemented in a school, the School Wide Positive Behavior Support Plan will be implemented in conjunction with supplemental aspects of Restorative Practices, Responsive Classrooms, Trauma Sensitive Classrooms and/or Trauma Informed Schools. One or more of these programs MAY be implemented in a school.



SECTION 9 — REPORTING INCIDENTS AND INVESTIGATING REPORTS OF HARASSMENT COMPLAINT PROCEDURE

Step 1 – Reporting

Students *are encouraged* to report to school officials any incidents of harassment (harassment is defined in the Student Code of Conduct, Section 15 of this Handbook). Any student who believes he/she has been subject to conduct by any other student, employee or third party that constitutes a violation of this Policy is encouraged to immediately report the incident to the building principal. Any person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. If any of those individuals are not readily available and/or are the subject of the complaint, the student may complain directly to the District's Coordinator of Educational Equity and Diversity as the District's Compliance Officer, Ken Nickson, at 814-874-6033. The Compliance Officer's duties include that of a "Title IX Compliance Officer."

A school employee who suspects or is notified that a student has been subject to conduct that may constitute a violation of this policy shall immediately report the incident to the building principal or, if the building principal is the subject of the complaint, directly to the District's Compliance Officer.

The complainant or reporting employee may be encouraged to use the District's report form, available from the building principal or Compliance Officer, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

Step 2 – Investigation

Upon receiving a complaint of harassment, the District will promptly investigate the allegations. Upon receiving a complaint of harassment, the building principal shall immediately notify the District's Compliance Officer (814-874-6033). The Compliance Officer shall assess whether the investigation shall be conducted by the building principal, another district employee, the Compliance Officer or one of the District's attorneys and shall promptly assign the performance of the investigation to that individual ("the Investigator"). The Compliance Officer shall ensure that the investigator has an appropriate understanding of the relevant laws pertaining to discrimination issues and this Policy and how to conduct appropriate investigations.

The Investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused shall be provided the opportunity to submit information they believe relevant to the investigator during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians and witnesses shall be informed of the

prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Compliance Officer, who shall promptly inform law enforcement authorities about the allegations.

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the district's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

Step 3 – Investigative Report

The Investigator shall prepare and submit a written report to the Compliance Officer within twenty (20) school days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Compliance Officer to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into discriminatory harassment or sexual harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.

The complainant and the accused shall be informed of the outcome of the investigation (e.g., whether the investigator believes the allegations to be founded or unfounded) within a reasonable time of the submission of the written report to the extent authorized by FERPA and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.

Step 4 – District Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of the District's Harassment policy, the District shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The District shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Compliance Officer shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

Except for claims that are knowingly false, or made in reckless disregard of the facts, the filing of a complaint or otherwise reporting harassment will not reflect upon the complaining individual's status nor will it affect future

grades, position or assignment. Knowingly false claims can, in appropriate circumstances, result in student discipline.

The right to confidentiality, both of the complainant and of the accused, will be respected consistent with the District's legal obligations, basic fairness to the accused, and with the necessity to investigate allegations of misconduct and to take corrective action when such conduct has occurred.

Appeal Procedure

If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) school days. If the Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.

The individual receiving the appeal shall review the investigation and the investigative report and may also conduct or designate another person to conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.

The person handling the appeal shall prepare a written response to the appeal within twenty (20) school days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

The person handling the appeal may confirm, refuse or modify any finding or corrective action as part of the appeal procedure.



SECTION 10 — TRANSPORTATION

STUDENT PARKING

Student parking is permitted only in areas designated “student parking.” Students are prohibited from parking in spaces designated for teacher parking. Students will receive a warning for the first violation. Students may have their cars ticketed or towed if they violate the signage warning and may lose on-campus parking privileges. Parents will be contacted.

STUDENT TRANSPORTATION

The following subsection outlines what is expected of students who ride any Erie Metropolitan Transit Authority (the “e”) bus or school bus or any other transportation provided by the District. All District rules apply to students while they are on school provided transportation. In addition, the following expectations of behavior shall be enforced:

1. Behavior on the bus/vans.

Because the driver must keep his/her attention on the street/highway and safely operate the bus, it is necessary for students to be well behaved. Therefore the following regulations shall be strictly enforced:

- a. No student shall throw any objects or substances in or around the bus.
- b. No student shall use loud or profane language in or around the bus.
- c. No student shall indulge in pushing, fighting, or other unruly behavior in or around the bus.
- d. No student shall deliberately destroy, abuse, or otherwise show disrespect for the driver of the vehicle.
- e. All students shall remain seated at all times while on the bus. Aisles must be kept clear.
- f. No student shall deliberately mar, deface or tamper with any part of the vehicle. Damage will be paid by the individual. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.
- g. There shall be no smoking in or around the vehicle at any time. Lighting of matches or lighter in or around the bus is prohibited.
- h. There shall be no drinking of beverages on the bus unless permitted by the driver.
- i. There shall be no littering from the bus.
- j. Students shall be courteous to fellow pupils.

1. Behavior at bus stop.

- a. Students are required to behave appropriately, in conformance with the District’s behavior requirements, at the bus stop.
- b. Students shall remain in designated area, arriving no earlier than ten (10) minutes. The rights of property owners in the vicinity must be respected.

A violation of any specific provision of the District’s discipline policy on District-provided transportation shall result in the disciplinary consequence set forth for that specific policy violation. All bus incident reports will be filed with the Principal who will take appropriate action per written school code. Repeat offenders will be denied bus privileges. The incident may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.



SECTION 11 — COMPUTER/INTERNET ACCEPTABLE USE POLICY

A student's use of the District's computers and Internet resources is a privilege, not a right. Student-users of the District's computer network and Internet access are expected to use this technology as an educational resource.

Student computer network/Internet users are expected to behave responsibly in accessing and viewing information that is pertinent to the educational mission of the District. Students are required to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:

1. **Use of Appropriate Language.** The District's Internet system has been established for an educational purpose. As such, the District prohibits student users from using language which is inconsistent with an educational purpose. The use of the following type of language is prohibited:
 - a. Criminal speech and speech used in the course of committing a crime (for example: threats to the President or to any other person, instructions on breaking into computer systems, child pornography, drug dealing, purchase of alcohol, gang activities, etc.);
 - b. Speech that is inappropriate in the educational setting or violates District rules (such as obscene, profane, lewd, vulgar, threatening, harassing or discriminatory language or false or defamatory material about a person/organization; dangerous information that if acted upon could cause damage or present a danger of disruption; violations of privacy/revealing personal, private information about others); and
 - c. In some circumstances, such as on District-sponsored student Web pages, the District may require that student publications meet a variety of standards related to adequacy of research, spelling and grammar and appropriateness of material (i.e., that school Web pages must relate to school and career preparation activities).
2. Sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd or otherwise illegal materials, images, videos or photographs, including but not limited to sexually explicit images or images portraying nudity.
2. **Access to Information.** Students are prohibited from accessing the following categories of material or information on the Internet or World Wide Web:
 - a. material that is profane or obscene;
 - b. material that is pornographic, expressly including child pornography;
 - c. material that is harmful to minors (i.e., pictures or visual depictions which, taken as a whole, appeal to a prurient interest in nudity, sex or perverted or lewd acts);
 - d. material that advocates or condones the commission of unlawful acts; or
 - e. material that advocates or condones violence or discrimination towards other people.

Students are advised that the District utilizes a Technology Protection Measure that blocks or filters Internet access to the above categories of material/information, as well as other categories of material or information which the District has deemed inappropriate for viewing by students in the educational setting.

4. **Online Safety/Privacy:** Students are required to complete an Internet safety course. The curriculum will focus on educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The course content will be prescribed to the building principals by a designated administrator within the

District's IT Department at the beginning of each school year. The IT administrator will ensure the content is consistent with federal requirements.

Students are prohibited from giving out personal information for non-educational reasons pertaining to themselves such as: addresses, telephone numbers, parents' work addresses or telephone numbers or the name and location of their school, even through email correspondence unless specifically authorized by the District and with the consent of the students' parents/guardians. Students must tell their teachers and/or parents immediately if they come across information which makes them feel uncomfortable. Students must never agree to get together with someone they "meet" online without first discussing it with their parents. If their parents agree to the meeting, students must ensure that the meeting is in a public place and that they are accompanied by one of their parents.

Only Web 2.0/Social Networking tools and applications, including but not limited to instant messaging, chat rooms, wiki spaces, blogs and other methods of interactive electronic communication, approved by a designated administrator within the IT Department, and aligned to the National Educational Technology Standards for Students (NETS*S) may be utilized for instructional purposes in the attainment of the educational goals of the District. Technology Protection Measures are in place to block or filter Internet access to non-approved Web 2.0 tools and applications. Any digital communications are subject to District review at any time. Technology Protection Measures will be used to red-flag digital communications that violate Pennsylvania or federal law or District policy. Routine maintenance and monitoring of the District's system may lead to discovery that a student has violated the law or a District policy. An individualized search of a student's profile, log files, history, etc., will be conducted if there is reasonable suspicion that a user has violated the law or District policy.

5. Electronic Mail (email): Students may only use email solutions approved by a designated administrator within the IT Department. Students must understand that there is no guarantee of privacy in their email messages and that email messages are subject to District review at any time. Technology Protection Measures will be used to red-flag emails that violate the law or a District policy/rule. Routine maintenance and monitoring of the District's system may lead to discovery that the student has violated the law or a District policy/rule. An individualized search of a student's email will be conducted if there is a reasonable suspicion that a user has violated the law or District policy/rule. Email should be used only for legitimate educational purposes or as authorized by the District. Students should be courteous and respectful in their email messages to others. The use of students' email accounts will be permitted for instructional purposes aligned to the National Educational Technology Standards for Students (NETS*S) and for the attainment of the District's educational goals.
6. Plagiarism: Students are reminded that it is plagiarism to "cut/copy and paste" information from the Internet and then pass it off as their own original ideas. Students are prohibited from plagiarizing information and resources from the Internet and are reminded to cite proper sources used from the Internet.
7. Copyright Infringement: All communications and information via the network (i.e., the Internet) should be assumed to be private property and protected by copyright. Students may not reproduce copyrighted material without explicit permission of the author/owner. Only public domain software can be downloaded.
8. Unauthorized or Disruptive Use/Hacking: Students are prohibited from using the District network in such a way that would disrupt the use of the network by other users. Students may not create or maliciously distribute computer viruses. Students may not destroy another person's data. Students may not access or attempt to access other computer systems or access files without authorization.
9. Purchase of Products or Services: Students are prohibited from purchasing products or services through the District network. The District is not responsible for any financial obligations arising from unauthorized use of the District network for the purchase of products or services.

10. Student Passwords/Accounts: Students may not share their passwords to anyone nor allow unauthorized network access via their account.
11. Unauthorized Disclosure, Use or Dissemination of Personal Information: Students may not disclose, use or disseminate personal information about students, especially minor students, without the authorization of that student's parent/guardian and without specific authorization from the District.
12. Prohibition on Using Peer-to-Peer Networking Applications: Students are prohibited from using peer-to-peer networking applications on the Internet/World Wide Web.
13. Personal Electronic Communication Devices: Students are permitted to bring their personal electronic communication devices to school and onto the District's network as set forth in the District's Electronic Devices Policy. Personal electronic devices are permitted only on the District's SDCE Wireless network. District users, both students and staff, must use their District computer login credentials in order to connect to the SDCE wireless network. The District's Computer/Internet Acceptable Use Policy and all other District policies apply to the use of personal electronic communication devices. Reconfiguration of device settings may be required to access the District's network.



SECTION 12 — ELECTRONIC COMMUNICATION DEVICES (CELL PHONE) POLICY

District students and employees are permitted to possess and use District-owned and Personal Electronic Communication Devices, when in compliance with this policy, other district policies, regulations, rules, and procedures, internet service provider (“ISP”) terms, and local, state, and federal laws, and when that possession and use is supportive of the educational program of the district. However, the possession and use of District-owned and Personal Electronic Communication Devices by students and employees that are (a) found to be disruptive to the educational process and/or environment or (b) used in ways that negatively affect students, employees, and the district's mission and environment, is prohibited in accordance with this Policy, other district policies (including the district's Acceptable Use Policy), regulations, rules and procedures, ISP terms, and local, state, and federal laws.

1. Definitions

- a. Electronic Communication Devices - are communication devices with voice, data, text, and/or navigation capabilities that are able to access the Internet, transmit telephone calls, text messages, email messages, instant messages, video communications (such as iChat and Skype), perform word processing and other computer and online applications (apps), and provide location information. The devices are capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Examples of Electronic Communication Devices include smartphones (iPhone, Android, Blackberry), cellular phones, mobile phones (with recording and/or camera/video and other capabilities and configurations), traditional telephones, pagers, global positional system (GPS) instruments, computers, portable game units, graphic calculators, MP3/music and media players or recorders, personal digital assistants (“PDAs”), traditional cameras, video cameras, digital still cameras, tablet and laptop computers, and other similar devices. Electronic Communication Devices may also be referred to as electronic devices in other publications and district policies.

Electronic Communication Devices also include devices that are not capable of transmitting telephone communications (such as iPads, Android tablets, radios), and devices that may or may not have Internet access (such as Kindles, Nooks, or other eReaders), are lasers, are capable of recording still and video images, are capable of recording audio, and/or are radar communication devices.

- b. Personal Electronic Communication Devices - are Electronic Communication Devices that are owned by the student or employee.

2. Authority

The Board permits the use of District-owned and Personal Electronic Communication Devices by district students and employees during the school day in district buildings, on district property, and while students are attending district-sponsored activities during regular school hours when they are in compliance with this policy, other district policies, regulations, rules, and procedures and applicable local, state and federal laws, and so long as such use does not interfere with the students' educational requirements, students' or employees' responsibilities/duties and performance, the rights and education of others, and the operation and services of the district.

Students must access the Internet on their Personal Electronic Communication Devices via the district's content-filtered wireless "SDCE" network. The SDCE network is for District users and a user must enter their District login credentials to access the SDCE network. Using any means to bypass the district's filter is strictly

prohibited. Students are not permitted to connect to the Internet through 3G/4G/LTE or other mobile broadband connections. Failure to comply with this requirement shall result in confiscation of the Personal Electronic Communication Device and loss of privilege to bring/use the Device at school.

Building level administrators, in consultation with the Superintendent and in compliance with this policy, other district policies, regulations, rules, and procedures, **are authorized to determine the extent of the use of Personal Electronic Communication Devices within their schools**, on the school's property, and while students are attending that school's sponsored activities during regular school hours. For example, use of Personal Electronic Communication Devices at the elementary grade level may be different than that at the middle school, and/or high school grade levels. Teachers shall determine authorized use within their respective classrooms.

Unless a teacher determines otherwise, District-owned and Personal Electronic Communication Devices must be turned off upon entering any instructional area and remain off until the student leaves the instructional area. Instructional areas include, but are not limited to, classrooms, gymnasiums, practice fields, field trip locations, auditoriums, band rooms, and chorus rooms.

The district shall have the right to restrict Personal Electronic Communication Devices during school evacuations, as necessary, for the safety and security of all individuals.

The District shall not be liable for the theft, loss, damage, misuse, or unauthorized use of any Personal Electronic Communication Device brought to school by a student or employee. Students and employees are personally and solely responsible for the security of Personal Electronic Communication Devices brought to school, school events, or district property. The District will not be responsible for restricting, monitoring, or controlling the personal electronic communications of students or employees; however, it reserves the right to do so if the communications traverse the district network.

If Personal Electronic Communication Devices are loaned to or borrowed and/or misused by nonowners, the owners of the Personal Electronic Communication Devices are jointly responsible with the nonowner for the misuse and/or violation of district policy, regulations, rules, or procedures.

3. Guidelines

- a. **The District's general rule is that Personal Electronic Communication Devices must be turned off and stored in the student's locker during the school day ("bell to bell").** In accordance with this policy, District-owned and Personal Electronic Communication Devices **may** be used in authorized areas or as determined by the school administration as follows:
 - (i) Before and after school, in the cafeteria at lunchtime, in the hallways during the passing of classes, on the district's bus if authorized by the bus driver, and in the library and a study hall or classroom if authorized by the building principal generally and the classroom teacher specifically.
 - (ii) When the educational, safety, emergency, medical, or security use of Personal Communication Devices by the student is approved by the building principal, or designee, or the student's IEP team. In such cases, the student's use must be supervised by a district professional.

All use of Personal Electronic Communication Devices shall conform with the district's Acceptable Use Policy and all other applicable district policies and local, Pennsylvania and federal laws.

- b. In accordance with this policy, District-owned and Personal Electronic Communication Devices **may not** be used in unauthorized areas or as determined by the school administration within their schools, on the school's property, and while attending that school's sponsored activities during regular school hours as follows:

- (i) Students and employees are prohibited from connecting Personal Electronic Communications Devices to the District-owned network or other District-owned devices, via a hard-wired connection. Any permissible access to the District-owned network by Personal Electronic Communications Devices is only available through a wireless connection.
- (ii) To access, download, receive, create, send, share, view, sell, purchase or otherwise disseminate obscene, pornographic, lewd or otherwise illegal materials, images, photographs or video content, including but not limited to sexually explicit images or images portraying nudity. **This prohibition shall be strictly enforced and students found to be in violation of this policy provision shall face discipline up to and including expulsion from the District.**
- (iii) Students and employees are prohibited from attaching a nondistrict owned wireless access point, wireless router, or wireless bridge to the district owned network.
- (iv) Students and employees are prohibited from establishing a "mobile hotspot" or otherwise permitting other users to use their Personal Electronic Communications Device as a technological means to gain access to Internet resources or websites.
- (v) Students are STRICTLY prohibited from using District-owned or Personal Electronic Devices to make an audio or video recording of any person, including but not limited to other students or District employees, on school district property, on district-provided transportation or at school-sponsored events unless directed by a teacher to do so as part of an educational assignment and when the individuals being recorded give permission to be recorded.
- (vi) **Building administrators are authorized to establish authorized student use in their respective buildings.** If the building administrator authorizes the use of Personal Electronic Communication Devices in classrooms at any given time, the students' use is then at the discretion of the classroom teacher and such use may be prohibited by the teacher if he/she feels appropriate. Building administrators have complete discretion to prohibit the use of Personal Electronic Communication Devices in throughout the school and can mandate they be turned off stored in student lockers during the school day ("bell to bell"). **Student refusal to comply with a building-mandated cell phone prohibition shall face discipline up to and including expulsion.**
- (vii) The Board strictly prohibits the possession by students of any nondistrict-owned laser pointers, or laser pointer attachments, and any Personal Electronic Communication Devices that are hazardous or harmful to students, employees, and the district on school grounds, at district-sponsored activities, and on buses or other vehicles provided by the district. These include, but not limited to, devices that control/interfere with the operation of the buildings' systems, facilities and infrastructure, or network. No exception or permission may be authorized by the principal, or designee, or anyone, for students to possess or use such devices.
- (viii) During tests, examinations, and/or assessments, unless the teacher authorizes such use. When Personal Electronic Communication Devices are not permitted to be used during tests, examinations, and/or assessments they must be stored in closed items such as pocketbooks and book bags, and may not be visible or turned on. For example, they may not be placed on the desktop, table or on an individual's lap. Building administrators are authorized to require that Personal Electronic Communication Devices be stored outside of the classroom during certain examinations and/or assessments, such as the PSSAs or Keystone Exams.

- (ix) To cheat, engage in unethical conduct, and threaten academic integrity.
 - (x) Students and staff may not use Personal Electronic Communication Devices (while on school district property or attending school-sponsored activities) to gain access and/or view Internet resources or websites that are blocked by the district's content filter. Examples include, but are not limited to, social media sites and other prohibited content as defined in the district's Acceptable Use Policy. Although many Personal Electronic Communication Devices provide 3G/4G/mobile broadband connections to the Internet, students and staff use of such connections to access Internet resources or websites which are blocked by the district network is prohibited. Although prohibited by this policy, there are no district technology measures available to block such access if such access is made through 3G/4G/LTE or other mobile broadband connections to the Internet.
 - (xi) To invade the privacy rights of any student or employee, violate the rights of any student or staff member, or harass, threaten, intimidate, bully or cyberbully any student, employee, or guest, or promote or engage in violence. Actions include, but are not limited to, taking an individual's photo without consent, recording an individual's voice or image without consent, or storing/accessing personal and/or academic information/data without consent.
 - (xii) In locker rooms, bathrooms, dressing rooms, and swimming pool areas and in the school nurse office.
 - (xiii) To create, send, share, view, or disseminate sexually explicit, lewd images or video content.
 - (xiv) To disrupt the educational and learning environment.
- c. A student's use of a District-owned or his/her Personal Electronic Communication Device that violates this Policy, other relevant district policies, regulations, rules, and procedures and/or in a manner that is inconsistent with the instructions or directives given by any district official shall be confiscated and returned only to the student's parent or legal guardian.
 - d. If a student refuses to comply with a request by a District official/employee to hand over his/her District-owned or personal electronic communication device, that student shall have committed an act of "insubordination" within the meaning of the District's Student Handbook.
 - e. If school officials have reasonable suspicion that this Policy, other relevant district policies, regulations, rules, procedures, and laws are violated by the student's use of District-owned or Personal Electronic Communication Devices and/or that the use of these devices materially and substantially disrupt the school's atmosphere, the devices may be lawfully searched in accordance with applicable law, and/or the Personal Electronic Communication Devices may be turned over to law enforcement, when warranted. The scope of the search shall be limited to finding evidence of the specific suspicion of a violation of rules, policies or laws. **School officials shall contact the Superintendent or his/her designee prior to searching any Personal Electronic Communication Device.** By using Personal Electronic Communication Devices on school property, students and employees consent to their being searched for evidence of violations of District policies regarding technology and network use. Employees and students not willing to submit their devices for such examination are prohibited from bringing them onto school property and should not do so.
 - f. Students and employees should have no expectation of privacy when using the district's wireless network or other service(s). In addition, students and employees should have no expectation of privacy when they use Personal Electronic Communication Devices on the district's wireless, SDCE network or other service(s).
 - g. When legally required and/or when in the interest of the student, the student's parent/guardian shall be notified.

- h. If a Personal Electronic Communication Device, is suspected of being stolen, it shall be turned over to law enforcement.
- i. Disciplinary consequences shall be in accordance with the district's policies, regulations, rules, and procedures, including but not limited to Student Discipline outlined in this Policy, the Student Handbook, Acceptable Use Policy, Bullying and Harassment Policy and any other policies. Students shall be disciplined in a manner consistent with those policies, discipline ranging from detention, suspension up to and including expulsion, depending on the severity of the infraction. Students may be prohibited on a per student basis from bringing their Personal Electronic Devices to school as a result of violations of this policy.
- j. School district Information Technology (IT) support staff members are not permitted to perform work on or configure Personal Electronic Communication Devices.
 - (i) IT support staff members may provide general guidelines on how to wirelessly connect to the district network in accordance with the guidelines in this policy.
 - (ii) IT support staff members may assist in a lawful investigation of a Personal Electronic Communication Device only when directed by a school district administrator who is responsible for determining the legality of the search.
 - (iii) IT support staff will assign a lower priority to supporting Personal Electronic Communication Devices versus district-owned and supported network resources. If Personal Electronic Communication Devices are found to adversely impact the performance of the district-owned network, access to the network by those devices may be disabled.
- k. Any authorized wireless access to the district-owned network by Personal Electronic Communication Devices will be subject to content filtering and may have a higher level of security measures applied to the connection than would otherwise be the case with a similar district-owned device.
- l. Violations of this Policy should be reported to a school district administrator.



SECTION 13 — WEAPONS SEARCH WITH A METAL DETECTOR

1. Walk-through metal detectors and/or use of hand-held metal detecting wands may be used at certain entrances to the district's schools for security reasons. Signs will be posted to notify the students that each student may be required to submit to a screening for metal as a condition of entering or continuing attendance at school. The screening will be conducted by staff of the Erie City School District.
2. When a walk-through or hand-held metal detector is being used, students will be allowed to use only designated entries. If a metal detector activates on a student, the student will be asked to remove metal objects from his/her person and walk through or be scanned by a hand-held metal detector ("wand") again. If the metal detector activates a third time on the student after the removal of other metal, the student will be subjected to a "pat down" search or a further search with a hand-held metal detector under the procedures set forth in Paragraphs a through d below:
 - a. *A "pat down" search conducted by school personnel shall be limited to a feeling of the student's outer clothing for the purpose of discovering only items which may have activated the metal device.*
 - b. *If the school personnel conducting a "pat down" search feel an object which may have activated the metal detecting device or which feels like a weapon, the student will be asked to remove such object. If the student declines to remove the object, it may then be removed by school personnel.*
 - c. *If the object removed from the student could have activated the metal detector, the school personnel must cease performing the "pat down" search. In such event, a student will be subjected to a search with a hand-held metal detector or will be asked to walk through the walk-through metal detector again. The "pat down" search will be continued only if either metal detecting device again yields a positive reading.*
 - d. *Under all circumstances, the "pat down" search will be conducted when at least two school personnel are present.*
3. School personnel may inspect the contents of any briefcase, bag, knapsack, purse, or parcel which activates the metal detector for the limited purpose of determining whether a weapon is concealed therein. School personnel may not inspect briefcases, knapsacks, purses, or parcels or items contained therein in which a weapon could not be concealed unless the school personnel have independent reasonable suspicion (e.g., smell the order of an illegal drug) that other contraband is located in the item.
4. All property removed from the student as a result of the above procedure which may be legitimately brought onto school premises will be returned to the student.
5. Property removed from the student, possession of which is in violation of District policy, shall be confiscated and the student shall be disciplined in accordance with the applicable provisions set forth in the Student Handbook.
6. Students who fail to cooperate with school personnel performing their duties under these procedures may be subject to discipline for insubordination, disorderly conduct, or disruptive behavior.
7. Nothing in the procedures set forth above shall limit the authority of school officials to search a student or his/her belongings when there is individualized reasonable suspicion to believe that a particular student is in violation of any District rule or regulation or any local, state or federal law.

NOTE: School personnel include police personnel hired by the Erie City School District.



SECTION 14 - HAZING POLICY

The purpose of this policy is to maintain a safe, positive environment for persons and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the District and are prohibited at all times. (Refer to Board Policy 247 "Hazing" for the full text of the Policy.)

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:

1. The consent of the student was sought or obtained, or
2. The conduct was sanctioned or approved by the school or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization.

For purposes of this policy, **bodily injury** shall mean impairment of physical condition or substantial pain.

For purposes of this policy, **serious bodily injury** shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Authority

The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.

No student, parent/guardian, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing.

The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

Discrimination/Discriminatory Harassment

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination and discriminatory harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the District's Compliance Officer. If, in the course of a hazing investigation, potential issues of discrimination or discriminatory harassment are identified, the District's Compliance Officer shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.

Complaint Procedure

A student who believes that s/he has been subject to hazing is encouraged to promptly report the incident to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Board policies.

Interim Measures/Police

Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to the police consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to the police at every stage of the proceeding. The decision to report a matter to the police should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with the police in this regard.

Referral To Law Enforcement and Safe Schools Reporting Requirements –

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.

The Superintendent or designee shall notify the parent/guardian of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with this policy and the district's legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if s/he complies with the requirements under law, subject to the limitations set forth in applicable Pennsylvania law.

Students –

If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the District's Code

of Conduct. The student may also be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.



SECTION 15 — STUDENT CODE OF CONDUCT

Student Code of Conduct infractions are described and defined below. Code of Conduct infractions are divided into three categories:

Level I Infractions are those of a less serious nature that do not necessarily pose a threat to the health, safety, welfare or property of any person or the District. District staff must use appropriate forms of discipline intervention to correct misbehavior manifested in less serious infractions. Students may not always be referred to an administrator for minor Level I infractions, although repeated Level I infractions may be treated as Level II infractions and be assigned Level II consequences. Level I infractions include:

1. *Detention, failure to report*
2. *Disrespect*
3. *Dress Code violations*
4. *False Identification*
5. *Minor violations of Electronic Devices, Personal Electronic Devices and Computer/Internet Acceptable Use policies*
6. *Insubordination*
7. *Loitering*
8. *Profane/vulgar language or gestures*

Level II Infractions are those of a serious nature that may pose a threat to the health, safety, welfare or property of any person or the District. Discipline up to and including expulsion is authorized for most Level II infractions, although the building principal may use discretion as to whether to assign that level of consequence. Level II infractions include:

1. *Bullying*
2. *Cheating/plagiarism/forgery*
3. *Classroom/Laboratory/School Safety*
4. *Computer Use*
5. *Disorderly Conduct*
6. *Disruptive Behavior*
7. *Endangerment*
8. *Extortion/stealing/robbery*
9. *Fighting*
10. *Gambling*
11. *Harassment*
12. *Hazing*
13. *Inappropriate touching*
14. *Indecent exposure*
15. *Retaliation*
16. *School Safety*
17. *Sexual Conduct*
18. *Serious violations of Electronic Devices, Personal Electronic Devices and Computer/Internet Acceptable Use policies*
19. *Smoking*
20. *Threats to staff or students*
21. *Trespass*

22. *Vandalism*

23. *Level I infractions which are severe or where more than one offense has occurred*

Level III Infractions are infractions of a very serious nature which always pose a threat to the health, safety, welfare and/or property of District staff, students or other persons. Building Administrators must assign Level III Infractions the consequence of expulsion unless otherwise recommended by the Superintendent (and approved by the Board of Directors for weapon violations) on a case by case basis for extenuating circumstances. Level III infractions include:

1. *Assault/physical act of violence*
2. *Terroristic threats/terroristic acts*
3. *Unauthorized substances/illegal drugs*
4. *Weapons*

The range of disciplinary consequences and other interventions which may be assigned to a student for a Code of Conduct infraction are listed in the "Disciplinary Action" charts located after the Code of Conduct list of infractions.

In the event that multiple Code of Conduct infractions are committed during the same incident, discipline will be administered based upon the most serious infraction. These measures will not only create and maintain a safe environment within the school building for all students, but will also ensure the safety of students coming to and going from school.

Those infractions which are in violation of federal, Pennsylvania or local law which may not be included in the Code of Conduct infractions are subject to the disciplinary consequences set forth in the Disciplinary Action charts and could result in adjudication by various law enforcement agencies.

The following general rules are applicable to each/every Code of Conduct infraction:

1. The level of disciplinary consequence assigned by the building administrator or Superintendent to a Code of Conduct infraction will be contingent on a number of factors, including but not limited to: the age and developmental level of the student, whether this was a first, second or subsequent offense, the level of seriousness, severity or disruption of the incident, and any other extenuating circumstances.
2. The Code of Conduct is applicable to students while on school property, at any school sponsored activity (including school dances, field trips, etc.), regardless of whether occurring on or off of District property and on any public conveyance providing transportation to a school or school sponsored activity.
3. The Code of Conduct is applicable to students going to and returning from school.
4. Chronic patterns of any Code of Conduct infractions, or a combination of infractions, will result in the student being referred to the alternative education program or, if warranted, expulsion.
5. Any violation of the Code of Conduct may be reported to appropriate law enforcement officials who may file subsequent criminal charges against the student when warranted.
6. Students who are on out of school suspension, referred to the alternative education program, or expelled, may not participate in any school-sponsored events including, but not limited to, athletic programs, dances, field trips and may not enter school property during this period of time. This rule applies to weekends which occur during the suspension period. Violation of this rule shall be considered defiant trespass and the Erie City School District police will file charges.

Safe Schools Act Notification to parents/guardians. Pursuant to the Pennsylvania Safe Schools Act, the Administration shall immediately notify, as soon as practicable, the parent or guardian of a victim or suspect directly involved in an incident listed in 24 P.S. §13 -1303-A(b)(4.1) and (4.2). In making the notification, the Administration shall inform the parent or guardian as to whether the local police department has been, or may

be, notified of the incident. Those student offenses which fall under this mandate are designated in Section 14 as “Safe Schools Act notification” (or “SSA Notification”). A full listing of those offenses which must be reported to parents and guardians of victims or suspect students are listed in Appendix A in this Student Handbook.

** Discipline of Special Education Students. Students eligible for special education services pursuant to IDEA and Chapter 14 of the Pennsylvania Department of Education regulations must comply with all District rules and regulations. However, eligible students will be afforded all procedural rights granted to them under state and federal law, as outlined more specifically in the Procedural Safeguards Notice which includes a full explanation of all of the rights available to parents of a child with a disability ages 3-21, including an explanation of their rights in relation to discipline of special education students. Copies of the Procedural Safeguards Notice are available at every District school and also may be reviewed online on the Pennsylvania Department of Education, Bureau of Special Education website.

DESCRIPTION OF CODE OF CONDUCT INFRACTIONS

Assault/Physical Act of Violence - the deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another or the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury. Students are prohibited from assaulting or committing physical acts of violence on another student or school personnel.

Bullying – intentional electronic, written, verbal or physical act, or a series of acts:

1. directed at another student or students;
2. which occurs in a school setting;
3. that is severe, persistent or pervasive; and
4. that has the effect of doing any of the following:
 - a. substantially interfering with a student’s education; or
 - b. creating a threatening environment for any specific student or groups of students; or
 - c. substantially disrupting the orderly operation of the school.

“School setting” shall mean in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.

Bullying is prohibited in the school setting. Bullying may also rise to the level of “Harassment”. Prohibited bullying behavior could also occur outside of the school setting as set forth in “Off-Campus Behavior and Speech.” A student’s access, downloading, receipt, creation, sending, sharing, viewing, selling, purchase or dissemination of obscene, pornographic, lewd, sexually explicit or nude images, photographs or video content of another student may be considered bullying.

Students are encouraged to report incidents of bullying to school officials. Students shall report incidents of bullying to the assistant principal/s in each school. If investigation shows the bullying has implicated a student’s protected class, the assistant principal shall notify the District’s Coordinator of Educational Equity and Diversity/(Title IX) Compliance Officer and Section 504 Compliance Officer who shall determine if Title IX, any other state or federal law prohibiting discrimination/harassment or Section 504 of the Rehabilitation Act is implicated and shall respond accordingly.

Copies of this Bullying Policy, as well as copies of the Harassment Policy and the Off Campus Behavior and Speech Policy, shall be posted in each classroom in the District, on the District’s website, and shall be posted at a prominent location within each school building where such notices are usually posted.

Bus Infractions – All District rules apply to students while they are on school-provided transportation. Poor student behavior will result in suspensions from school and/or loss of bus privileges. Discipline assigned will coincide with offense. For example, if the student is fighting on the bus, the disciplinary consequence for fighting will be assigned.

Cheating/Plagiarism/Forgery – “*Cheating*” is to violate rules dishonestly, or to deceive, deprive by fraud, pretend, or obtain property/information, answers by distortion of truth, swindle, to copy or plagiarize another student’s work or aiding and abetting another student in copying or plagiarizing another’s work or all of the above. Cheating includes the use of technologies such as text messaging, cellular telephones, palm pilots, hand held computers, etc. in a deceptive or dishonest manner in the classroom or educational setting.

“*Plagiarize*” – to steal or pass off as one’s own the ideas or words or another; to present as one’s own idea or product derived from an existing source.

“*Forgery*” is the false or fraudulent making or altering of a writing or other document.

Classroom/Laboratory Safety – any actions which endanger oneself or others through the use or misuse of classroom and/or laboratory equipment, or any other object found on school property. Examples of this offense include inappropriate and dangerous use of chemicals in a science laboratory, intentional inappropriate use of tools in a technical lab, etc.

Computer/Internet Acceptable Use – A student’s use of the District’s computers and Internet resources is a privilege, not a right. Students are required to abide by the rules and regulations set forth in the District’s “Computer/Internet Acceptable Use Policy,” as outlined in this Student Handbook.

Conspiracy – A student commits a conspiracy to violate any provision of the Student Code of Conduct when:

1. the student agrees with another student or person or persons that they or one or more of them will engage in conduct which constitutes a violation of the Student Code of Conduct or an attempt or solicitation to commit such violation of the Student Code of Conduct, or
2. the student agrees to aid such other student or person or persons in the planning or commission of such violation of the Student Code of Conduct or of an attempt or solicitation to commit such violation of the Student Code of Conduct.

Any violation of the Conspiracy infraction will carry with it the same Disciplinary Action as the underlying Student Code of Conduct infraction.

Disorderly Conduct – Fighting, threatening, engaging in violent behavior, making unreasonable noise, using obscene language or gestures, creating a hazardous or physically offensive condition for no legitimate reason, for the purpose of creating or resulting in public inconvenience, annoyance, or alarm.

Disrespect – A lack of respect or deference shown by a student to the authority or position of a District official or employee.

Disruptive Behavior – Student behavior, including verbal, physical, written, etc., actions, which is distracting, detrimental or not conducive to the learning environment of other students while in school. Disruptive behavior may include (but is not limited to), or may be a combination of, behavior defined as assault/physical act of violence, disorderly conduct, disrespect, profanity, fighting, endangerment, and/or insubordination. It will be considered “disruptive behavior” when a student participates in a fight, and that fight results in the gathering of other students and resulting in disruption to the school. Disruptive behavior may also occur through a student’s use of his/her cellular telephone during class.

Dress Code – Students are required to abide by the District’s Dress Code Policy as defined in this Student Handbook. The Administration may impose additional limitations on dress and/or appearance if the attire or appearance causes a disruption of the educational process or constitutes a health or safety hazard. Exceptions to the mandatory dress code will be made on a case by case basis in order to accommodate bona fide religious beliefs and special health conditions.

Electronic Communication Devices – are communication devices with voice, data, text, and/or navigation capabilities that are able to access the Internet, transmit telephone calls, text messages, email messages, instant messages, video communications (such as iChat and Skype), perform word processing and other computer and online applications (apps), and provide location information. The devices are capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Examples of Electronic Communication Devices include smartphones (iPhone, Android, Blackberry), cellular phones, mobile phones (with recording and/or camera/video and other capabilities and configurations); traditional telephones; pagers; global positional system (GPS) instruments; computers; portable game units; graphic calculators; MP3, music, and media players or recorders; personal digital assistants (“PDAs”); traditional cameras, video cameras, and digital still cameras; tablet and laptop computers; and other similar devices. Electronic Communication Devices may also be referred to as electronic devices in other publications and district policies.

Electronic Communication Devices also include devices that are not capable of transmitting telephone communications (such as iPads, Android tablets, radios), and devices that may or may not have Internet access (such as Kindles, Nooks, or other eReaders), are lasers, are capable of recording still and video images, are capable of recording audio, and/or are radar communication devices.

“Personal Electronic Communication Devices” - are Electronic Communication Devices that are owned by the student or employee. Any use of electronic communication devices, District-owned or personal, is

prohibited except as authorized in the Electronic Communication Devices policy and the Internet/Computer Acceptable Use Policy, as set forth in this Student Handbook.

Endangerment (Arson, Bomb Threat, Riot and Other Related Actions) – Deliberate conduct which recklessly causes another person to be placed at risk of death or serious injury, including but not limited to:

Arson – The deliberate starting of a fire or explosion, or helping, asking, or telling another person, to start a fire or explosion, which could or does place property in danger of being damaged or a person (including a fire fighter) in danger of injury.

Bomb Threat – A threat to detonate an explosive device or a statement that such a device is located in a place where explosion may cause injury to people or damage to property, made to public or school authorities, regardless of whether such an explosive device exists. (NOTE: This does not include informing public or school authorities of such threats or statements made by another person for the purpose of allowing such authorities to take appropriate safety precautions.)

Riot – Disorderly conduct by two or more persons for the purpose of committing or facilitating the commission of a crime, for the purpose of preventing or coercing official actions, or when the actor knows a firearm or deadly weapon will be used.

Creating a Dangerous and Unruly Atmosphere – when a student chooses to engage in a fight or other altercation with another student or students while at school or at a school sponsored event, which engagement directly results in the attraction and gathering of a number of students and creates dangerous and unruly situation in the school setting.

Setting Off False Fire Alarms

Tampering with Fire Extinguishers

Extortion/Stealing/Robbery -

1. **Extortion** - obtaining money, property, or articles by threats or force.
2. **Stealing** - defined as follows:
 - a. Taking the property of another without the intent of returning the property to the owner.
 - b. Obtaining possession of the property of another by deception, extortion, or blackmail without the intent of returning the property to the owner.
 - c. Failing to return or make reasonable efforts to return property to its owner, or to turn found property in at an appropriate "lost and found".
 - d. Taking possession of property one knows or has reason to know is stolen, without the intent of returning it to the owner.
3. **Robbery** – when, in the course of committing a theft or stealing, a person inflicts bodily injury on another, threatens another with or intentionally puts him in fear of immediate bodily injury, or physically takes or removes property from the person of another by force, however, slight.

False Identification – intending to deceive by giving wrong identification to school authorities.

Fighting – Any physical conflict between two or more persons.

Interference – Any student who interferes with a staff member trying to stop a fight will be treated as fighting.

Agitate, Instigate, Intimidate, Rumor, Leaving Assigned Area to Watch - Any student provoking a fight - that is, agitating, instigating, intimidating, or spreading rumors so as to cause a fight, or leaving an assigned area or classroom to watch a fight - will be dealt with in a similar manner as if fighting.

In certain circumstances, an incident which may have begun as a fight could escalate into an act of assault/physical act of violence (an expellable offense). Examples of situations where this occurs is when an individual student refuses to stop fighting or engaging the other student after repeated orders from district staff to do so, or when one student is clearly aggressing on another student after that other student has de-escalated.

Gambling – the making of any bet or wager and/or the organization of or participation in any lottery, numbers game, cards, dice, pool, or bookmaking for money or property.

Harassment – It is the policy of the School District of the City of Erie to maintain a learning environment that is free from the intimidation, bullying and/or abuse of students and District employees that rises to the level of “harassment.” Students are prohibited from harassing other students and District employees.

“*Harassment*” includes, but is not limited to, unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-down, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person’s school or school-related performance and which related to an individual’s race, color, creed, religion, ethnicity, national origin, ancestry, sex, gender, gender identity and expression, sexual orientation, age, marital status, pregnancy or handicap/disability, or any other legally protected class, or for engaging in any other protected activities, which is:

1. sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant’s position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the service, activities or opportunities offered by the District or a school..

It shall be a violation of this policy to harass a student or District employee. **Bullying** can be a form of harassment. A student’s sending, sharing, viewing, selling, purchasing or otherwise disseminating of obscene, pornographic, lewd, sexually explicit or nude images, photographs or video content of another student may be considered harassment.

Sexual harassment is a type of prohibited harassment and is a form of discrimination on the basis of sex. By way of further explanation, sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature made to a student when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s status in any educational or other programs offered by a school; or
2. Submission to or rejection of such conduct by a student is used as the basis for educational or other program decisions affecting that student; or
3. Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or
4. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant’s position would find that it unreasonably interferes with the complainant’s performance in school or school-related programs, or otherwise creates an intimidating, hostile or offensive school or school-related environment such that it unreasonably interferes with the complainant’s access to or participation in school or school-related programs.

Federal law declares sexual violence a form of sexual harassment. Sexual violence means physical or sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Sexual violence includes but is not limited to rape, sexual assault, sexual battery and sexual coercion.

Students are encouraged to report to school officials any incidents of harassment. Upon receiving a complaint of harassment, the District will investigate the allegations and take appropriate action as dictated

by federal and Pennsylvania law. See “Reporting Incidents and Investigating Reports of Harassment” (Section 9) for more information.

Hazing – The School District of the City of Erie supports only those activities which are constructive, educational and that contribute to the intellectual and personal development of students. The District unequivocally opposes any situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule. **It is therefore the policy of the District that hazing activities of any type are inconsistent with the educational goals of the District and are prohibited at all times.**

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether: The consent of the student was sought or obtained, or the conduct was sanctioned or approved by the school or organization.

Inappropriate Touching – The intentional physical contact with another person without his/her consent. Inappropriate touching may rise to the level of harassment.

Indecent Exposure – A student’s exposure of his/her genitals in any public place on school district property, at school-sponsored activities and on any provision of transportation to school or school-sponsored activity, or in any place where there are present other persons under circumstances in which the student knows or should know that this conduct is likely to offend, affront or alarm.

Insubordination – The outright refusal to obey a directive from any staff member after more than one attempt has been made to encourage students to comply without disciplinary action being initiated. Failure to turn over a cellular telephone (restricted electronic device) when requested by District officials is insubordinate behavior and shall be treated as a second offense or third offense.

Loitering – To hang around, to lag behind, to aimlessly stop or pause without legitimate purposes, to remain on school property after repeated requests to vacate premises by school personnel.

Off-Campus Behavior and Speech - Students may be subject to discipline ranging from detention up to and including expulsion for acts or speech which would otherwise be prohibited pursuant to the requirements set forth in the Erie School District Student Handbook and which have a direct nexus to school but occur either off campus or during non-school hours when those acts or speech materially interfere with

school activities, cause substantial disruption or disorder at school or school-sponsored events, or invade or interfere with the rights of other students, District employees or school officials.

Off campus behavior and speech specifically includes, but is not limited to, a student's use of his/her personal computer and social media accounts outside of school.

Students are also on notice that school officials need not wait for material interference with school activities, substantial disruption/disorder, or the invasion/interference with rights to occur. School officials may discipline students when it is reasonably foreseeable that the students' acts or speech pose a realistic threat of creating this material interference, substantial disruption or invasion of rights.

The disciplinary consequence imposed for Off-Campus Behavior and Speech which meets the above standards will be consistent with the consequence that would be imposed had the behavior or speech occurred on school property or at a school-sponsored event.

Profane, Vulgar Language or Gestures – Language or gestures which are crude, coarse, gross, or irreverent and inappropriate for the educational setting.

Retaliation – when a student intimidates, threatens, coerces, assaults, bullies or discriminates against another student as a result of or in response to that student having reported to District officials violations of the Student Code of Conduct or any other law or rule or having testified, assisted, or participated in any manner in an investigation, proceeding or hearing conducted by the District.

Retaliation protections are designed to preserve the integrity and effectiveness of the District's Student Code of Conduct. Retaliation is prohibited in the District. A student engaging in retaliatory conduct will be subject to discipline up to and including expulsion.

School Safety – In order to keep the schools in a safe and orderly condition during the school day and during school-sponsored events, students must comply with the following:

1. *May not prop open any door or window of the school building;*
2. *May not let any individual into the school (all persons entering the building shall enter the building through the main entrance and sign in at the office);*
3. *May not leave and re-enter the school building during the school day;*
4. *May not leave their assigned area during the school day and should always remain where they are assigned or authorized to be (this includes leaving their classroom or assigned area to witness a fight or other altercation);*
5. *May not exchange any items with any individual outside of the school (ex., may not order lunch in and receive it through a door or window; may not receive any object through a door or window) – all items brought into the school must flow through the main office.*
6. *May not r have a hood up or hat on during the school day ("bell to bell").*

Sexual Conduct – Any physical contact of a sexual nature between students, even when voluntary, welcome or invited. Sexual conduct is prohibited on school property, at school or District-sponsored events and on District-provided transportation.

Smoking – Students are prohibited from using or possessing tobacco in school buildings, on buses, vans or other vehicles owned by, leased by or under the control of a school district, and on property owned by, leased by or under the control of the school district anywhere a school sponsored activity takes place. Tobacco is defined as "a lighted or unlighted smoking product and smokeless tobacco in any form ." (35 P.S. §1223.5).

For purposes of internal school discipline (detentions/out of school suspensions), the District also prohibits students from using or possessing electronic cigarettes, vapes, Gutka, hukkah pipes and/or paraphernalia, etc.

"Electronic cigarettes" or vaping devices mean any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the use or inhalation of which simulates smoking. The term shall

include such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, vapes or under any other product name or descriptor.

Any student who serves as a “look out” will be treated as if smoking.

Terroristic Threats/Acts – Students are prohibited from communicating a terroristic threat to or about any student or employee of the District, Board member or community member, and are prohibited from committing a terroristic act directed at any student or employee of the District, Board member or community member or toward any school building. **Students are on notice that all threatening comments or actions of this nature will be presumed to be serious and will be consequenced accordingly.**

“Terroristic threats” are threats to commit any crime of violence to another or to cause evacuation of a building, place of assembly or facility, or to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience. The District considers pictures, drawings or illustrations depicting shooting staff and students or depicting other forms of violence against those individuals to be terroristic threats.

“Terroristic acts” are offenses against property or involving danger to another person.

NOTE: Any parent or guardian of a District student who communicates a terroristic threat to or commits a terroristic act directed at any student, teacher, administrator, any other employee of the District, Board member, community member, or toward any school building shall be immediately escorted off School District property and local law officials will be notified. The parent or guardian or individuals will be notified that he or she has lost the privilege of entering school property and of attending any school related functions to which parents or guardians are invited to attend.

Threats to Staff or Students – any threatening verbal comment or physically menacing behavior made by a student to or about a District employee or official or another student. Threats to staff or students may not rise to the level of “terroristic threats” or “terroristic acts.” Examples of “physically menacing behavior” include, but are not limited to, raising your fist to a staff member/student, approaching a staff member/student and invading his/her personal space in a menacing or intimidating manner, drawing a “bulls eye” around an image or name of another individual, etc.

Trespass/Defiant Trespass – To enter or remain in or on school property or vehicles, knowing or having reason to know that one is not permitted to enter or remain.

Students who have been suspended from school, have been referred to the Alternative Education Program (AEP) and/or who have been expelled from the District are not permitted on school property or at school-sponsored events, including athletic events, extra-curricular activities, graduations, proms, etc.

Unauthorized Substances (Illegal Drug Policy) - The possession and/or use of an unauthorized substance, the possession of an unauthorized substance with the intent to deliver, the misrepresentation of an unauthorized substance and the possession of paraphernalia by students on school district property, at school district sponsored events and on school district transportation is prohibited.

Definitions:

Illegal Alcohol - any malt, brewed, or distilled beverage, the purchase or possession of which by a person under twenty-one years of age is prohibited by Pennsylvania State Law.

Illegal Drug – (a) Any substance (other than food) which affects the structure or function of the human body when introduced into the body by ingestion, injection, inhalation, or any other means; the possession, delivery, or use of which is prohibited by Pennsylvania and/or Federal Law, unless prescribed by a physician or licensed by the state or federal government to possess, deliver, or use such substances; or (b) Any legal substance not intended for introduction into the human body, but which when introduced into the body affects the structure or function of the human body; which is possessed for the purpose of introduction into the body; and the introduction into the body of such substance is prohibited by Pennsylvania or Federal Law (such as solvents).

“Look-alike” drugs/substances – any substance that substantially resembles or is meant to represent any illegal drug or unauthorized substance.

Misrepresentation – any attempt to distribute a substance which has been inaccurately described or implied to the receiver as an unauthorized substance.

Paraphernalia – tools or equipment whose function is to aid a user in consuming or selling any type of drug, controlled substance, or alcohol or any other unauthorized substance. Paraphernalia shall also include hukkah pipes or any other similar device, and all oral devices that provide a vapor of liquid nicotine, lobelia or any other substances, the use or inhalation of which simulates smoking, including any such devices whether they are manufactured, distributed, marketed or sold as e-cigarettes, e-cigars, e-pipes, vapes, vaping devices, vape pens, advanced personal vaporizers (aka MODS), wave cartridges, vape pods and/or any other similar device or under any other product name or descriptor.

Possession – student in possession of unauthorized substances or paraphernalia found on the person of the student; in the student’s locker; under the student’s control while he/she is on school property, on property being used by the school, at any school function or activity, at any school event held away from the school; or while the student is on his/her way to or from school.

Use (of an unauthorized substance) – either the actual use during school hours or at school-sponsored activities either during or after school hours; or the use prior to arrival at school or school-sponsored activities which evidences itself by strong odor or any unusual behavior. The District considers being under the influence of an unauthorized substance while at school to fall within the meaning of “use”

Unauthorized substances – shall include but are not limited to alcohol, illegal drugs, controlled substances, prescription drugs, non-prescription drugs which are being used in an abusive or unlawful manner or in a manner for which they were not intended or prescribed, non-prescription drugs which are possessed by the student without compliance with the District’s procedures regarding student use of medication, anabolic steroids, look-alike drugs/substances and any substance which is intended to alter mood. Unauthorized substances also include hukkah pipes, any substance used in conjunction with hukkah pipes or similar paraphernalia, Gutka, vapes, vaping devices, advanced personal vaporizers (aka MODS), wave cartridges, vape pods, and liquid nicotine, lobelia and/or any other substances the use of inhalation of which simulates smoking. Note that possession and/or use of vaping devices, vape pens advance personal vaporizers (aka MODS), wave cartridges, vape pods and any e-liquid or e-juice contained therein.

NOTE: Nothing in this provision relating to the prohibition of using, possessing, delivering or misrepresenting unauthorized substances is intended to nullify the procedures followed by the District regarding student use of medication.

Vandalism – is the deliberate or reckless destruction, damage or defacement of District property or property controlled by the District.

Weapons – shall include, but not be limited to any of the following or any replica or look-alike of the following: guns, BB guns; firearms, ammunition, such as bullets; knives; metal knuckles, straight razors and razor blades; noxious, irritating or poisonous gases, including mace and pepper spray; poisons; explosive materials; bombs; missiles; chains; metal objects or any other object designed for protection or designed to inflict serious bodily injury to others.

Students are strictly prohibited from bringing, carrying, using, concealing, or possessing weapons, or any replica or look-alike object thereof, on school property, at any school sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity.

NOTE: STUDENTS WHO BRING WEAPONS TO SCHOOL FOR THE PURPOSE OF PROTECTING HIM/HERSELF, EVEN WITH THE PERMISSION OR URGING OF THEIR PARENTS/GUARDIANS, WILL NONETHELESS BE IN VIOLATION OF THIS POLICY AND STATE LAW AND WILL BE REFERRED FOR EXPULSION.

DISCIPLINARY ACTIONS FOR CODE OF CONDUCT INFRACTIONS

LEVEL I Infractions		Disciplinary Action*										
		Verbal warning from teacher or building administrator	Parent Notification	Parent Conference	Teacher Detention	Administrative Detention	In-school suspension	1 – 10 days out of school suspension	SAP Referral	Internal or external evaluation or counseling	Behavior management contract	Exclusion from school activities or loss of privileges^
OFFENSES	Detention, failure to report	●	●	●	●	●	●	●	●	●	●	●
	Disrespect	●	●	●	●	●	●	●	●	●	●	●
	Dress Code Violations	●	●	●	●	●	●	●	●	●	●	●
	False Identification	●	●	●	●	●	●	●	●	●	●	●
	Minor violations of Electronic Devices, Personal Devices & Computer/Internet Acceptable Use Policies	●	●	●	●	●	●	●	●	●	●	●
	Insubordination	●	●	●	●	●	●	●	●	●	●	●
	Loitering	●	●	●	●	●	●	●	●	●	●	●
	Profane/vulgar language or gestures	●	●	●	●	●	●	●	●	●	●	●

**This list of infractions and disciplinary actions is not all inclusive. The District maintains the right to pursue any necessary disciplinary action to maintain the health, safety and welfare of staff and students. These Disciplinary Actions may be utilized at the discretion of the teachers and/or building administrators if appropriate, depending on the circumstances.*

^Exclusion from school activities could mean, for example, removal from the classroom during a classroom party; loss of privileges could mean, for example, loss of privilege to use Internet/District computers and/or any electronic communication devices.

LEVEL II Infractions		Disciplinary Action*																			
		Warning to student	Parent Notification	Parent Conference or Informal Hearing when required	Teacher Detention	Administrative Detention	In-school suspension	1 – 10 days out of school suspension	Referral to alternative education placement	Referral for expulsion	Referral to local law enforcement and/or District Justice	Suspension of transportation privileges	SAP referral	Internal or external evaluation or counseling	Behavior management contract	Exclusion from school activities or loss of privileges^	Voluntary community service	Restitution when applicable	Safe Schools Act notification (required when	Receipt of no credit/"O" for assignment/test	
		OFFENSES		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Bullying		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Cheating/Plagiarism/ Forgery		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Classroom/Laboratory/ School Safety		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Computer Use (serious/ multiple infractions)			•	•				•	•	•	•		•	•	•	•	•	•	•	•	•
Disorderly Conduct			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Disruptive Behavior			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Electronic communication devices (serious/multiple infractions)			•	•				•	•	•	•	•	•	•	•	•	•	•	•	•	•
Endangerment			•	•				•	•	•	•	•	•	•	•	•	•	•	•	•	•
Extortion/stealing/ robbery			•	•				•	•	•	•	•	•	•	•	•	•	•	•	•	•
Fighting		•	•	•				•	•	•	•	•	•	•	•	•	•	•	•	•	•
Gambling		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Harassment			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Hazing			•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Inappropriate touching		•	•	•		•	•	•	•			•	•	•	•	•	•	•	•	•	•
Indecent Exposure			•	•				•	•	•	•	•	•	•	•	•	•	•	•	•	•
Retaliation		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
School safety		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Sexual Conduct		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Smoking		•	•	•	•	•	•	•			•	•	•	•	•	•	•	•	•	•	•
Threats to staff or students			•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Trespass/defiant trespass		•	•	•		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Vandalism			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•

Level I infractions which are severe or where more than one offense has occurred		•	•					•	•	•	•	•	•	•	•	•	•		
--	--	---	---	--	--	--	--	---	---	---	---	---	---	---	---	---	---	--	--

**This list of infractions and disciplinary actions is not all inclusive. The District maintains the right to pursue any necessary disciplinary action to maintain the health, safety and welfare of staff and students. Authorized Disciplinary Actions for Level II infractions may be utilized at the discretion of the building administrators, depending on the circumstances.*

^Exclusion from school activities could mean, for example, removal from the classroom for a day for a classroom safety infraction; loss of privileges could mean, for example, loss of privilege to use Internet/District computers and/or any electronic communication devices.

LEVEL III Infractions		Disciplinary Action*													
		Parent notification+	Parent Conference or Informal Hearing when required+	10 days out of school suspension (gr. 6 -12); 1 – 10 days out of school suspension (gr. K – 5)+	Referral for expulsion for a period of not less than one year (Superintendent may recommend a lesser penalty)+	Referral for expulsion (11 or more days)+	Referral to local law enforcement+	Possible suspension of transportation privileges	SAP referral	Internal or external evaluation or counseling	Behavior management contract	Exclusion from District/school sponsored activities	Voluntary community service, if authorized by Board (for weapons) or Superintendent	Restitution	Safe Schools Act notification+
OFFENSES	Assault/physical act of violence	•	•	•		•	•	•	•	•	•	•	•	•	•
	Terroristic threats/terroristic acts	•	•	•		•	•	•	•	•	•	•	•	•	•
	Unauthorized substances/illegal drugs	•	•	•		•	•	•	•	•	•	•	•	•	•
	Weapons (Board approval required of all disciplinary consequences resulting from weapon violations.)	•	•	•	•		•	•	•	•	•	•	•	•	•

**Building Administrators are required to refer students for expulsion for violations of Level III infractions. The Superintendent has the discretion to modify the Disciplinary Actions on a case by case basis, if it is determined to be in the best interest of the student and/or the District. This list of infractions and disciplinary actions is not all inclusive and the District retains the right to pursue any necessary disciplinary action to maintain the health, safety and welfare of staff and students.*

+Disciplinary Actions designated with a + are required actions for building administrators for Level III infractions. Disciplinary Actions without the + designation may be utilized at the discretion of the building administrators and/or Superintendent if appropriate depending on the circumstances.



SECTION 16 - ERIE'S PUBLIC SCHOOLS PROGRAMS

Through Erie's Public School's reconfiguration, EPS has established various Programs for students. These programs allow students to focus their academic and vocational studies in areas of their individual interests. While EPS will continue to expand its Program offerings, the following Programs are available to students for the 2018-2019 school year:

1. Career and Technical School, located at Erie High School
2. School of Knowledge (Educational Strand), located at Erie High School
3. Health and Certified Personal Trainer Program (CPT), located at Erie High School
4. Northwest Pennsylvania Collegiate Academy, located at NWPA Collegiate Academy
5. Visual and Performing Arts Academy, located at NWPA Collegiate Academy
6. Cyber and Recovery Academy, located at Emerson-Gridley

While every EPS student will receive high quality academic instruction and have access to elective classes, there are limited slots in some of the above-referenced Programs. Participation in those Programs is a privilege and not a right. For that reason, some of the Programs have certain admission criteria to ensure those students selected to participate in a particular Program have the academic, behavioral and specialized skills that will make them more likely to be successful in their chosen Program. EPS does not discriminate in the admission or retention of students into these specialized Programs on the basis of race, color, religion, ethnicity, national origin, sex, gender, gender identity and expression, sexual orientation, age or disability or any other legally protected class. EPS ensures manifestations of disabled students' disabilities are taken into account as required by IDEA and Section 504 when making all admission and continued eligibility determinations.

A description of each Program, the criteria for admission to each Program and on-going eligibility requirements are set forth below.

A. Career and Technical School – In today's challenging job environment, it is more critical than ever that EPS students complete their high school education with strong academic and technical skills that prepare them for college-level studies and successful careers. This career and technical foundation will allow them to succeed personally and also make a valuable contribution to our local economy. The Career and Technical School includes many pathways designed to develop a student's college readiness skills AND provide a viable career path.

1. While subject to change, the Career and Technical School currently offers the following programs:
 - a. **Medical Assistant:** office and clinical skills including typing, assisting physician, selected medical laboratory skills, and other medical practice skills.
 - b. **Physical Therapy/Sports Med Asst:** PT training for both sports medicine and patient recovery. Medical office and patient services skills are developed.
 - c. **Nursing Assistant:** basic patient care skills, body mechanics, nutrition and pathology, includes practical experience in a clinical setting.
 - d. **Cosmetology:** theory and practical care in skin, nails and hair. Successful candidates will earn a Cosmetology PA state license.
 - e. **Digital Media:** radio, television and video production for students who desire a career in broadcast and corporate communications.

- f. **Horticulture/Landscaping:** lawn care and design of landscaping from basic to a full complement of brick and fountains. Greenhouse, floral design and aquaponics are part of the program.
- g. **Criminal Justice:** a program that prepares individuals to perform entry-level duties as a patrolman, corrections officer, juvenile officer, security officer and probation officer. The American legal system, techniques used in the police laboratory and training in emergency and disaster situations.
- h. **Protective Services:** in depth training required to perform entry-level duties as a police officer, a firefighter, emergency medical technician and other public safety related careers.
- i. **Computer Technology:** basic computer design and architecture, programming, problems of specific computer application, component and system maintenance and inspection procedures, hardware and software problem diagnosis and repair and report preparation.
- j. **Machine Technology:** students will train on standard machine equipment including drill press, lathe grinder, band saw, milling machines and CNC operations.
- k. **Pre-Engineering:** this program will offer pre-college level of design, CAD, 3D modeling and design work. Students will have the opportunity to work in teams and develop manufacturing processes.
- l. **Welding Technology:** will prepare students for work in this high demand field. TIG, MIG and plasma cutting are all part of the welding program.
- m. **Construction Trades:** students will learn a variety of construction trades from electrical, carpentry, plumbing, masonry and Core One completion in high schools. Students will be able to move in apprenticeship programs or direct to the worksite.
- n. **Auto Body Technology:** straightening, replacing, painting and finishing work on automobiles. Taking a damaged vehicle and making it look new and operational for the body and frame. Powder Coating and spray painting are a strong part of the program.
- o. **Auto Mechanics Technology:** repair on automobile engines, tires, transmissions and alignments. Inspections and preventative care on motor vehicles.
- p. **Marketing/Business:** designed to prepare students to enter or advance in marketing, sales, business, distribution and merchandising occupations.
- q. **Culinary Arts:** use and care of kitchen equipment, menu planning, food preparation and restaurant management.
- r. **Computer Programming:** fundamentals of computers are addressed. Students will learn computer programming basics and computer repair.
- s. **Child Development:** An instructional program that prepares individuals for a variety of occupations in child care and guidance often under the supervision of professional personnel in child or day care centers. This program includes instruction in growth and development; nutrition program planning and management; safety; behavior guidance; play activities; child abuse and neglect; parent-child personal relationships; learning experiences for children; and laws, regulations and policies relating to child care services.
- t. **Advanced Placement Offerings:**
While subject to change, the Career and Technical School currently offers the following Advanced Placement courses, all taught by College Board authorized faculty:
 - i. AP US History
 - ii. AP World History

- iii. AP Language and Composition
- iv. AP Literature and Composition
- v. AP Biology
- vi. AP Calculus
- vii. AP Computer Science Principals
- viii. AP Government

1. **Admission Criteria.** The various Career and Technical programs are a four year commitment in order to complete the state-required competencies, culminating in the National Occupational Competency Test (NOCTI). Students are accepted in Career and Technical programs based on a point system:

- a. Attendance component (35%) - Students must demonstrate a commitment to consistent attendance in order to be successful in a Career and Technical Program because career and technical education programs have state mandated hours of completion. The student must maintain a specified number of training hours to remain in the program, which training hours can only be acquired through regular attendance. All Erie High School Career and Technical programs are state approved four year programs requiring 1320 instructional hours and successful demonstration of specific knowledge and skills as outlined in each program's task list. For this reason, attendance is one component of the admission criteria for the Career and Technical Program.

Students shall earn the following points based on prior year attendance, looking at both excused and unexcused absences (NOTE: medically excused days will be taken into consideration in assignment of points):

- | | | |
|-------|----------------------------------|---|
| (i) | Perfect Attendance | 5 points |
| (ii) | Under 10 days | 4 points (no unexcused absences or tardies) |
| (iii) | Under 10 days | 3 points (up to 2 unexcused absences or tardies) |
| (iv) | Between 11 – 14 days | 2 points (up to 5 unexcused absences or tardies) |
| (v) | Between 15 – 20 days | 1 point (up to 10 unexcused absences or tardies) |
| (vi) | Over 20 days absence
tardies) | 0 points (over 20 unexcused absences or
tardies) |

- b. Academic Performance (35%). Students shall earn the following points based on prior year academic and current semester academic performance:

- | | | |
|-------|-------------------|----------|
| (i) | 3.5 GPA or higher | 5 points |
| (ii) | 3.0 to 3.4 | 4 points |
| (iii) | 2.7 to 2.9 | 3 points |
| (iv) | 2.4 to 2.6 | 2 points |
| (v) | 2.0 to 2.3 | 1 point |
| (vi) | Under 2.0 | 0 points |

- c. Behavioral Component (30%). Since Career and Technical Program students are educated in a unique environment which regularly exposes them to chemicals, tools and equipment which can be very dangerous if used inappropriately, it is important that students accepted into the Career and Technical Program display an ability to comply with District rules and regulations. For this reason, the student's prior year disciplinary history will be weighted as follows:

(i)	Zero incidents	5 points
(ii)	One to three incident and zero suspendable incidents	4 points
(iii)	Four to six incidents and/or one suspendable incident	3 points
(iv)	Eight to ten incidents and/or two suspendable incidents	2 points
(v)	Over 11 incidents and/or two or more suspendable incidents	0 points

2. Continued Eligibility Criteria.

- Safety is a top priority in each Career and Technical Education program. All students must complete a safety-training program before operating any equipment. Any safety violations (e.g. any behavior which jeopardizes the health or safety of the student or others occurring in a technical lab setting) can result in immediate removal (depending on the level of violation) from a program. More than three safety violations of a lesser level will also be a cause for removal from the program.
- Students of Career and Technical programs must acquire state mandated hours of training. A student's failure to remain on track to be able to acquire the mandated training hours within a four year high school program may result in the student's removal from the program.
- Students failing or struggling in a career and technical program at the semester end will be placed on an improvement plan. Failure to make progress under the improvement plan after another full semester may result in the student's removal from the program-

B. Erie High School Programs (other than Career and Technical Programs).

1. Erie High School also hosts three other Programs:

- School of Knowledge (Educational Strand) – This Magnet Program is for students who are interested in the field of childhood education. This strand will expose students to the field of education in theory and provide hands-on field placement experiences. Upon completion of this Educational Strand, students will have completed four credit hours and will be able to continue their education at a postsecondary level with nine college credits awarded or seek employment as a paraprofessional in educational facilities.
- Health and Certified Personal Trainer Program (CPT) – This Magnet Program is for students who are interested in the field of health and fitness. This Magnet provides students with a foundation in a career that will lead to the American College of Sports Medicine Certified Personal Trainer Exam. With a more hands-on approach, this Magnet tailors to students who choose to lead others in the path of improved health, aerobic fitness, nutrition and tailored exercised programs.
- Maritime Academy Program – This Magnet Program is for students who want to experience Lake Erie first-hand through boat-building, navigation, environmental science, sailing, and water safety. This Magnet prepares students for careers on the deck or dock, in the engine room, or on the water.

2. Admission Criteria. Erie High School Programs (other than Career and Technical Program) are available to all Erie High School students and there are no specific academic, recommendation or behavioral requirements in order to enter any of these three Programs. Interested students should, however, have a drive, passion and interest in the selected Program.

It should be noted, however, that seats are not unlimited in each of these three Programs. EPS will make every effort to expand each Program based on enrollment requests. However, if more students request a certain Program than can be accommodated in any one year, weight will be given to those students who have shown success in the academic areas relevant to their chosen Program and have displayed a willingness and commitment to be successful in school through lack of a significant behavioral history (e.g., accumulating serial suspendable offenses or one or more expellable offenses) and/or engaging in a regular pattern of school attendance.

Students interested in a Program should apply prior to his or her 10th grade year. A graduation plan for each individual student will then be developed within their assigned Program. If a student declares during or after his/her 10th grade year, they may not have the opportunity to fully complete their Program courses. Although this result will not preclude a student from attaining graduation requirements, it may lead to a student missing out on internships, certifications or college credits otherwise made available through successful and timely completion of a Program.

3. Continued Eligibility Criteria.
 - a. Student progress within a Program will be assessed quarterly. If a student is failing to maintain passing grades or other Program requirements, the student will be placed on an Individual Recovery Plan. The student and his/her parents will be given a copy of the Individual Recovery Plan. After at least one full semester on an Individual Recovery Plan, a student may be removed from the Program if appropriate recovery has not been achieved, as described by the Plan. Removals from any Program shall take place at semester ends.
 - b. A student may apply for re-admission to a Program. If a student is re-admitted to a Program, s/he may not have time to acquire the certifications, college credits, designations, etc., which are available to students who followed the Program track without disruption.
 - c. Some Programs may require the student to complete or take certification exams and/or SAT/ACT tests. Although each Program has an extensive readiness component to prepare for each test, it is a requirement for and responsibility of the student to pass each certification test. A student's failure to complete and/or pass each exam will not affect graduation; however, it may affect that student's ability to work or attend in the student's chosen field.

C. Northwest Pennsylvania Collegiate Academy. The mission of the Northwest Pennsylvania Collegiate Academy is to provide a dynamic, rigorous college-preparatory education in a diversified, student-centered urban environment. The Collegiate Academy is committed to developing life-long learners and responsible citizens in a global society.

1. While subject to change, the Northwest Pennsylvania Collegiate Academy currently offers the following Advanced Placement courses, all taught by College Board authorized faculty:
 - a. Capstone Program
 - b. Seminar
 - c. Research
 - d. English
 - e. English Language and Composition
 - f. English Literature and Composition

- g. World Languages
- h. German Language
- i. Latin Language
- j. Spanish Language
- k. History and Social Studies
- l. European History
- m. Government and Politics: US
- n. Human Geography
- o. Macroeconomics
- p. Psychology
- q. United States History
- r. World History
- s. Science, Math, and Technology
- t. Biology
- u. Calculus AB
- v. Calculus BC
- w. Chemistry
- x. Environmental Science
- y. Physics I
- z. Physics II
- aa. Statistics
- bb. Computer Science
- cc. Humanities
- dd. Art History
- ee. Music Theory
- ff. Studio Art: 2D Drawing

2. Admission Criteria. Much is expected of Collegiate Academy students, including successful participation in the College Board Advanced Placement (AP) program, opportunities for College Dual Enrollment, and participation in State and National level competitions. The curriculum is demanding and students work closely with other highly motivated students. As such, successful candidates typically achieve more than 310 points on their Application Base Score.

Collegiate Academy's admissions committee evaluates each **completed** application and supporting materials. Please note that PSSA raw standardized reading and math test scores will be converted to a percentile. More detailed information regarding Collegiate Academy's admission process is posted on NWPACollegiate Academy's website.

Reading Standardized Test	Maximum Points = 99
Math Standardized Test	Maximum Points = 99
Score report(s) from most recent standardized achievement test. <i>Example:</i> PSSA, Terra Nova, Stanford Achievement Test, PSSA – Scaled Score;	

<p>➤ Conversion chart is located on our application page</p> <ul style="list-style-type: none"> ❖ 60% math/reading – early acceptance ❖ 50% standard admission ❖ 40/50% alternative acceptance <p>Terra Nova, Stanford Achievement Test;</p> <ul style="list-style-type: none"> • National Percentile Rank (NPR) will be used to interpret standardized test scores for total reading and math 													
GPA	Maximum Points = 100												
<p>Final grades from last year and current grades (1st quarter) Grade Point Average (GPA) will be based on grade percentage scores for Reading/Language Arts, Science Mathematics, and Social Studies only. If letter grades are submitted without a conversation chart, we will use the following;</p> <table style="width: 100%; border: none;"> <tr> <td>A+ = 100%</td> <td>B+ = 92%</td> <td>C+ = 84%</td> </tr> <tr> <td>A = 96%</td> <td>B = 88%</td> <td>C = 80%</td> </tr> <tr> <td>A- = 93%</td> <td>B- = 85%</td> <td>C- = 70%</td> </tr> <tr> <td></td> <td></td> <td style="text-align: right;">69%= 0</td> </tr> </table>		A+ = 100%	B+ = 92%	C+ = 84%	A = 96%	B = 88%	C = 80%	A- = 93%	B- = 85%	C- = 70%			69%= 0
A+ = 100%	B+ = 92%	C+ = 84%											
A = 96%	B = 88%	C = 80%											
A- = 93%	B- = 85%	C- = 70%											
		69%= 0											
Recommendation	Maximum Points = 84												
<p>You will need an email address to send the recommendation request. This is located at the <u>end</u> of the application.</p> <p>Seven categories with four descriptors:</p> <ul style="list-style-type: none"> Attendance and Punctuality Communication Dependability Enthusiasm Interpersonal Skills Quality of Work Behavior 													
Base Score Maximum	382 Points												
Activities, Service, and Awards	Possible Maximum Points = 18												
<p>Two parts</p> <p>I. Evidence of Leadership</p> <ul style="list-style-type: none"> Community Service Extracurricular Participation Commitment to an Organization <p>II. Academic Awards and Recognition</p> <ul style="list-style-type: none"> Perfect Attendance Honor Roll PJAS <p><i>Descriptors and point information is contained on our website</i></p>													
Maximum Total Application Score	400 Points												

3. Continued Eligibility Criteria.

- a. A student’s continued enrollment at Collegiate Academy is dependent upon the successful completion of 29 credits within 4 years. It may become logistically impractical to achieve graduation by “doubling up” in courses. For example, it is not considered practical for a student to take 2 language arts courses in the same year. Students are not permitted to re-take a course online.
- b. Students who fail classes (69% and below), especially core subjects, will be placed on Academic Contract for a minimum of 45 days. A copy of the Academic Contract will be provided to both student and parent/s. The student’s failure to uphold the provisions of the academic contract will be sufficient justification for the student to be removed from the Collegiate Academy.

- c. The Northwest Pennsylvania Collegiate Academy, along with its Administration, has a legitimate interest in enhancing and protecting its unique school culture. Our culture is deeply rooted in our mission and belief statements which are designed to encourage scholarship in a collegial environment. As vested member of this community, Collegiate Academy students will not only abide by Collegiate Academy's philosophies and mission as espoused in the Collegiate Academy Handbook, but shall also to adhere to the Erie's Public Schools Student Code of Conduct. A Collegiate Academy student's commission of suspendable and/or expellable offenses as designated in the District's Student Code of Conduct in the Student Handbook, may result in that student's revocation of his/her continued privilege to attend Collegiate Academy.

D. Visual and Performing Arts Academy. The Visual and Performing Arts Academy was founded under the premise of providing a full range of opportunities for students who show a strong interest or who are actively involved in the performing and visual arts. This Academy will develop students' talents and abilities and prepare them for college and careers within the visual and performing arts. Students who are accepted into the Visual and Performing Arts Academy must schedule a concentration of electives within the visual and performing arts.

- a) Visual and Performing Arts course opportunities for incoming 9th and 10th grade students within the magnet school are listed below. Additional courses will likely be added as the program continues to develop and grow in future years.

ART			MUSIC		
Art I	6902	.5	Women's Chorus	8412	1
Intro to Ceramics	6912	.5	Men's Chorus	TBA	1
Art & Design	6926	.5	*Chamber Singers	8424	1
Cartooning/Animation	6946	.5	(Mixed group; only boys accepted in 9th grade)		
			Intro to Band	8614	1
			Intro to Orchestra	8616	1
			Concert Band	TBA	1
			*Orchestra	8602	1
			*Wind Ensemble	8616	1
			*Jazz Band I	8702	1
			*Jazz Band II	8704	1
			Classical Piano I	8522	.5
			Classical Piano II	8526	.5
			Guitar I	8486	.5
			Guitar II	8488	.5
ASL					
Intro to Academic Sports League	6096	.5			
COMPUTER ARTS					
Photo/Digital Imaging	6812	.5			
Digital Media Editing	6814	.5			
Desktop Publishing	6816	.5			
THEATRE					
Theatre Arts I	1834	.5			
WELLNESS/FITNESS					
Jazz Dance I	9604	.5			
*Jazz Dance II	9606	.5			
Modern Dance I	9612	.5			
*Modern Dance II	9614	.5			
Hip Hop Dance	9616	.5			
*Performing Arts Dance	9618	1			

*Audition required

2. Admission Criteria.

- a. The following factors will be considered when determining admissions to the Visual and Performing Arts Academy:
- (i) Student participation and involvement within the realm of performing and visual arts both in and out of school.

- (ii) Grades from seventh grade and eighth grade Reading/Language Arts, Math, Science, and Social Studies courses
- (iii) Standardized Test Scores in Math and Reading
- (iv) Teacher Recommendation
- (v) Student Activities, Service, and Awards (especially within the visual and performing arts.)
- (vi) Note: While behavior/discipline is not part of the admission criteria for the VPA, prior significant behavioral issues (student history of repeated suspendable offenses and/or commission of one or more expellable offense as defined by the Student Handbook) may affect a student's acceptance to the Visual and Performing Arts Academy, especially if there are more applicants than available slots in the VPA at that time. Students with a more positive behavioral history will be weighted more favorably to otherwise equal applicants who have previously had significant behavioral issues in school.
- (vii) The Visual and Performing Arts Academy admissions committee will evaluate each completed application and supporting materials. Please note that raw standardized reading and math test scores will be converted to a percentile. Our application and scoring criteria is as follows (with the more detailed rubric designated in the chart below):
 - (a) Involvement in Visual and Performing Arts = 20 Points possible (with a weighted multiplier of 2)
 - (b) School grades for 7&8 = 48 Points Possible
 - (c) Standardized test scores = 12 points available
 - (d) Teacher recommendation = 20 points available
 - (e) Students involved in Talent Search/Go College = 5 point bonus

			Standardized Tests 40% minPSSA/Tara Nova Keystone							
	Art/Vocal.Drama / Dance Instrument 1 Pt per	Experience 1 Pt per year	Math	Reading	Bio	GPA 70% cut score Core subjects	Go College 5 Pts BONUS	Rec 20 Pts	Total Pts	
Keystone	5	5	6	6	6	24	5	20	107/101	
PSSA/Tara	5	5	6	6		24	5	20	71	
	Weighted x2	Weighted x2								
		Standardized Test Scores				Grades				
		Range	Pts			Range	Points			
		40-49	1			70-74	1			
		50-59	2			75-79	2			
		60-69	3			80-84	3			
		70-79	4			85-89	4			
		80-89	5			90-94	5			
		90-99	6			95-100	6			

3. Continued Eligibility Criteria.

- a. Students must maintain credit to graduate on-time with the required 26 credits as listed below (beginning with class of 2019). Students must maintain the concentration of Visual and Performing Arts electives and have a minimum of six credits in the VPA before graduation.
- b. Student progress within VPA will be assessed quarterly. If a student is failing to maintain passing grades or other VPA requirements, the student will be placed on an Individual Recovery Plan. The student and his/her parents will be given a copy of the Individual Recovery Plan. After one full semester on an Individual Recovery Plan, a student may be removed from the VPA if appropriate recovery has not been achieved, as described by the Plan. Removals from the VPA shall take place at semester ends.
- c. A student may apply for re-admission to the VPA after removal if it is possible for him/her to acquire the requisite requirements for graduation from VPA within the typical 4-year period.



SECTION 17 — STUDENT GRADING/GPA (Grade Point Average) and SCHEDULING PROCEDURES

KINDERGARTEN

Progress Report

Progress Reports offer a snapshot of student performance at the end of the first semester and again at the end of the school year. These reports provide specific information to let parents know how students are progressing with their Listening, Speaking, Reading and Writing Skills; as well as Mathematics and Learning Behaviors. Student progress is noted by Satisfactory, Progressing or Reinforcement Needed. This feedback is designed to help families support the learning targets of their children.

GRADES 1 – 5 (Percent Grading System)

Percentage		Grade
93 – 100		A
85 – 92		B
74 – 84		C
65 – 73		D
51 – 64		F

GRADES 6 – 8 (Percent Grading System)

Percentage		Grade
95 – 100		A
90 – 94		A-
85 – 89		B
80 – 84		B-
75 – 79		C
70 – 74		C-
65 – 69		D
51 – 64		F

The method of assessment for determining a nine-week grade can include tests, quizzes, labs, projects, homework, etc. Throughout a nine-week grading period, the teacher will record the number of points earned for each assessment measure. A percentage will then be calculated and reported as a nine-week grade. This method must be equally and fairly applied to all students and will be recorded in Infinite Campus.

Homework is not to exceed ten percent (10%) of the total quarter grade. Final grades will be determined by taking the average of the nine-week grades.

**GRADES 9 – 12
(Percent Grading System)**

<i>Regular</i>			<i>Honors</i>			<i>Advanced Placement</i>		
95 – 100	A	4.0	97 – 100	A	4.5	97 – 100	A	5.5
90 – 94	A-	3.75	93 – 96	A-	4.0	93 – 96	A-	5.0
85 – 89	B	3.5	89 – 92	B	3.5	89 – 92	B	4.5
80 – 84	B-	3.0	85 – 88	B-	3.0	85 – 88	B-	4.0
75 – 79	C	2.5	76 – 84	C	2.5	76 – 84	C	3.5
70 – 74	C-	2.0	70 – 75	C-	2.0	70 – 75	C-	3.0
65 – 69	D	1.0	*			*		
51 – 69	F	0	51 – 69	F	0	51 – 69	F	0

*NOTE: Students who are enrolled in Honors and/or Advanced Placement courses are expected to maintain a minimum C average.

In order to support student academic achievement, the lowest possible quarter, semester or final grade for students will be a 51%. Those students who receive a failing grade will be expected to meet with guidance, SAP, administration or other support personnel in order to determine a personalized course of action for academic achievement.

The method of assessment for determining a nine-week grade can include tests, quizzes, labs, projects, homework, etc. Throughout a nine-week grading period, the teacher will record the number of points earned for each assessment measure. A percentage will then be calculated and reported as a nine-week grade. This method must be equally and fairly applied to all students and will be recorded in Infinite Campus.

Homework is not to exceed ten percent (10%) of the total quarter grade. Final grades will be determined by taking the average of the nine-week grades.

Weighting and Grade-Point Averages

A student's grade point average and class rank shall be entered on his/her permanent record and transcript.

A system of computing grade point averages and class rank for high school students is used to inform students, parents, and others of a graduate's relative academic placement among peers under relatively similar circumstances. Courses listed as Advanced Placement and Honors shall be weighted by awarding extra quality-point values as shown in the table above.

Northwest Pennsylvania Collegiate Academy

Grading

Collegiate Academy uses a 4.0 weighted grading scale. All classes are honors or Advanced Placement. Because of the above-average ability of our student population and the high academic standard at Collegiate Academy, a grade point average of 4.0 or above is more than outstanding. While rank is indicated on each student's high school transcript, GPA is a more accurate indicator of student achievement.

Below is Collegiate Academy's grading system:

Honors		Advanced Placement	
97 – 100	4.5	97 – 100	5.5
93 – 96	4.0	93 – 96	5.0
89 – 92	3.5	89 – 92	4.5
85 – 88	3.0	85 – 88	4.0
76 – 84	2.5	76 – 84	3.5
70 – 75	2.0	70 – 75	3.0
0 – 69	0	0 – 69	0

Other grading Information:

- The academic school year is divided into four quarters.
- Collegiate Academy runs an A/B block schedule.
- Grade point average (GPA) includes all classes, not just core subjects.
- Collegiate Academy does not require community service, but students earn .5 credit for each 60 documented service hours that they perform.
- Advanced Placement (AP) weight is given to grades students earn in college classes.

How to calculate GPA:

- Look at percentage grade for course.
- Write grade point value; be sure to take only half for half-credit courses.
- Add all values.
- Divide by total credits for quarter.

For example:

Ceramics	92	0.5	one half of 3.5 = 1.75
Piano	98	0.5	one half of 4.5 = 2.25
Chorus	97	1	4.5
Biology	93	1	4.0
Spanish	78	1	2.5
Algebra	91	1	3.5
Civics	81	1	2.5
Language Arts	93	1	4.0
		7	25.0 (25 divided by 7 = 3.57)

SCHEDULING PROCEDURES

In Erie's Public Schools, high school students work with teachers and counselors to choose their own coursework and make decisions about their schedules for future years. The scheduling process for students begins in February with classroom discussions, course presentations, and selection of course requests. Students receive copies of their course requests and may change their requests between February and May. All of the student course requests are compiled for the upcoming year and used to create the master schedule. This process takes several months during the summer and is time-intensive, but ensures that more students have the ability to take the classes they wish.

Because of the time intensive nature of the summer scheduling process and because students are allowed to consider courses for upcoming years throughout the spring semester, schedule changes will not be granted to students after they receive their schedules in the fall. Students will have many opportunities to make changes to course requests in the spring and should make any final decisions prior to the end of the school year.

- Class change policies:
 - No student schedule will be changed to get a different teacher.
 - Schedules will not be changed based solely upon parent request.
 - Personality clashes are not an acceptable reason to change a class. Safety or bullying issues will be handled by school administration as appropriate.
 - Students may not drop classes because they are failing.
 - Acceptable reasons for schedule changes:
 - School made a mistake in scheduling student course level
 - IEP initiations or revisions
 - Student was placed in course that was already taken and passed
 - After prolonged struggle, including documented retests, extra help, and tutoring, a teacher may recommend a change in course level for a student
 - If administrative permission is given to allow a student to drop a course they are failing after $\frac{1}{4}$ of the course is completed, the student's grade will be transferred over to the new course for the respective quarter. This grade will be used in calculating the student's final grade for the new course.
 - The administration may use its discretion to allow student schedule changes on a case by case basis for special circumstances.
- Students who would like to move from the District's Cyber programs to brick and mortar school programs may only do so at the end of a quarter. Students are encouraged to complete all work and grades for cyber courses prior to returning to a regular school setting to better ensure a clean transition and accurate grades and transcripts.
- If a student change of class or program is approved, all grades will follow the student to the new class or program.
- Magnet or CT Program- No schedule changes will be made for magnet and CT program students until the end of the semester so that a clean record of grades can be made. CT students may exit at the semester.

Students transferring into EPS high schools will receive grades for courses they have taken and completed for equal or equivalent courses. Guidance counselors will create a course transmittal form and enter grades and courses into the student transcript. Any posted grades for matching courses from prior school and Erie's Public Schools will be entered by the guidance counselor.



SECTION 18 — PROFICIENCY, RETESTING AND PROMOTION POLICIES

Board Policy for Proficiency

The Pennsylvania General Assembly is currently considering revisions to the Pennsylvania graduation requirements and the Keystone Exams.

Board Policy for Retesting for Grades 6-12

This policy has been developed to promote proficiency/mastery in all curricular areas for students in grades 6-12. Students shall have the opportunity to retake any test (not a quiz), with the exception of a mid-term or final exam. A test is defined as summative, cumulative, an end of chapter or unit and weighted more heavily than a quiz. A test is posted in the teacher's gradebook as such and communicated to the students as a test.

Students may request to retake a test, but must attend a minimum of one study session during the special help night prior to retaking the test. The student must also complete a *Re-Test Prescription Form* and return the completed form to the teacher. Additional information, such as a study log and a self-reflection checklist may be requested by the teacher prior to the retest.

The format of the retest will be at the discretion of the teacher. The retest must be completed within two weeks of the initial test, unless the school is on a block schedule, which will allow a three week window. Students found to be in violation of the Student Code of Conduct — specifically cheating/plagiarism — will not be afforded the opportunity to retest.

Teachers will use a combined calculation of 20% of the lowest grade + 80% of the highest grade = final grade. This retest grade will be reflected in the teacher's gradebook in Infinite Campus.

Parents will be able to view the original grade and the retest grade in the comments section of the Parent Portal of Infinite Campus.

BOARD POLICY REGARDING PROMOTION CRITERIA

Elementary (PreK-5)

The decision to promote or retain is based primarily on a child's achievement in a particular class or grade level, as noted on the report card. Many factors, such as attendance, age, physical and social maturity and ability are also taken into consideration when considering promotion and retention.

All decisions regarding promotion or retention are made with input from parents/guardians.

Secondary Grades (6-12)

The program of study for secondary students consists of four (4) core academic subjects and related arts. Retention or promotion of a student shall be determined by the marks attained at the end of the school year in the four (4) academic subjects: English/Language Arts, Social Studies, Math, and Science.

A student may be retained if he/she earns an "F" in multiple core or elective courses.

In order to ensure continued advancement to the next grade and/or toward attaining graduation requirements, a student who fails a course necessary for promotion and/or graduation will be required to acquire credit for that class through one of the following options:

1. Through participation in the District online credit recovery program offered at the student's home school.
2. Through participation in a summer program.
3. Through re-taking the required class.
4. Through participation in the District's Recovery Academy

Students will work with the Guidance Office and the Building Administration to determine the most appropriate option for them to acquire the requisite classes and credits.



SECTION 19 — GRADUATION REQUIREMENTS

GENERAL GUIDANCE

Students must fulfill all graduation requirements to receive a high school diploma and to be eligible to participate in graduation ceremonies. Magnet offerings are available and will have specific pathways that work within the core and elective credit structure in the two high schools.

Credits requirement for graduation from Erie's Public Schools Cyber Academy are the same as graduation requirements established for Erie High School and Collegiate Academy.

COMMUNITY SERVICE

After sixty (60) hours of pre-approved community service, a high school student (9-12) can earn a half (.50) credit elective. Approval forms and logs can be secured in the Guidance Office.

EARLY GRADUATION

If a student acquires the District-mandated number of credits required for graduation from high school prior to the end of his/her 4th year in high school, that student is eligible to graduate early if s/he chooses to do so.

Erie High School (EHS) Requirements

Beginning with the class of 2019, 26 credits will be required for graduation. These credits shall include:

SUBJECT/CREDITS NEEDED <i>Class of 2019 and beyond</i>	
English	4
Mathematics	4
Science	4
Social Studies	4
Wellness/Fitness	1.5
Electives	8.5
Required for Graduation	26 Credits

CHANGE TO CREDIT REQUIREMENTS

Erie High School has adopted a block schedule which affords students 32 opportunities for course credit. This will align the schedules for our two high schools. Additional elective requirements allow students to explore magnet offerings and delve deeper into content. Students who need to retake courses will have 6 available sections to do so.

Career and Technical Education (CTE) Requirements

REQUIREMENTS FOR COMPETENCY CERTIFICATION

Student must have a minimum score of 80% in all categories of the state issued task list for labs. Student must successfully complete all other requirements of their career and technical program, including NOCTI written and performance tasks.

REQUIREMENTS FOR A PA SKILLS CERTIFICATE

Student must score proficient on the PA State Career Assessment.

CTE ELECTIVES

Of the 8.5 Elective credits, seven must be in your chosen career and tech lab.

Northwest Pennsylvania Collegiate Academy

A minimum of 29.0 credits (grades 9-12) is required for graduation from Northwest Pennsylvania Collegiate Academy. These credits shall include:

SUBJECT	CREDITS NEEDED
Language Arts	4
Mathematics	4
Science	4
Social Studies	4
Wellness/Fitness	1.5
World Language	3
Research	0.5
Advanced Computer Applications	0.5
Electives	7.5
Required for Graduation	29 Credits

ADDITIONAL GRADUATION REQUIREMENTS

Students are required to take a minimum of three (3) Advanced Placement or Dual Enrollment courses. All Collegiate Academy graduates will apply to a four-year college or university of their choosing during their senior year. If application fees cause a financial hardship to a student, the District shall provide fee waivers or other appropriate aid to the student to comply with this requirement.

Visual and Performing Arts (VPA) Academy

A minimum of 27.0 credits (grades 9-12) is required for graduation from the Visual and Performing Arts Academy at Northwest Pennsylvania Collegiate Academy. Students are required to take one AP course or one dual enrollment course. Credits shall include:

SUBJECT	CREDITS NEEDED
Language Arts	4
Mathematics	4
Science	4
Social Studies	4
Wellness/Fitness	1.5
World Language	2
Research	0.5
Advanced Computer Applications	0.5
Electives	6.5
Required for Graduation	27 Credits



SECTION 20 — HYBRID LEARNING

A. EPS Cyber Academy

The Erie's Public Schools Cyber Academy provides new flexible educational opportunities to all District students.

Expansion of the district's digital curriculum, enables the district to offer online standards-based Math, Science, English, Social Studies and World Languages coursework to students in Erie's two public high schools, three middle schools and students in the elementary grades upon District approval.

The District's cyber school is designed to be a local education option for Erie students currently attending cyber charter schools across the Commonwealth or those considering such options. The District's digital coursework also provides district students with opportunities for original credit, credit recovery, remediation, alternative education, and even accelerated AP coursework.

What makes Erie's Public Schools Cyber Academy option most attractive is the continuous teacher support and interaction. Students:

- Can work at home or have the option of reporting to the cyber lab with cyber teachers present for academic support.
- Can participate in their home school's extracurricular activities, athletics and access other district programs and services.
- Can choose to have a blended model – take online classes as well as classes in the traditional school (i.e. an Erie High student can take their lab in school and do their core classes online).

Criteria for Continued Enrollment and Participation in Cyber School:

- Students must log in and actively participate in their online courses for a minimum of 25 hours each week
- Students are assessed one unexcused absence per week for every 5 hours they are short of the minimum 25 hours
- Students must complete at least 17% of required course work each week
- Students must complete at least two online courses (1 full credit) every six weeks
- Once a student has reached 30 days of inactivity, the student will be removed from the Cyber Program and will be re-enrolled in his/her home school
- Elementary students will be required to attend a minimum of two days each week of face to face instruction at our Hybrid Learning Center

B. EPS Recovery Academy

The Erie's Public Schools Recovery Academy provides flexible educational opportunities to district students who are in high school and middle school have fallen behind on their academic course work. Students eligible to attend the Recovery Academy are those students who are currently not on track to attain the required number of credit hours associated with their chosen high school program to graduate within four years; or are in middle school (7th and 8th grade) and have failed all four of the core academics classes the prior school year

The Recovery Academy utilizes the District’s digital curriculum, which enables the District to offer online standards-based Math, Science, English, Social Studies and World Languages coursework to students as well as face-to-face instruction on the fundamental skills needed in the aforementioned content areas.

The District’s Recovery Academy is designed to be a local educational option for Erie students who have attended high school for at least two years and have not yet achieved the required credits to advance into at least the 11th grade; or have attended middle school for at least one year and have not yet achieved the required credits to advance to the next grade

What makes Erie’s Public Schools Recovery Academy option most attractive is the flexibility for students to earn back lost credits while receiving the fundamental instruction which may have inhibited a student’s ability to earn them.

The District reserves the right to deny a student’s admission to the Cyber Academy program or the Recovery Academy if the District Administration believes that placement does not serve the best educational interests of the student.

C. Newcomer Academy

The Newcomer Academy provides students who have recently arrived and are new to the United States and who demonstrate beginning levels of English language proficiency with a safe and welcoming learning environment as they acquire English language skills and assimilate to the United States. The Newcomer Academy is intended to provide extensive language instruction while meeting the linguistic, academic, social, and cultural needs of English Learners (EL) prior to them entering the general education classroom.

1. English Language Proficiency Levels – A student’s English Language Proficiency (ELP) is determined by the student’s performance on the initial WIDA Placement Test or the annual WIDA ACCESS Test. There are six ELP levels:

1	2	3	4	5	6
Entering	Emerging	Developing	Expanding	Bridging	Reaching

- a. Level 1/Entering students have not learned English. Level 1 and Level 2 students require the most intensive supports and scaffolding to make academic content areas accessible. By Level 4, students should be able to learn with minimal supports in the regular classes.
- b. The EL students come to the United States with various educational backgrounds and will be assessed by the staff to determine the appropriate placement of each student individually. If the staff determines a student does not need the Newcomer Program for a specific content area, the student will be placed appropriately in the general education classroom.
- c. Newcomer students will return to their homeschool for English Language Development instruction in their second year of school. The students will continue to receive support from an ESL teacher in their homeschool to meet their language and academic needs.

2. Language Instruction in the Newcomer Program:

- a. All Year 1 Newcomer students will take English language acquisition classes in: English Language Arts, and language development through Social Studies, Math and Science. Students will take an elective credit that is computer based linguistic development program.

- b. The courses are designed around the English Language Proficiency standards and the Pennsylvania Common Core Standards for each content area.
 - c. Students will be grouped by their English language proficiency and not by grade or age so that their individual needs are being met in the Newcomer program.
3. Content Instruction in the Newcomer Program:
- a. English language proficiency level appropriate content instruction in English, Science, Mathematics, and Social Studies will be used to meet the needs of the Level 1 and 2 students within the Newcomer program.
 - b. Teachers will include sensory, graphic and interactive supports in order to reach higher level thinking skills.
 - c. Students will receive realia, manipulatives, diagrams, videos, charts, tables, organizers, small group work, and partner work.
 - d. Teachers will use the latest WIDA Can-Do descriptors to help guide their teaching as well as their assessments of the students within the newcomer program. The CAN-DO descriptors can guide teachers in their expectations for student performance.
 - e. Students will participate in elective classes with their English speaking peers including but not limited to art, music, and physical education.

D. Eagle's Nest Program of Academic Distinction

Eagle's Nest Program of Academic Distinction is the region's only African-centered academic program. Enrollment is limited, offered to a select group of 5th and 6th grade scholars. The program is open to all students, regardless of race. Some unique aspects of this Program are:

- Students follow a standard curriculum infused with an Afrocentric flare, developing an appreciation for the African-American experience throughout history and the many contributions of African-Americans to the human experience.
- Expectations for student achievement and behavior are high, with emphasis placed on civility and character development. Uniforms are required.
- Small classes allow for personalized instruction.
- Every student is assigned a mentor, and parents are required to take an active role in the entire educational experience.
- Classes are taught at the Eagle's Nest Program of Academic Distinction. Students are Erie's Public School students and are taught by Erie's Public Schools teachers.



SECTION 21 — SERVICES FOR STUDENTS

STUDENT HEALTH SERVICES

In accordance with the requirements set forth by the state of Pennsylvania, all students shall receive mandated nursing/health services. These services shall include:

1. **Physical Examination – Grades K, 1, 6 and 11**
This examination is to be done by a properly licensed physician or nurse practitioner or **upon original entry** to school within the Commonwealth. Exam forms may be obtained from the school nurse.
 - a. Student's private physician may complete this examination and provide proper documentation to the school nurse; or
 - b. Student may receive the exam by the school district physician free of charge.
2. **Dental Examination – Grades K, 1, 3 and 7**
This examination is to be done by a properly licensed dentist or **upon original entry** to school within the Commonwealth. Exam forms may be obtained from the school nurse.
 - a. Student's private dentist may complete this examination and provide proper documentation to the school nurse; or
 - b. Student may receive the exam by the school district dentist free of charge.
3. **Height, Weight, Body Mass Index (BMI)**
Every year all students will receive height and weight measurement along with calculation of Body Mass Index (BMI).
4. **Vision Screening – All Grades**
Every year all students will receive a vision screening. Additional screening for color blindness in Kindergarten, depth perception in grade 1 and Plus Lens testing in grade 2.
5. **Hearing Screening – Grades K, 1, 2, 3, 7 and 11**
Hearing screenings will be conducted for students in the above grades.
6. **Scoliosis Screening – Grades 6 and 7**
Scoliosis screenings will be conducted for students in the above grades.

Forms for private dental exams, private physical exams, medication forms and special health plans are available on the District website at www.eriesd.org/health or at your home school's main page (select "Departments," "Health Services" then "Forms.")

MEDICATION POLICY

It is the policy of the Erie City School District that students are **not** permitted to carry any type of prescription or over-the-counter (OTC) medication on their person, purse, book bag, etc., **EXCEPT** in the instance that it is required by the student's IEP or Section 504 plan and/or when it is medically necessary and the student is prescribed to do so by their physician in conformance with applicable Pennsylvania and federal laws and District policies. Students must follow the requirements of the District's Administration of Medication Policy, Student Possession/Self Administration of Asthma Inhalers and Epinephrine Auto-Injectors Policy and any

other relevant policy and be pre-approved by the District Administration before they are authorized to possess medication while at school.

IMMUNIZATION REQUIREMENTS

All immunizations must be up-to-date for the grade the student is entering by the first day of school. Students who do not have up-to-date immunizations will be excluded from school. Immunization requirements for **all** students entering to school within the Commonwealth are as follows:

Diphtheria/Tetanus

Four (4) doses properly spaced, one (1) dose must be after age 4. If no dose was given after age 4, then a fifth dose is required. Pertussis not required, but often this will be given as DPT or DTap.

Polio

Four (4) doses properly spaced given by injection or the oral route.

Hepatitis B

Three (3) doses properly spaced.

Measles

Two (2) doses properly spaced, given after age 12 months (given as MMR).

Mumps

Two (2) doses properly spaced, given after age 12 months (given as MMR).

Rubella (German Measles)

One (1) dose given after age 12 months (given as MMR).

Varicella/Chicken Pox

Two (2) doses properly spaced after 12 months or the date of the Chicken Pox disease signed by the doctor or the parent.

In addition to the above requirements, **all** students entering Grade 7 must receive:

Tdap (Tetanus, Diphtheria and Acellular Pertussis) – One (1) dose, Pertussis is required.

Meningococcal Conjugate Vaccine – One (1) dose.

In addition to the above requirements, all students entering Grade 12 must receive:

Meningococcal Conjugate Vaccine – One (1) dose, after 16 years of age.

If your child is going into Kindergarten, seventh (7th) or twelfth (12th) grade, please check with your child's doctor to update these immunizations and submit an updated immunization record to the school nurse.

The only reasons a student may be exempt from the immunization requirements are:

(a) Medical exemption. Children need not be immunized if a physician or the physician's designee provides a written statement that immunization may be detrimental to the health of the child. When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to this policy and Pennsylvania law.

(b) Religious exemption. Children need not be immunized if the parent, guardian or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief.

Provisional admittance to school. If a student has not received all of the required immunizations, the child's parents/guardians must work with the school administration and the school nurse to see if it is possible to enter into a provisional admittance plan as established by the Pennsylvania Department of Health. **Your failure to provide proof of immunization and/or enter into and comply with a provisional admittance plan may result in the student being prohibited from attending school.**

In implementing the immunization requirements, the District shall comply with all relevant laws pertaining to the educational rights of homeless children, the rights of children moving into the Commonwealth of Pennsylvania and the educational rights of children in foster care. (See 28 Pa. Code §23.85(g)).

HEAD LICE POLICY

Students with live head lice will be sent home from school (for treatment) at the direction of the school nurse. Once the student has been appropriately treated, s/he may return to class. Students must be checked by the school nurse upon return to school to ensure they are free from live lice. Students may attend school even if nits persist. Students will continue to be checked periodically by the school nurse to ensure they are free from live lice.

ADMINISTRATION OF MEDICATION TO STUDENTS IN SCHOOL

The Erie City School District and its Board of Directors and administration are not responsible for the diagnosis and treatment of student illness. The administration of prescribed medication to a student during school hours or on school-sponsored activities in accordance with the direction of a parent/guardian and student's physician will be permitted only when failure to take such medicine would jeopardize the health of the student and the student would not be able to attend school if the medicine were not made available during school hours.

The Administration is hereby directed to draft all necessary forms and create all necessary procedures to implement this Policy.

Definitions:

Medicine/medication shall include all medicines prescribed by a physician or other licensed prescriber and any over-the-counter medicines, including herbal remedies.

Asthma inhaler shall mean a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack.

An **Epinephrine Auto-Injector** or "EpiPen®" is a medical device used to deliver a measured dose (or doses) of epinephrine (also known as adrenaline) using autoinjector technology, most frequently for the treatment of acute allergic reactions to avoid or treat the onset of anaphylactic shock.

Long-Term Medication is any medication to be administered by the District to a student for a period of time greater than two-weeks.

Self-administration shall mean a student's use of medication in accordance with a prescription or written instructions from a physician, certified registered nurse practitioner or physician assistant.

Short-Term Medication is any medication to be administered by the District to a student for a period of time two-weeks or less.

Guidelines:

- A. Restrictions on Student Possession of Medication.** Students may not possess medicine on school property or at school-sponsored activities unless the student possesses an asthma inhaler or EpiPen or diabetes medication for purposes of self-administration as so authorized in the District's Student Possession/Self Administration of Asthma Inhalers and Epinephrine Auto-Injectors Policy and the District's Diabetes Management Policy.
- B. Administration of Medication to Students in School.**

1. **General rule.** Students may only be administered medicine during the school day and at school-sponsored activities *when failure to take such medicine would jeopardize the health of the student and the student would not be able to attend school if the medicine were not made available during school hours*. Physicians and parents/guardians must make every attempt to provide a treatment regimen that does not have to occur in school, during school hours or at school-sponsored activities.
2. **Persons authorized to administer medication.** If it is determined that medication must be administered to a student while in school (including at school-sponsored events such as field trips), the following individuals are authorized to administer medication to students:
 - a. The Certified School Nurse (CSN) or, in the absence of the CSN, other licensed school health staff such as registered nurses (RNs) or licensed practical nurses (LPNs) — collectively referred to as “licensed school health staff”.
 - b. School employees who have received appropriate training may administer EpiPen (epinephrine) medication to students. District staff may also administer diabetes medication to student in conformance with the District’s Diabetes Management Policy.
 - c. Students may self-administer asthma inhalers or EpiPens or diabetes medication provided they meet all requirements of the District’s “Student Possession/Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors Policy” and the District’s Diabetes Management Policy, all of which are posted on the District’s website and are available in the School Nurses’ offices.
 - d. Building administrators may administer medication to students in emergency situations where licensed school health staff are unavailable and the building administrator in good faith believes the student needs emergency care (which may necessitate the administration of medication).
3. **Administration of medication procedures.** In those cases where it is determined that medication must be administered in school, the following guidelines shall be followed:
 - a. Delivery of Medication to School.
 - (i) Parent/guardian shall personally deliver the medication to the school nurse.
 - (ii) If the student is given the medication by his/her parent/guardian, student shall immediately deliver the medication to the school nurse. If the school nurse is unavailable, student should deliver the medication to the building principal or assistant principal.
 - b. Parent Request form. When requesting administration of Long-Term Medication and Short-Term Medication, Parent/guardian must submit a written request in which the parent/guardian is requesting the District to administer medication to student. Parent must fill out “Request for Medication Administration” form. Parent request form must contain the following information:
 - (i) Parent/guardian’s printed name, signature and an emergency phone number;
 - (ii) Request for the District to administer medication to the student in the manner prescribed by a licensed prescriber;
 - (iii) Request and approval to have officials from the District administer the medication to the student as so authorized in this Policy;
 - (iv) A list of all other medications the student is presently taking.

- c. Request for Administration of Long-Term Medication: Parent/guardian must submit a written order from a physician or other licensed prescriber before any medication may be administered. Physician or licensed prescriber must fill out District's "Medication Order" form. The Medication Order form must contain the following information:
- (i) Student's name;
 - (ii) Name and signature of the licensed prescriber and phone number;
 - (iii) Name of medication to be administered;
 - (iv) Diagnosis/reason for medication being administered;
 - (v) Route and dosage of medication;
 - (vi) Frequency and time of medication administration;
 - (vii) Date of the order and discontinuation date;
 - (viii) Specific directions for administration, if necessary;
 - (ix) Statement that it is medically necessary to administer medication during school hours and that dosage and administration of medication cannot be accomplished outside of school setting/school hours due to the nature of the medication condition and the treatment;
 - (x) Any specific side effects, contraindications and adverse reactions to be observed;
 - (xi) Any other medications (prescribed or over-the-counter) being taken by the student.
- d. Request for Administration of Short-Term Medication: Parent/guardian must submit a written order from a physician or other licensed prescriber. Physician's own written order may be utilized in this situation, provided the order contains the following information:
- (i) Student's name;
 - (ii) Name and signature of the licensed prescriber and phone number;
 - (iii) Name of medication to be administered;
 - (iv) Route and dosage of medication;
 - (v) Frequency and time of medication administration;
 - (vi) Date of the order and discontinuation date.
- e. Original containers. Medication must be in the original container from the licensed prescriber and/or pharmacist.
- f. Renewed or revised orders. Physician or licensed prescriber shall renew the written order form each school year. Additionally, a new written order is required if there is a change in medication or dosage during the school year. A physician or licensed prescriber must provide an order for discontinuation of a medication.
- g. EpiPens are available for nurses to give if your child has symptoms of an anaphylactic emergency – an allergic reaction that can be fatal. **If you would prefer that the nurse does not give your child this life-saving medication, you must write a note refusing this care with your signature and the date and send it to your school nurse.** The District's physician has written a standing order for EpiPen administration for anaphylactic symptoms. However, the District cannot guarantee it

will have EpiPens on site at all times. Students with known allergies must submit an individual order and their own EpiPen to the school nurse yearly for their own use and protection.

- h. Naloxone (Narcan) – The Board has authorized the use of Naloxone (Narcan) at the District’s high schools, which will be used in accordance with District policy in emergencies related to opioids. The District cannot guarantee, however, the availability of Naloxone at each high school at all times.

C. Confidentiality.

1. All physician/licensed prescriber orders, Medication Order forms and Request for Medication Administration forms shall be kept on file in the school nurse’s office until the end of each school year, at which time these forms shall be filed in the student’s comprehensive/aggregate school health record file. In all cases, these records will be maintained in compliance with the Family Educational Rights and Privacy Act, the Health Insurance Portability and Accountability Act (HIPAA) and any other applicable Pennsylvania and federal law.
2. If the student transfers to another school during the school year, the physicians’ orders, Medication Order Forms and Request for Medication Administration forms shall be transferred with the student’s health records so that the receiving school will continue administration of the medication ordered.

D. Compliance with Pennsylvania and federal laws pertaining to students with disabilities. The District’s Administration shall, in the case of students with disabilities within the meaning of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, take all steps necessary to comply with those and any other applicable state or federal law in its implementation of this Policy.

STUDENT SERVICES

The Student Services offered by Erie’s Public Schools are a collection of intervention and prevention services designed to increase student retention and academic success. Student Services staff work closely with principals, teachers, parents, and students to assist with students' non-academic barriers to their education. Referrals to Student Services are made for a variety of reasons to help students to have a successful academic experience.

In addition to these direct services, the Student Services Department provides trainings to school staff and students on bullying prevention, peer mediation and asset development. Below you will find information about the Office's primary services. However, Student Services is also available to provide guidance and support to students, parents and schools on a variety of issues. If you have questions, please call (814) 874-6122.

Student Assistant Program (SAP)

In Pennsylvania, every middle and high school and some elementary schools have a Student Assistance Program (SAP) team. A SAP team is made up of school and community agency staff and they are here to help you access school and community services.

Students:

Do any of these apply to you?

- Withdrawing from family, friends and/or school
- Changing friends; no longer spending time with old friends

- Unexplained physical injuries
- Talking about suicide
- Depressed
- Defying authority, both at home and at school
- Acting aggressively
- Lying
- Needing money without an explanation
- Sudden drop in grades
- Experimenting with drugs or alcohol

Are you dealing with?

- A recent death of a loved one
- Divorce of parents
- Family relocation
- A relationship problem
- Other traumatic event
- Bullying

If you are having trouble in or out of school, SAP can help you. There may be times when you just don't know what to do. That's okay; someone else may know how to help. Don't feel embarrassed or uncomfortable about asking for help. When extra help is needed, not knowing how and where to find help can be uncomfortable, frustrating and overwhelming.

Your school's SAP team will help you find services and assistance within the school and, if needed, in the community. We do not diagnose, treat, or refer you for treatment. Rather, we will provide you and your parents with information — together you make the choices.

Our goal is to help you succeed in school. Student referrals come to the SAP team in different ways. Anyone can refer a student to the Student Assistance Program. Some students are referred by teachers or other school personnel. Any school staff member, a student's friend or family member can let the SAP team know that they are worried about someone. You can even go directly to the SAP team to ask for help.

However, the SAP team cannot become involved unless we receive your parent's permission in writing (or the permission of emancipated students or students legally authorized to consent to these services under Pennsylvania or federal law). If appropriate permission is not granted, the SAP team can still make recommendations for services. In cases of imminent danger, the SAP team can get involved without parent permission. When in doubt, we encourage you to discuss your situation with a member of the SAP team.

If you feel that you may need help, check with any staff at your school and ask to speak with a member of the SAP team. Someone will be there to help. The SAP team will respect your privacy as much as the law allows us to. In cases of abuse or threats to your physical safety and health, we may have to break confidentiality.

Throughout the year some of our students and families face a number of challenges. If you or your family has to leave your home for any reason beyond your control, (a natural disaster, fire, flood, eviction, domestic violence, etc.) you may be eligible for support. If you have run away from home for any reason, you may be entitled to academic support services. Through the Student Support Services, students who are not living with their legal guardian can receive supports to help them stay in school and graduate. If you or a friend is in this situation, you should contact Student Services to learn about your rights.

Student Services can provide advocacy and support (transportation, school supplies, tutoring, clothing & other necessary support) to students, with or without their parents, that are not living in a fixed, regular and adequate living situation (hotels, motels, shelters, couch surfing, frequent moves between family and friends, etc.). The main goal is to reduce or eliminate barriers to the student's educational success. These services are provided in compliance with federal law.

STUDENT PARENTING PROGRAM

Our Student Parenting Program helps female and male students navigate pregnancy and parenting roles while still being a school student. Through education, support and encouragement, we help young parents prepare for the birth of their child and assist them in learning positive parenting skills. Our goals are for students to be healthy, have a healthy baby, have a positive relationship with their child and to help students realize their own potential. The Program helps each student graduate with a plan for employment and/or further education after high school. Through individualized education and coordination of services, students learn about prenatal health, health care, nutrition, parenting, child development, school/career choices, relationships, and learn how to access child care, transportation, and other community services. Confidential program referrals can be made through the school nurse or by calling 814-874-6145.



SECTION 22 — SPECIAL INFORMATION FOR HIGH SCHOOL STUDENTS

GUIDELINES FOR HIGH SCHOOL DANCES

1. Student must have the ticket to be admitted. **No** ticket sales at the door.
2. Guests must be enrolled in high school. If guest has graduated, he/she must be under the age of 21.
3. No food or drinks may be brought into the dance.
4. Once admitted, students may not leave and return to the dance.
5. Students should be prepared to be wanded by hand-held metal detectors.
6. **Every guest must arrive with the student who purchased his/her ticket or he/she will not be admitted. Only one guest per student.**
7. Students must be picked up within 15 minutes of the end of the dance.
8. Student Eligibility:
 - a. Students must be present in school on the day of the dance.
 - b. Students are ineligible to attend a school dance if they have had any suspensions in the 30 days prior to the dance.

PROCEDURE FOR WORK APPLICATION & PERMIT

To obtain a work application and permit, a legal parent/guardian and the student applicant must visit the Child Accounting Office in the district Administration Building (148 West 21 Street, Erie, PA) between the hours of 8 a.m. and 4 p.m. to complete an application.

Applicant must also provide the following documentation:

[] the student's birth certificate

[] the parent/guardian's valid ID (driver's license, etc.)

The application will be completed by the parent and the Erie City School District official and the permit will be issued. The student must be present to sign the permit in front of the issuing officer.

The Child Accounting Office (814-874-6150) can answer any additional questions you may have.



SECTION 23 — ATHLETIC EVENT GUIDELINES

Guests of Erie's Public Schools sporting events are required to cooperate with security personnel to ensure the safety of all spectators.

Per the EPS security screening procedures, all patrons and their belongings will be searched upon entry into the gymnasium, and prohibited items may be confiscated. Security screening includes hand-held metal-detecting wands, pat-downs and/or bag searches. If individuals elect not to consent to the searches, they will be denied entry.

- **Backpacks are NOT permitted in the gymnasium during games.** Purses, athletic gear and other bags will be searched.
- **Unnecessary face coverings must be removed prior to entry.**
- **No admittance is permitted after half-time.** In the case of a double-header, tickets will remain on sale until half-time of the second game.
- **Once you leave the building, you are not able to re-admit.**
- **No admittance for any student on OSS, currently in AEP, or currently expelled from EPS.**

The Erie's Public Schools' Student Handbook & Code of Conduct applies and is enforced at all athletic events.



SECTION 24 — VISITOR PROCEDURES

To ensure the safety and security of students and staff, as well as the orderly operation of the Erie Public Schools' educational programs, all parents, guardians and other individuals who plan to visit a building during the school day are required to follow the registration and check-in/check-out procedures. Please take time to review the following:

- Anyone planning to visit a classroom or other area of the school building during the school day should call the main office and pre-register for an appointment prior to the date of the visit. Unless it is an emergency, requests to meet with a classroom teacher or other staff member should be made at least 48 hours in advance to allow the school sufficient time to make arrangements for substitute coverage, if necessary.
- Upon arrival at the school building, all visitors must register in the office before proceeding to any other part of the building.
- As part of the registration process in the front office, all visitors will be asked to sign the Visitor Register and provide their driver's license or other state-issued photo identification.
- Once registered, the visitor will be issued a visitor identification badge, which must be displayed at all times while the visitor remains in the school building or on school premises.
- Visitors must remain in approved areas only and act in a manner appropriate to the safe functioning of the school environment at all times. Any individual who engages in uncooperative or disruptive behavior will be required to leave the premises.
- Upon conclusion of the visit, the visitor must return to the building office, sign out on the Visitor Register and return the visitor ID badge.

Please note that parents and guardians who are dropping off items for a student in the front office, and who will not otherwise be proceeding into the school building proper, may do so without advance registration.

The district reserves the right to deny an individual entry to any school building, when there is reason to believe that such individual's presence would be detrimental to the operation of the school and the learning environment.

APPENDIX A — SAFE SCHOOLS ACT PARENT NOTIFICATIONS

The Pennsylvania Department of Education regulations, at 22 Pa. Code §10.25 requires school districts to immediately notify, as soon as practicable, the parent or guardian of a victim or suspect directly involved in an incident listed in section 1303-A(b)(4.1) or (4.2) of the Safe Schools Act. Those sections are set forth below:

(4.1) A list of criminal offenses which shall, at a minimum, include:

(i) The following offenses under 18 Pa.C.S. (relating to crimes and offenses):

- Section 908 (relating to prohibited offensive weapons).
- Section 912 (relating to possession of weapon on school property).
- Chapter 25 (relating to criminal homicide).
- Section 2702 (relating to aggravated assault).
- Section 2709.1 (relating to stalking).
- Section 2901 (relating to kidnapping).
- Section 2902 (relating to unlawful restraint).
- Section 3121 (relating to rape).
- Section 3122.1 (relating to statutory sexual assault).
- Section 3123 (relating to involuntary deviate sexual intercourse).
- Section 3124.1 (relating to sexual assault).
- Section 3124.2 (relating to institutional sexual assault).
- Section 3125 (relating to aggravated indecent assault).
- Section 3126 (relating to indecent assault).
- Section 3301 (relating to arson and related offenses).
- Section 3307 (relating to institutional vandalism)
when the penalty is a felony of the third degree.
- Section 3502 (relating to burglary).
- Section 3503(a) and (b)(1)(v) (relating to criminal trespass).
- Section 5501 (relating to riot).
- Section 6110.1 (relating to possession of firearm by minor).

(ii) The possession, use or sale of a controlled substance or drug paraphernalia as defined in "The Controlled Substance, Drug, Device and Cosmetic Act."

(iii) Attempts, solicitation or conspiracy to commit any of the offenses listed in subclauses (i) and (ii).

(iv) An offense for which registration is required under 42 Pa.C.S. § 9795.1 (relating to registration).

(4.2) The following offenses under 18 Pa.C.S., and any attempt, solicitation or conspiracy to commit any of these offenses:

- Section 2701 (relating to simple assault).
- Section 2705 (relating to recklessly endangering another person).
- Section 2706 (relating to terroristic threats).
- Section 2709 (relating to harassment).
- Section 3127 (relating to indecent exposure).
- Section 3307 (relating to institutional vandalism)
when the penalty is a misdemeanor of the second degree.
- Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2)
(relating to criminal trespass).
- Chapter 39 (relating to theft and related offenses).
- Section 5502 (relating to failure of disorderly persons to disperse upon official order).
- Section 5503 (relating to disorderly conduct).
- Section 6305 (relating to sale of tobacco).
- Section 6306.1 (relating to use of tobacco in schools prohibited).
- Section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages).

