

**A Handbook for Students, Staff, and Parents**



**School District of  
Lancaster**

*Together We Can!*



**2021-2022**

**Standards and Expectations  
of Behavior for Students**

**School District of Lancaster**

# **Standards and Expectations of Behavior for Students**

Reviewed and Approved by the:

**Office of Student Services**

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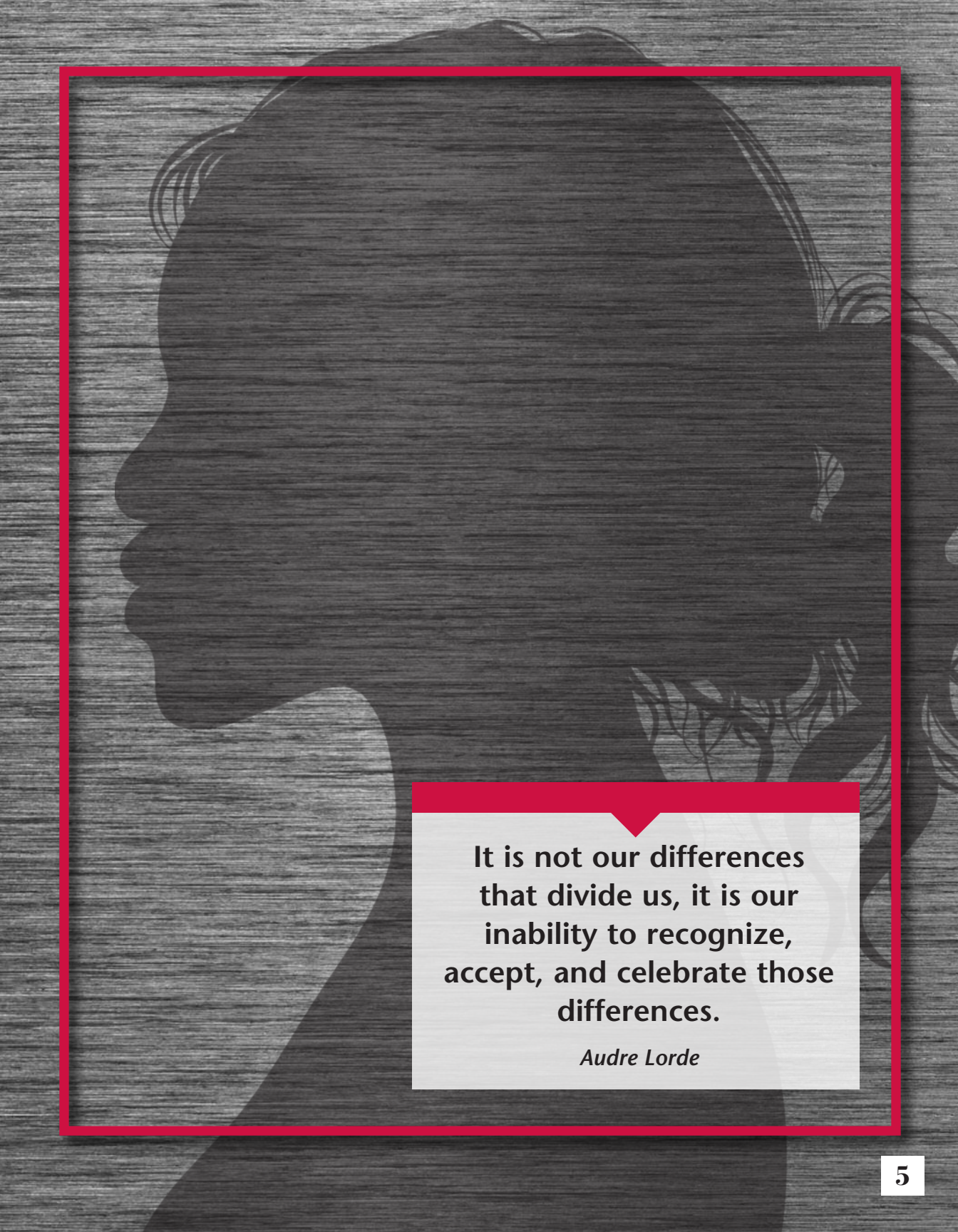
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# STATEMENT OF PURPOSE

The School District of Lancaster’s Board of School Directors, as well as the administrators, teachers, and support staff, believe that our values guide us in our daily actions as individuals and as members of the community. Our core values include respect for self and others, compassion, fairness, integrity, honesty, and the right to a safe and positive learning environment.

Classroom teachers have the initial responsibility of handling most behavioral problems. Parents/Guardians also need to play a role in their child’s behavior modification and should be involved from the early stages when interventions are needed. The motto of our District is “Together We Can” and it symbolizes the need for the school staff, students, parents, and community members to work together to actively create solutions.

This handbook was created as a guide for all individuals who are connected with or visit our schools. This includes the Standards of Conduct, which are applicable to all stakeholders while on school property or during school sponsored events. The information in this guide outlines behaviors that are respectful of people’s rights and directs students to accept responsibility for their actions. It will be reviewed with all students twice each year. Board policies (as posted on the Internet at <https://sdlancaster.org/>) as well as the Pennsylvania School Code should be reviewed for additional guidance.



**It is not our differences  
that divide us, it is our  
inability to recognize,  
accept, and celebrate those  
differences.**

*Audre Lorde*

# STANDARDS OF CONDUCT

**Philosophy Statement:** Pursuing excellence as a student and community member is achieved by creating and maintaining a responsible, respectful, and safe environment in all settings.

## **Model Responsibility and Integrity**

- Be honest at all times.
- Be responsible for your own work and behavior.
- Develop positive relationships.
- Accept responsibility for your own actions.
- Attend school regularly and on time.
- Believe that you can and will learn; produce quality work that meets the highest classroom standards.
- Commit to remain in school with the objective of graduating on time.

## **Respect Self, Others, and Property**

- Value diversity and respect the views and opinions of others.
- Treat all persons fairly and with dignity; seek peaceful resolutions to disagreements.
- Choose appropriate, non-offensive language to express one's thoughts, opinions, and feelings.
- Respect the rights and privileges of students, teachers, and other District staff and volunteers.

## **Create a Positive, Safe, and Drug Free Learning Environment**

- Conduct yourself in a safe and responsible manner that focuses on academic success while in the school environment or on school property.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Obey laws and School Board Policies against possessing or concealing any substance or objects which are prohibited or which may disrupt the educational process and/or school sponsored activities.
- Conduct yourself in a safe and responsible manner to and from school with other students, with members of the community and within the community.



# **SECTION ONE**

## **STUDENT RIGHTS AND RESPONSIBILITIES**

**Every day begins like a blank chalkboard, on which each one of us can write the poem of our present and our dreams for the future.**

*Ricky Martin*



# STUDENT RIGHTS AND RESPONSIBILITIES

Chapter 12 of 22 Pa. Code provides rights and responsibilities for students and gives the authority for school boards to make reasonable and necessary rules governing the conduct of students in school.

## Right to a Free Public Education

All persons in the Commonwealth of Pennsylvania, between the ages of six and 21 years, are entitled to a free and full education in the public School District where they reside. Parents or guardians of all children between the ages of six and 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. Students who have not graduated may not be asked to leave school merely because they have reached 18 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public schools or from extracurricular activities because:

- The student is married.
- The student is pregnant/parenting.
- The student has a pregnancy-related disability.
- The student has a disability as identified by Chapter 15 (relating to protected handicapped students).
- The student is an eligible student identified under Chapter 14 (relating to special education services and programs).

## Right to Enroll in a Public School

*(Based on Board Policies #201 and #203)*

Students have a right to enroll in the public School District in which they reside. The School District of Lancaster will require the following:

- Proof of the child's date of birth: (acceptable documentation includes birth certificate, baptismal certificate or transcript of the record of baptism—duly certified and showing the date of birth, notarized statement from the parents indicating the date of birth, duly

attested transcript of the birth certificate, or duly certified transcript of birth);

- An immunization record or assurance from the former School District or a medical office that the required immunizations have been done (or a required series began) with a record to be sent;
- Completion of a Parent Registration Statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs or alcohol, weapons or violence per 24 P.S. §13-1304-A and;
- Proof of residency (copy of lease or a bill).

## McKinney-Vento Act

*(Based on Board Policy #251)*

The McKinney-Vento Homeless Education Assistance Act guarantees a free and appropriate public education for all children and youth experiencing homelessness from either the School District in which their person or the shelter is located or the School District of origin. They are not required to submit proof of residency or certain contact information.

Basic Education Circulars (BEC) outlines procedures for deciding school placement, enrolling students, and determining responsibility. With the increased number of children experiencing homelessness currently attending The School District of Lancaster, the District must provide proper educational support and services.

The School District of Lancaster's Families in Transition (FIT) program supports our students and families that experience homelessness. "Homeless" is defined by McKinney-Vento as "anyone lacking a fixed, adequate, regular nighttime residence."

## Qualifying Situations for FIT Program

- Staying in the home of other people due to unavailable housing, financial hardship, eviction or similar circumstances

- Living in motels, hotels, trailer parks (in some instances, examples: leaking roof, no heat), public places, or campgrounds due to unavailable suitable housing options
- Living in an emergency shelter or transitional housing
- Unaccompanied (not living in direct care of legal parent or guardian) or runaway youth
- Refugee and migrant youth
- Act of Nature/Fire
- Domestic Violence
- Death/Incarceration of Guardian
- Children in Foster Care

*For more information visit:*

<https://www.education.pa.gov/K-12/Homeless%20Education/Pages/default.aspx>

### **Responsibility to Attend School**

*(Based on Board Policy #204)*

Parents or guardians of all children between the ages of six until 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused (i.e., doctor's excuse, bereavement, etc.) Students who have not graduated may not be asked to leave school merely because they have reached 18 years of age if they are fulfilling their responsibilities as students. A student may not be excluded from the public school or from extracurricular activities because they are married, pregnant, or have a disability.

### **Responsibility for Maintaining High Standards of Behavior**

Students must comply with all state and local laws. Students have the responsibility to be aware of all rules and regulations for student behavior and to conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.

- Students should express their ideas and opinions in a respectful manner.
- Students must exercise proper care when using public facilities and equipment.
- Students should be on time to all classes and other school functions.
- Students should complete all assignments on time and to the best of their ability.
- Students should make-up work after an absence from school.
- Students should attempt to complete satisfactorily the courses of study prescribed by local school authorities.
- Students should use proper language, without obscenities, while on school premises and attending school functions.

### **Right to a Safe School Environment**

Students are encouraged to share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living.

Students are encouraged to volunteer information to school authorities in matters relating to the health, safety and welfare of the school community and the protection of school property.

Students should dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes. Uniform policies must be followed.

No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process. Bullying/ Cyber bullying, hazing, or other harmful treatment of others will be subject to disciplinary action.

## Right to Non-Discriminatory Practices

Consistent with the Pennsylvania Human Relations Act (43 P. S. § § 951—963), a student may neither be denied access to a free and full public education, nor subjected to disciplinary action based on race, sex, gender, ethnicity, age, creed, religion, ancestry, sexual orientation, national origin, marital status, pregnancy, or handicap/disability.

A student who is eligible to attend District schools and is married and/or pregnant/parenting will not be denied an educational program solely because of marriage, pregnancy, pregnancy-related disabilities, or potential or actual parenthood.

## Right to Due Process

Education is a statutory right and students will be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.

### Formal Hearings

A formal hearing or an expulsion waiver agreement is required in all expulsion actions. This hearing may be held before the governing board or an authorized committee of the board, or a qualified hearing examiner appointed by the board. The Hearing Officer will make the decision of expulsion based on evidence presented at the hearing. The following due process requirements shall be observed with regard to the formal hearing:

- Notification of the charges will be sent to the student's parents or guardians by certified mail.
- At least three days' notice of the time and place of the hearing will be given. A copy of the expulsion policy, notice that legal counsel may represent the student, and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates a good reason for an extension.
- The hearing will be held in private unless the student or parent requests a public hearing.

- The student may be represented by counsel, at the expense of the parents or guardians, and must have a parent or guardian attend the hearing.
- 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.
- The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
- The student has the right to testify and present witnesses.
- A written or audio record will be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy will be provided at no cost to a student who is impoverished.
- The proceeding will be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing will be held as soon as reasonably possible:
  - Laboratory reports are needed from law enforcement agencies.
  - Evaluations or other court or administrative proceedings are pending due to a student invoking rights under the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400-1482).
  - 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.
- Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

## **Informal Hearings**

The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.

- The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways in which future offenses might be avoided.
- The following due process requirements shall be observed in regard to the informal hearing:
  - Notification of the reasons will be given in writing to the parents or guardians and to the student.
  - Sufficient notice of the time and place of the informal hearing shall be given.
  - A student has the right to question any witnesses present at the hearing.
  - A student has the right to speak and produce witnesses.
  - The school entity will offer to hold the informal hearing within the first five days of the suspension.

## **Right to Freedom of Expression**

*(Based on Board Policy #220)*

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Commonwealth of Pennsylvania.

Students have the right to express themselves in word or symbol and to distribute and post materials in areas designated for posting as a part of that expression, while the exercise of that right must be limited by the district's responsibility to maintain a

safe and orderly school environment and to protect the rights of all members of the school community.

Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, school work or discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or is likely to or does materially or substantially interfere with another's rights.

Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, computers, technology, and any other means of common communication, provided that the use of public school communications facilities will be in accordance with the regulations of the authority in charge of those facilities.

Students have the responsibility to understand unprotected student expression and to stay within the limits of protected student expression. Students have the responsibility to be aware of the full meaning of their expression. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Identification of the individual student or at least one responsible person in a student group may be required on posted or distributed materials.

School officials may require students to submit for prior approval a copy of materials, including digital media, to be displayed, posted or distributed on school property. Bulletin boards must conform to the following:

- School authorities may restrict the use of certain bulletin boards.
- Bulletin board space should be provided for the use of students and student organizations.

- School officials may require that notices or other communications be officially dated before posting, and that the materials be removed after a prescribed reasonable time to assure full access to the bulletin boards.

School newspapers and publications must conform to the following:

- Student newspaper editors have the right to report the news and to editorialize within the provisions set forth below.
- School officials shall supervise student newspapers published with school equipment, remove obscene or libelous material and edit other material that would cause a substantial disruption or interference with school activities.
- School officials may not censor or restrict material simply because it is critical of the school or its administration.
- Prior approval procedures regarding copy for school newspapers must identify the individual to whom the material is to be submitted and establish a limitation on the time required to make a decision. If the prescribed time for approval elapses without a decision, the material shall be considered as authorized for distribution.
- Students who are not members of the newspaper staff will have access to its pages. Written criteria for submission of material by nonstaff members will be developed and distributed to all students.

School officials may set forth the time and place of distribution of materials so that distribution would not materially or substantially interfere with the requirements of appropriate discipline in the operation of the school.

- A proper time and place set for distribution is one that would give the students the opportunity to reach fellow students.

- The place of the activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.

- The wearing of buttons, badges, or armbands will be permitted as another form of expression within the restrictions listed above.

School officials reserve the right to prohibit the posting or distribution of non-school materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs.

School officials reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a material and substantial disruption of the school program must be established.

### **Rights Regarding Flag Salute and the Pledge of Allegiance**

It is the responsibility of every citizen to show proper respect for the country and its flag.

Students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate and shall at all times maintain a respectful attitude through the exercise.

### **Rights Regarding Confidential Communications**

Use of a student's confidential communications by school personnel in legal proceedings is governed by statutes and regulations appropriate to the proceeding. See 42 Pa.C.S. § 5945 (relating to confidential communications to school personnel).

Information received in confidence from a student may be revealed to the student's parents or

guardians, the principal, or other appropriate authority when the health, welfare, or safety of the student or other persons is clearly in jeopardy.

### **Rights Regarding Searches**

*(Based on Board Policy #226)*

Except as stated below or in Board Policy 226, searches of individual students shall occur only in the event there is reasonable suspicion that an individual may be in possession of a weapon, drugs or alcohol, or other item that violates school rules or poses a material risk to the safety of person or property.

Because lockers belong to the District, there is a limited expectation of privacy with regard to a student's locker. When school authorities have a reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, student lockers may be searched without prior warning; however, absent an emergency, the student will first be notified and given the opportunity to be present. School officials are authorized to search a student's personal possessions or motor vehicle parked on school property when there is reasonable suspicion that the student is violating law, Board policy or school rules, or poses a threat to the health, safety or welfare of the school population.

The District authorizes all secondary schools to conduct weapons searches using hand-held metal

detectors without individualized reasonable suspicion. When a hand-held metal detector is being used, all individuals will be expected to comply with the screening.

If a hand-held metal detector is activated, the individual will be asked to remove metal objects from his/her person or personal belongings and be scanned again. If after the removal of the metal objects, there is an activation of the hand-held metal detector, the individual will be taken to a room out of view from other individuals and the person will be subject to a "pat down" search. A "pat down" search conducted by school personnel shall be limited to feeling the outer clothing for the purposes of discovering only items which may have activated the metal detector. If the school personnel conducting a "pat down" search feels an object which may have activated the hand-held metal detector, the individual will be asked to remove the object. If the individual declines, the object may be removed by the school personnel. Under all circumstances, the "pat down" search will be conducted by at least two school personnel of the same sex as that of the individual being searched.

Any illegal or prohibited items found through a search may be used as evidence against the student in disciplinary proceedings.





# SECTION TWO

## UNIFORM DRESS CODE

There is no such thing  
as failure. Failure is just life  
trying to move us  
in another direction.

*Oprah Winfrey*

# DRESS CODE: KINDERGARTEN THROUGH 8TH GRADE

(Based on Board Policy #221)

In the School District of Lancaster there is a required “uniformed” look for all kindergarten (K5) through 8th grade students. This standard of dress provides a non-judgemental environment where students learn to express their creativity through means other than by the clothes they wear.

## The K-8 dress code includes the following:

Tops	Bottoms	Outerwear
White, Navy, Light Blue	Navy, Tan (Khaki)	White, Navy, Light Blue
Collared button front shirts, collared blouses, turtleneck shirts, collared polo shirts (with school name is optional)	Slacks and cargo style pants/shorts, joggers, skirts, skorts, shorts, Capri pants, jumpers (skirt bottoms), solid colored leggings/tights only when worn underneath and must extend to at least the mid-thigh	Cardigan, v-neck, crew neck, turtleneck sweater vest, sweatshirts and hoodies may be worn over collared shirts and blouses

## The following is NOT proper uniform dress:

Tops	Bottoms	Outerwear
Tan, red and any other color not listed above	Logos, stripes, patterns, and designs	Tan and any color other than those listed above
Any collarless shirts or blouses, bib overalls, sweatshirts, plain T-Shirts	Baggy or sagging, low cut pants, blue jeans, sweatpants, warm-up pants	Fleece tops, jean or other jacket

**1st Offense:** Parents will be notified that their child did not report to school in the uniform dress. The parent contact would confirm parents’ awareness of policy and understanding that all students are to wear uniform dress. Parent support will be solicited. The parent contact must be documented.

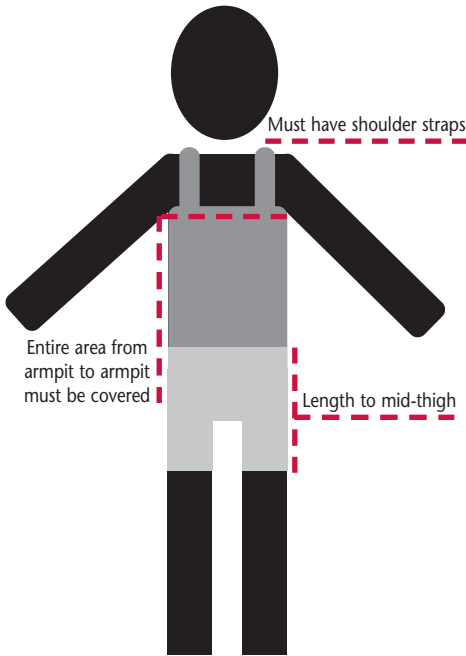
**2nd Offense:** Parents will be contacted and student will be given the option to change into school issued uniform dress for that day or parents will have the option to bring an appropriate change of clothing to school for their child. If a parent is bringing clothing, there is the expectation that the parent will bring clothing within a reasonable time. The offense is documented and intervention strategies are explored.

**3rd Offense:** Parents will be contacted and consequences for the third offense may result in an after school detention equivalent to the time lost to change into uniform dress, but no more than an hour. The offense is documented and additional intervention strategies are implemented.



# DRESS AND GROOMING: 9TH THROUGH 12TH

(Based on Board Policy #221)



Each student's mode of dress and grooming is a manifestation of personal style and individual preference. The District's dress code supports equitable educational access that does not reinforce stereotypes or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size. The student dress code supports the goal of inspiring students to learn while leaving primary decisions around student clothing and style to students and their parent(s)/guardian(s). The expectation is that parents and guardians are responsible for student compliance with the school's dress code, and students are responsible for knowing the student dress code and for complying during school hours and school activities. The School District is responsible for seeing that student attire does not interfere with the health or safety of any student and that student attire does not create a disruption to the learning environment during school hours and activities. Student attire should facilitate participation in learning as well as the health and safety of students and the adults that supervise them. These guidelines are intended to provide guidance for students, staff, and parents.

## DRESS CODE REQUIREMENTS

Based on Board Policy #221

- Clothing on the upper body must cover areas from one armpit across to the other armpit extending down to the waistline so that skin and undergarments are covered. Tops must have shoulder straps. Clothing on the lower body must cover undergarments and should be of appropriate length. As a general rule, this can be measured when arms are resting straight down alongside the body so that the end of the fingertips reach the mid-thigh.
- Shoes must be worn at all times and should be safe for the school environment (bed-room shoes or slippers will not be worn, except for school activities approved by the principal).
- See-through or mesh garments must not be worn without appropriate coverage underneath that meet the minimum requirements of the dress code.
- Headgear including hats, hoodies, bandanas, durags, and caps are not allowed unless permitted for religious, medical, or other reason(s) deemed appropriate by school administration.
- Outerwear must not be worn in school after arrival and must be secured in an assigned locker or classroom area.
- To ensure the health and safety of students, physical education classes, technical education classes, extracurricular activities, or other situations may require specialized attire, such as sports uniforms or safety gear.

- 
- Clothing may not depict, imply, advertise, or advocate illegal, violent, or lewd conduct, weapons, or the use of alcohol, tobacco, vaping products, marijuana, or other controlled substances.
  - Clothing may not depict or imply pornography, nudity, or sexual acts.
  - Clothing may not display or imply vulgar, discriminatory, or obscene language or images.
  - Clothing may not state, imply, or depict hate speech/imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.
  - Sunglasses may not be worn inside the building unless for documented medical reasons.
  - Clothing and accessories that endanger student or staff safety may not be worn.
  - Clothing and accessories that may damage school property or the personal property of other students or endanger student or staff safety may not be worn.
  - Apparel, jewelry, accessories, tattoos, or manner of grooming that, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in a gang or hate group that advocates illegal or disruptive behavior is prohibited.
  - Student expression under dress and grooming must comply with Policy 220 governing “Student Expression/Distribution and Posting of Materials.”
  - Parent(s)/Guardian(s) will be contacted if appropriate clothing is not available or the student refuses dress-code appropriate clothing. Consequences may be applied for non compliance. Any student who feels aggrieved by the District’s action pursuant to Policy 221 may pursue relief under Policy 219 governing “Student Complaint Process.”

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## STUDENT IDENTIFICATION CARDS

Students in grades six–12 must display an Identification Card above the waist most preferably with their lanyards. Identification Cards are not valid if defaced, altered or if the picture is covered.

# SECTION THREE

## ATTENDANCE AT SCHOOL

Change will not come if we wait for some other person or some other time. We are the ones we've been waiting for. We are the change we seek.

*Barack Obama*

# ATTENDANCE AT SCHOOL (Based on Board Policy 204)

The School District of Lancaster recognizes that attendance is an important factor in educational success. Attendance is required of all students enrolled during the days and hours that school is in session. School attendance matters.

## **Chronic Absenteeism**

Chronic absenteeism is defined as students who are absent 10% or more and are enrolled in the District at least 90 school days. For example, two missed schools days out of a month may be considered 10%. A student is considered absent if they are not physically participating in instruction or instruction-related activities. This includes students who are absent regardless of whether absences are excused or unlawful; including out-of-school suspensions. A student missing 50% or more of a school day (excused, unlawful, OSS) will result in a full day absence.

## **Excused**

Parents/guardians are required to turn in a written excuse within three days of an absence. A maximum of 10 days of cumulative lawful absences verified by parental notification shall be permitted during a school year. Excused absences include illness, quarantine, recovery from accident, observance of a religious holiday, participation in a project sponsored by a statewide or countywide, college visit (three day max), family emergency, non-school sponsored trips/family trips, court/legal appointments, and death in the family. All absences beyond 10 cumulative days will require an excuse from a licensed practitioner of the healing arts.

## **Unlawful**

Absences will be treated as unlawful until the school receives a written excuse explaining an acceptable absence, to be submitted within three days of the absence. If an unacceptable absence is received, the absence will remain as unlawful. Tardy to School and Early Dismissal: **Students who arrive late to school and/or leave early will be coded as unlawful unless the absence has a written excuse from a licensed doctor.**

**A student missing 50% or more of a school day will result in a full day absence.**

## **Compulsory School Law**

The attendance law requires children to attend a public or state-accredited private school. This period is a child's life from the time the child's parent/guardian elect to have the child enter school, which will be no later than 6 years of age, until the child is 18 years of age.

## **Tuant**

A child is truant when they have three or more unlawful absences in one school year. The person in parental relation will receive a letter within 10 school days of the student's third unlawful absence.

## **Habitually Truant**

A child is habitually truant when they have six or more unlawful absences in one school year. The person in parental relation will receive a letter with the scheduled attendance improvement conference to support and improve regular school attendance.

## **School Attendance Improvement Conference**

The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services. The following individuals are invited to the conference: the student, the student's parent/guardian, other individuals identified by the parent/guardian who may be a resource, appropriate school personnel, and recommended service providers.

When a student under 15 years of age is habitually truant, the District will refer the student to a school-based or community-based attendance improvement program or the local children and youth agency. If attendance does not improve, a citation may be filed against the person in parental relation who resides in the same household as the student.

When a student 15 to 17 years of age is habitually truant, District staff shall refer the student to a school or community based attendance improvement program, the local children and youth agency, or file a citation against the student or the person in parental relation who resides in the same household as the student.

If attendance does not improve or a student refuses to participate, a citation may be filed against the student or person in parental relation who resides in the same household as the student.

The outcome of the School Attendance Improvement Conference shall be documented in

a written School Attendance Improvement Plan. The plan shall be retained in the student's file. A copy of the plan shall be provided to the parent/guardian, the student, and appropriate District personnel.

### **Special Education Services**

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Coordinator of Special Education or designee shall be notified and shall take action to address the student's needs in accordance with the applicable law, regulations, and Board policy.



**Never be limited by other  
people's limited imaginations.**

*Dr. Mae Jemison*



# **SECTION FOUR**

## **STANDARDS AND EXPECTATIONS OF BEHAVIOR**

**Education is the passport  
to the future, for tomorrow  
belongs to those who  
prepare for it today.**

*Malcolm X*

# STANDARDS AND EXPECTATIONS OF BEHAVIOR

All standards are expected to be followed. Any behavior that disrupts the learning environment and puts the student or others at risk is unacceptable. All efforts will be made to ensure a positive learning environment that is Responsible, Respectful, and Safe. Any violation of the standards will be subject to the General Interventions/Discipline Sequence outlined in Section 5.

## Standard 1. Model Responsibility and Integrity

### Cheating/Plagiarism/Falsification

Cheating, plagiarism, or falsifying documents (forgery or counterfeiting by verbal, written, or electronic transmission; this act also includes school forms, hall passes, notes from parents, etc.) is prohibited.

### Illegal gambling

Betting money or other things of value, whether it is online, with cards or dice, betting on sporting events, or through other methods or forms, is prohibited.

### Stealing

Stealing, theft, extortion (attempting to obtain something of value by threat or force) is an unlawful offense and can be prosecuted under state law.

### Unauthorized use of technology and/or communication devices

Students are prohibited from the unauthorized use of electronic devices during the school day in District buildings; on District property; on District buses and vehicles; during the time students are under the supervision of the District; while students are attending school-sponsored activities, and in locker rooms, bathrooms, health suites, and other changing areas at any time.

Electronic devices include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide wireless, unfiltered connections to the internet. Examples of these electronic devices

include, but are not be limited to: laser pointers, radios, handheld games consoles, cellular telephones, mobile devices, iPads, and laptop computers, as well as any new technology developed within similar capabilities.

Students are prohibited from taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Destruction and/or vandalism of District issued electronic devices may result in cancellation of access privileges or other consequences.

The District shall NOT be liable for the loss, damage or misuse of any personal electronic device brought to school by a student.

### Use of Electronic Resources

*(Based on Policies #237 and #815)*

The use of the District's technology resources, including the District assigned iPads for all students is for appropriate school-related educational and operational purposes consistent with the educational mission of the District. Use for educational purposes is defined as use that is consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities and developmental levels of students. All use must comply with District policy and all other applicable codes of conduct, procedures, and rules. All students are responsible for the appropriate, legitimate and lawful use of the District's technology resources. Any use of the District's computing resources for illegal, inappropriate, or obscene purposes, or in support of such activities, is prohibited.

Students are expected to act in a responsible, ethical, and legal manner in accordance with District policy, accepted rules of network etiquette, and federal and state laws.

General rules for behavior and communications apply when using the Internet. Loss of access and other disciplinary actions (including possible suspension or expulsion of students) shall be consequences for inappropriate use and violations of the components of the District's Acceptable Use of Electronic Resources Policy.

The building administrator or designee may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety, or emergency reasons with prior approval of the building principal or designee.
2. Use is provided for in a student's individualized educational program (IEP).
3. Classroom or instructional-related activities.
4. Other reasons determined appropriate by the building principal.

## **Standard 2. Respect Self, Others, and Property**

### **Transportation Rules and Regulations**

Students will act in a respectful manner to the driver and to fellow students while waiting for and riding on school buses, vans, or other modes of transportation supplied by the District. The following behaviors and/or violations may result in the loss of a student using District transportation:

1. Swearing
2. Fighting, pushing, tripping or wrestling
3. Shouting or loud singing
4. Playing of music without headsets
5. Disobeying directions of the bus driver
6. Littering or throwing objects
7. Use or possession of matches, lighters, or tobacco
8. Possessing weapons

9. Having pets

10. Not having all parts of the body inside the bus at all times

11. Actions which cause a disturbance or distraction to the bus driver or other students or could impair the safe operation of the bus

12. Eating or drinking on the bus or van (unless permitted by staff)

13. Defacing or destruction of bus property

14. Tampering with the bus or its equipment

### **Video and Audio Recording on Buses**

*(Based on Board Policy #810.2)*

Video and audio recording equipment may be used on school buses transporting students to and from school, field trips, extracurricular activities, and athletic trips at the discretion of the School District. Review or use of the audiotape/videotape from a school bus or a school vehicle shall be consistent with the School District's student disciplinary procedures and shall comply with all privacy rights of student education records. Any issues related to Transportation, please contact **717-945-1440**.

### **Physical Aggression/Altercation/Fighting**

A student shall not engage in any form of physical aggression or threatening behaviors towards a teacher, fellow student, District employee, or other person. Physical aggression includes physical confrontation that may result in: no injury, minor injury, or serious injury that includes, but may not be limited to kicking, shoving, pushing, hitting, biting, and fighting. Intentionally hitting, shoving, scratching, biting, kicking, blocking the passage of another, or throwing objects at another person is considered physical aggression and is prohibited. Depending on the situation, School Resource Officers and/or local police may be involved, resulting in a citation. At police discretion, a more serious charge may be issued.



## **Bullying/Cyber Bullying**

*(Based on Board Policy #249)*

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following: substantially interfering with a student's education, creating a threatening environment and substantially disrupting the orderly operation of the school. Students who believe they or others have been bullied, are encouraged to promptly report such incidents to any School District employee.

## **Gang Activity**

Any group behavior whose purpose it is to intimidate, harass, disrupt, create chaos, damage or destroy property, engage in criminal or other illegal activity is prohibited. No symbols, mode or color of dress, or turf recognitions will be allowed. Any gang activity or intimidation activities on school grounds or at any school affiliated activity is prohibited. Local law authorities will be contacted.

## **Inappropriate/Profane Language**

Any inappropriate, sexual, harassing, or profane language will not be tolerated on school property or at any school affiliated activities. The use of such language, either verbal or written is prohibited.

## **Hazing** *(Based on Board Policy #247)*

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.

Any activity, as described above, will 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. Students who believe they, or others, have been subject to hazing should promptly report the incident to any District employee.

## **Nondiscrimination Against Students**

*(Based on Policy #103)*

The District shall provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools without discrimination on the basis of race, color, ethnicity, age, creed, religion, sex, gender, sexual orientation, ancestry, national origin, marital status, pregnancy, or handicap/disability.

The District strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the District and is prohibited on school grounds, at school-sponsored activities and on any conveyance providing transportation to or from a school entity or school-sponsored activity.

The District prohibits retaliation against any person for making a report of discrimination or participating in a related investigation or hearing, or opposing practices the person reasonably believes to be discriminatory.

Harassment is sufficiently severe, persistent or pervasive conduct 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.

Harassment consists of unwelcome conduct through graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, 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.

Sexual harassment consists of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to conduct is made explicitly term or condition or a student's status in any educational or other programs offered by the school; or
2. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting student; or
3. Such conduct deprives a student or group of individuals or educational aid, benefits, services or treatment.

Anyone who believes that a student or students have been subject to discrimination in regard to District's programs is encouraged to promptly report such incidents to designated employees, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.

A student who believes they have been subject to conduct by any student, employee, or third party is encouraged to immediately report the incident

to the building principal. If the building principal is the subject of a complaint, the student should report the incident directly to the Director of Student Services.

The District will conduct an adequate, reliable and impartial investigation. If the investigation results in a finding that some or all of the allegations of the complaint are established, the District will take prompt, corrective action designed to cease such conduct and prevent retaliation. Any disciplinary actions will be consistent with the Code of Student Conduct, Board policies and administrative regulations, District procedures, applicable collective bargaining agreements, and state and federal laws.

### **Vandalism/Destruction and/or Property Damage**

Under no circumstances will these acts be tolerated and will be dealt with accordingly.

## **Standard 3. Create a Positive, Safe, and Drug Free Learning Environment**

### **Controlled Substances/Paraphernalia** *(Based on Board Policy #227)*

Students are not permitted to possess, use, sell or buy alcohol, controlled substances including illegal drugs or drug paraphernalia, in any form, look-alike drugs, drugs, anabolic steroids, volatile solvents or inhalants, prescription or patent drugs, substances that when ingested cause a physiological effect similar to the effect of a controlled substance except those for which permission has been granted for use, on school property, on a school bus, and when attending school-sponsored functions. If a student is suspected of being under the influence, the student shall be taken to the health room for a substance abuse assessment.

### **Possession and/or under the influence – First Offense:**

In an instance where a student was determined to have possessed, used or been under the influence of alcohol or a controlled substance for the first time, while in school or at any school-sponsored function, the following procedures will apply:

- The staff member who discovers the alcohol/controlled substance will confiscate all alcohol/drugs and associated paraphernalia in plain sight. The student(s) involved will be referred to the Principal and/or other authorities for further investigation.
- Consequences will consist of a one-day out-of-school suspension, a mandatory parent/guardian conference and a five-day in-school suspension. At the discretion of the Principal/designee, such students may be assigned to group counseling sessions in lieu of all or part of the in-school suspension. At the elementary school level, a referral to a District or community counseling program will be required in lieu of the in-school suspension.
- Parents will be notified and completely informed of the circumstances.
- A School Resource Officer will be notified and the student will be identified. Appropriate community agency personnel could also be notified.
- Help will be provided through referral to the Student Services Assistance Team. Parent/Guardian involvement will be requested.
- Appropriate staff members will be expected to monitor these cases on a regular and continual basis.

**Possession and/or under the influence – Second Offense:**

The consequences of a second offense of a student will consist of a one-day suspension, a parent/guardian conference, a five-day in-school suspension and an Administrative Review Hearing. The Student Services Assistance Team will make a recommendation to the Administrative Review Committee.

**Selling/Distributing Controlled Substances**

When it is determined a student has sold or distributed a controlled substance while in school or at any school-sponsored function, the following procedures will apply:

- All controlled substances in plain sight will be confiscated.
  - Parent/Guardian will be notified.
  - A School Resource Officer will be notified in such instances and the student will be identified.
  - Consequences will consist of a parent/guardian conference, a suspension out-of-school of up to ten (10) days and a formal hearing before the School Board Judiciary Committee, with a recommendation for expulsion from school.
  - Help will be provided through a referral to the Student Services Assistance Team or referral to an appropriate drug and alcohol program.

**Weapons/Dangerous Objects/Firearms/Explosives**

*(Based on Board Policy #218.1)*

An offense of carrying or possessing a weapon in school or at any school-sponsored event may result in a referral to the Judiciary Hearing Committee with recommendation for expulsion. A weapon is defined as follows:

- A “weapon” or “dangerous instrument/material,” consists of any object, instrument, or material which is commonly considered to be a weapon or dangerous instrument/material, and any object, instrument or material which is in fact used to effect threats, intimidation, harassment, extortion, or injury to a person or property. The definition of a weapon or dangerous instrument/material includes, but is not limited to, any knife, dagger, cutting instrument, cutting tool, nunchaku, blackjack, explosive or incendiary device, noxious substance, firearm, shotgun, rifle, or any other tool,

instrument, or implement capable of inflicting serious bodily injury or used under circumstances not manifestly appropriate to lawful possession and use.

- The term “firearm” includes any weapon, loaded or unloaded, from which a shot can be discharged by gunpowder, compressed air, or by other means of force, and includes unassembled components of such device.
- The term “weapon” and “dangerous instrument/material” includes any look-a-like device or material that may be used to injure, intimidate, or threaten another person. All offenses involving the possession or use of a weapon or dangerous instrument/material, including those involving look-a-like devices, in school or during any school function will result in referral to the Judiciary Committee and possible recommendation of expulsion.

## **Tobacco and Vaping Products**

*(Based on Board Policy #222)*

The Board prohibits possession, use, purchase or sale of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, regardless of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the School District; on property owned, leased or controlled by the School District; or at school-sponsored activities that are held off school property.

The term tobacco product encompasses not only tobacco, but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products shall be defined to include the following:

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any

other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.
3. Any product containing, made or derived from either:
  - a. Tobacco, whether in its natural or synthetic form; or
  - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
  - c. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

A student who violates this policy may be subject to building level discipline and, if necessary, SRO/law enforcement involvement.

## **Safe2Say Something Program**

Students are expected to follow District procedures on reporting school related safety and security concerns under the Safe2Say Something Program. The Safe2Say Something Program contains a framework within which District administration and staff will respond to program reports, coordinate with the county emergency dispatch center(s) and local law enforcement, and provide appropriate assessment and response for the safety and security of students, staff and school facilities. Submit an anonymous tip by calling 1-844-SAF2SAY (723-2729), online at [www.safe2saypa.org](http://www.safe2saypa.org) or in the Safe2Say Something App.



# **SECTION FIVE**

## **GENERAL INTERVENTION/ DISCIPLINE SEQUENCE**

**If your child marches to a different beat, a different drummer, you might just have to go along with that music. Help them achieve what's important to them.**

*Sonia Sotomayor*

# MULTI-TIERED SYSTEM OF SUPPORT (MTSS)

Multi-Tiered System of Support (MTSS) is the practice of providing instruction and interventions that match student needs. Based on this problem-solving model, the MTSS approach considers various factors as they apply to a student's difficulty and provides interventions as soon as the student demonstrates a need.

The School District of Lancaster will implement strategies and interventions with a student at the onset of any disruptive behavior. Exceptions may apply to specific drug violations, or firearm possession, which mandate a one-year expulsion. Based on the student's response to the intervention or lack of progress, a more in-depth problem-solving process may be needed which may include additional school or District personnel to develop a more detailed and individualized support plan.

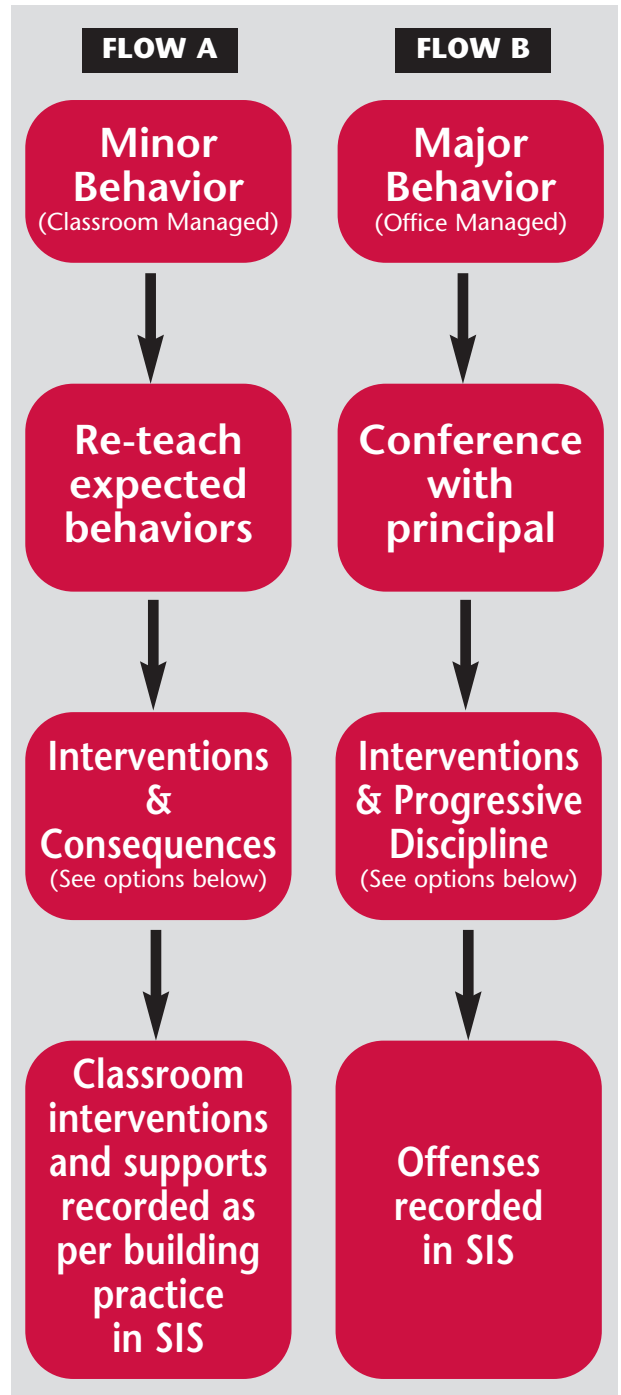
Teachers, support staff, and administrators must maintain written documentation at every level of intervention and discipline. A student's IEP team, if special education services are required, will also be involved with the interventions and discipline of a student. The District strongly believes that school staff and parents working together is the best way to build trusting relationships and improve student behavior.

The School District of Lancaster's goal is to improve student behavior, while providing appropriate interventions and consequences when behavior expectations are not met. Progressive discipline (the process of using increased measures when a student fails to correct a problem after being given a reasonable opportunity to do so) will be used.

1. First observe the problem behavior
2. Decide if the behavior is Minor or Major

## Minor Behavior (Flow A)

- A behavior that does not put the safety of another student or adult at risk and is managed "on the spot" by a classroom teacher or staff member. The classroom teacher will manage student minor behaviors which are communicated to the parent/guardian.



*\*Interventions should be progress monitored for six-eight weeks*

Interventions and strategies used to address and correct minor offenses are documented in SIS.

### Major Behavior (Flow B)

- A behavior which puts the student and/or others at risk and/or impedes the safety of the school and/or creates a major disruption to the learning environment and requires the attention of administrative staff. The interventions used to address and correct major offenses are documented in SIS

### Classroom Managed Interventions and Consequences for Minor Problem Behaviors

#### Tier 1 – Proactive Supports

- Classroom management system
- Teach expected behaviors
- Reinforce expected behaviors
- Build community with class meetings, restorative circles, advisory meetings, etc.
- Redirection, Ignore, Proximity
- Verbal warning
- Walk break, drink break
- In-class, time-out
- Parent/Guardian contact

#### Tier 2 and 3 – Interventions/Consequences

- Advanced support resource: **www.pbisworld.com**
- Parent/Guardian contact
- Student behavior contract
- Buddy teacher
- Logical consequences
- Structured breaks
- Check-In, Check-Out
- Peer mediation
- Reflective essay
- Restorative practices circle, impromptu conference
- Referral for support from counselor, SFRS
- Lunch/recess detention
- Office Discipline Referral

### Office Managed Interventions/Consequences for Major Problem Behaviors

#### Tier 2 – Targeted Interventions/Consequences

- Advanced support resource: **www.pbisworld.com**
- Referral for support from student support teams/MTSS school process
- Social skills group/Group counseling
- Mentoring program
- Check-In, Check-Out
- Structured breaks
- Reflective essay
- Parent shadowing
- In-school work detail
- Logical consequence/loss of privilege
- Lunch/recess/after school detention
- In-school suspension
- Restitution through Restorative Practices Circle, impromptu or formal conference
- Saturday school

#### Tier 3 – Intensive Interventions/Consequences

- Advanced support resource: **www.pbisworld.com**
- Referral for support from student support team/MTSS school process
- Referral to School Based Therapy or community mental health services
- Referral to Student Assistance Program (SAP)
- Interagency Team Meeting with school, parent, behavioral health providers, and/or Child and Youth Agency
- Community service or in-school service (assisting custodial staff)
- Parent supervision
- Loss of privileges
- Mini-course on topics such as conflict resolution, anger management, appropriate behavior
- Modified/adjusted schedule
- In-school suspension

- Out-of-school suspensions should be used as a last resort and only when in-school interventions and consequences do not sufficiently address a student's inappropriate behavior. A return from suspension meeting must occur following the suspension.
- Saturday School

## Building Discipline Committee

### Function & Composition

The primary function of the Building Discipline Committee (BDC) will be to review persistent discipline cases within the building and make an attempt to coordinate the resources of the school community and parent/guardian(s) in the resolution of the problem and restore harm. This committee may consist of a building administrator, Student and Family Resource Specialist, counselor, teachers, the student's parent/guardian(s), and other appropriate representatives. BDC meetings must precede an Administrative Review request.

### Procedure

The building administrator convenes the meeting. The administrator/designee will contact the parent/guardian(s) and appropriate committee members regarding the purpose, time, and place of the meeting. If the parents choose not to attend the meeting after proper notification, the committee should convene and take appropriate action. In situations where a committee consensus cannot be achieved, the principal will make the final decision. Parent/guardian(s) will be notified by letter of the action taken by the committee.

### Reason for Referral

Students are referred for violations of the law and of the Standards and Expectations of Behavior.

### Consequences of Misconduct

The Building Discipline Committee may make several recommendations following the review of each student's case. The recommendations may include, but are not limited to, the following actions:

1. A change in the student's class schedule or placement;
2. School Based Therapy;
3. Exclusion from interscholastic or extra-curricular activities;
4. Referral to Student Services Team;
5. Referral to community agency;
6. Referral to the Student Services Review Committee or the Administrative Review Committee;
7. Referral to the Judiciary Committee (All students receiving special education services must be referred to an Administrative Review Committee Hearing prior to a Judiciary Committee Hearing and a Manifestation Determination must occur before an Administrative Review/Judiciary Hearing) and/or;
8. Other recommendations at the discretion of the Building Discipline Committee.

## Student Services Review Hearing (for 4th & 5th Graders ONLY)

It is important that students who are assigned to Futures programs, receive a continuum of services.

### Function & Composition

The primary function of the Student Services Review Committee is to review cases of REGULAR EDUCATION STUDENTS IN GRADES 4 & 5, who have violated the Standards and Expectations of Behavior for Students.

The committee meets at the request of the building administrator, to make sure all building and community resources have been explored, on behalf of the student, prior to consideration of placement in the Futures Academy.

This committee, appointed by the Superintendent, will consist of the Hearing Coordinator (chairperson), a District level Special Education representative and a District level Student Assistant Program Facilitator.

### Procedure

The principal requesting the Student Services Review will submit in writing to the Hearing



Coordinator, a request for a Student Services Review meeting, stating the specific reasons and a detailed report from the Building Discipline Committee Meeting. The Hearing Coordinator will inform the requesting principal of the scheduled date and time of the review and contact the Student Services' Committee members. The Hearing Coordinator will send the scheduled time and place of the meeting. Case studies (one copy) shall be prepared and emailed to the Hearing Coordinator's secretary.

### **Consequences of Misconduct**

1. Return to school on probation with conditions.
2. Return to school with modified program.
3. Referral to community service agencies.
4. Referral to community legal agencies.
5. Assignment to an Alternative Education Program for Restorative Justice.

District level hearing requests must meet the following criteria:

### **Disruptive student**

A student who poses a clear threat to the safety and welfare of other students or the school staff, who creates an unsafe school environment or whose behavior materially interferes with the learning of other students or disrupts the overall educational process.

### **Reason for Referral**

Students enrolled in this program must be considered disruptive as Defined by Act 30 of 1997, § 19-1901-C (5). Identify and provide documentation (such as suspension documents) that applies to each behavior resulting in the referral. **By law, Districts may refer students in grades 6–12 to AEDY programs only if, at the time of the recommended transfer, they demonstrate, to a marked degree, any of the following conditions:**

1. Disregard for school authority, including persistent violation of school policies and rules.

2. Display of or use of controlled substances on school property or during school-affiliated activities.
3. Violent or threatening behavior on school property or during school-affiliated activities.
4. Possession of a weapon on school property, as defined under 18 Pa. C.S. § 912 (relating to possession of weapon on school property).
5. Commission of a criminal act on school property or during school-affiliated activities.
6. Misconduct that would merit suspension or expulsion under school policy.

### **Administrative Review Committee**

#### **Function & Composition**

The primary function of the Administrative Review Committee is to review cases prior to referral to the Judiciary Hearing Committee. This committee meets at the request of the building administrator to review student cases and to make sure all District and community resources have been explored on behalf of the student prior to consideration of expulsion. This committee, appointed by the Superintendent or designee, will consist of the Hearing Coordinator (chairperson), a principal, assistant principal or dean, and impartial professional representatives from the District.

Copies of the letter explaining the consequences must be sent to the parents, building principal, the Director of Student Services, and the chairperson of the Judicial Committee.

An Administrative Review will not be conducted for special education students unless there has been a prior determination that the student's alleged misconduct was not a manifestation of the student's exceptionality.

#### **Procedure**

The principal requesting the Administrative Review will submit, in writing to the Hearing Coordinator, a request for an Administrative Review Committee Meeting, stating the specific reasons for the review and a brief, but specific, summary of the rehabilitative attempts which were made. The Hearing Coordinator

will inform the requesting principal of the scheduled date and time of the review and contact the Administrative Review Committee members. The Hearing Coordinator will send a letter to the parent/guardian(s) of the student, indicating the reasons for the hearing, and the scheduled time and place of the meeting. Copies of this letter should be forwarded to the Hearing Coordinator and staff members and/or agency personnel who are expected to attend. Case studies (one copy) shall be prepared, at the direction of the principal, and forwarded to the Hearing Officer, prior to the review date. The case studies and all relevant special education paperwork must be delivered in advance.

### **Reason for Referral**

Students are referred for violations of the law and the Standards and Expectations of Behavior.

### **Consequences of Misconduct**

The Administrative Review Committee may make several recommendations following the review of each student's case. The recommendations may include, but are not limited to, one or more of the following consequences:

- 1.** Return to school on probation with conditions (no further fighting, report to school early each day, etc.);
- 2.** Return to school with a modified program;
- 3.** Referral to Psychologist or Social Services;
- 4.** Referral to community service agencies. (Lancaster County Behavioral Health/ Developmental Services, Family and Children's Services, Boys and Girls Club, etc.);
- 5.** Referral to community legal agencies (Children and Youth Agency, Probation and Parole, etc.);
- 6.** Assignment to another school with designated conditions (two days illegal absence will result in referral to Judiciary Committee, etc.);
- 7.** Assignment to an alternative education program;

- 8.** Combinations of the above;
- 9.** Other recommendations at the discretion of the committee and/or;
- 10.** Referral to the Judiciary Committee for expulsion.

## **Judiciary Committee of the Board of Education**

### **Function & Composition**

The function of the Judiciary Hearing Committee is to conduct a hearing to determine whether a student should be expelled from school. During the hearing, the Judiciary Hearing Committee reviews the charges and the background information which the building administrator presents to substantiate the recommendations for expulsion and also reviews information presented by the student, parent/guardian(s), and/or counsel. The Chairperson (Hearing Officer) of the Judiciary Hearing Committee is appointed by the Board President.

The Judiciary Hearing Committee is composed of the Hearing Coordinator and Hearing Officer, appointed by the school board. The Hearing Coordinator serves as a resource staff member to the Hearing Officer. When possible and appropriate, the Director of Student Services or designee will attend Judiciary Hearings.

### **Procedures**

The building administrator will submit, in writing to the Judiciary Hearing Coordinator, a request for a Judiciary Committee hearing, stating the specific charges made against the student, a brief summary of rehabilitative attempts, and the recommendation for expulsion. If the case is accepted for hearing, the Coordinator's office will notify, in writing, the parent/guardian(s), the Committee Members, the building administrator, and agency personnel of the scheduled time and place of the hearing. The parent/guardian(s) will be informed of the specific reasons for the hearing and the recommendation which has been made by the school administration. They will also be informed that they may be represented by counsel at the hearing. The building

administrator, committee members, or parent/guardian(s) may request the attendance of any staff member (or persons) at the hearing that can provide significant information which would assist in making a decision. Persons, other than those involved with the case, may be present, only with permission of the parent/guardian(s), and the Hearing Officer.

The Hearing Officer is responsible for making a recommendation to the Superintendent as to the disposition of the Judiciary Hearing Committee. The Superintendent will make a final recommendation to the Board. School personnel and the parent/guardian(s) will receive, in writing from the Judiciary Hearing Coordinator, the decision of the Hearing Officer.

### **Waiver**

After a determination that a student has committed an expellable offense, and with full knowledge of their rights, the student and the student's parents may waive their right to a formal School Board hearing, and accept the consequences described on a waiver agreement. The student and the student's parents further waive their right to contest the consequences and this agreement by appeal or legal proceeding in any court.

### **Reasons for Referral**

A building administrator may recommend the expulsion of a student whose action(s) or behavior(s) were so disruptive or so serious that the Coordinator, in consultation with the Director of Student Services or designee agreed that a Judiciary Committee Hearing is necessary.

Reasons for expulsion may include, but are not limited to, the following behaviors:

1. Carrying or using weapons or dangerous instruments while on school premises or on the way to or from school or while attending school sponsored activities;
2. Possessing or igniting explosives or incendiaries of any type on school premises or in any area where school activities are being held;

3. Dispensing, furnishing, or selling any narcotic, hallucinogenic, or dangerous drugs (including alcohol);
4. Tampering with firefighting equipment or emergency alarm system or starting a fire on school premises;
5. Participating in a bomb threat;
6. Extorting money or other property and/or;
7. Intimidating or assaulting a teacher, fellow student, or District employee. Only the most severe cases warranting expulsion will be referred to the Judiciary Committee.

### **Possible Recommendation**

Following a Judiciary Committee Hearing, the Hearing Officer may expel the student from school for a semester, for the remainder of the school year, or longer, at the discretion of the Hearing Officer.

### **Expelled Students**

Expulsion is an exclusion from school by the Board of Education for a period exceeding 10 school days and may be permanent expulsion from the school rolls. All expulsions require a prior formal hearing under State Board Regulation 12.8 (relating to hearings).

Students who are less than 18 years of age are still subject to the compulsory school attendance law even though expelled and they must be provided "some provision" of education.

The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, through tutorial or correspondence study or through another educational program approved by the Superintendent or designee. If the parents or guardians are unable to provide for the required education, they must submit a written statement within 30 days, stating that they cannot provide for the required education. The District then has the responsibility to make some provision for the student's education.

If the approved educational program is not complied with, the School District may take action in accordance with Chapter 63 of the Juvenile Act (42 pa. C.S. §6301-6308), to ensure that the child will receive a proper education.

# SECTION SIX

## GUIDELINES FOR STUDENTS RECEIVING SPECIAL SERVICES

Once social change begins,  
it cannot be reversed. You  
cannot un-educate the person  
who has learned to read.  
You cannot humiliate the  
person who feels pride.  
You cannot oppress the  
people who are not  
afraid anymore.

*Cesar Chavez*

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# GUIDELINES FOR STUDENTS RECEIVING SPECIAL SERVICES

Prior to considering a suspension as a consequence for a student receiving special education services, the building level Student Services Team will provide a variety of interventions, supports, accommodations, and strategies as reflected in IEP revisions. Prior to assigning a suspension, the building administration must also collaborate with the Special Education Coordinators.

## For Students with an Intellectual Disability

When considering a suspension for a student with an Intellectual Disability, a Special Education Coordinator must be contacted to facilitate the process and to ensure the appropriate procedures are followed.

Under State and Federal Special Education regulations, a suspension of a student with an intellectual disability constitutes a change in placement. This includes both in-school and out of school suspension, and transportation suspension or expulsion.

A student with an intellectual disability cannot be suspended unless all of the steps below are followed:

1. A completion of a manifestation determination
2. A copy of the Procedural Safeguard Notice booklet issued to parent
3. A Notice of Recommended Educational Placement (NOREP) issued to parent/guardian prior to suspension. The NOREP must state the date(s) and reason for the suspension.

If the parent/guardian approves of the suspension and signs the NOREP, the team may proceed with the suspension.

If the parent/guardian refuses to sign or checks the disapproval box on the NOREP, the Principal contacts the Special Education Department, which will request approval of the suspension from the Office for Dispute Resolution (ODR). If approval is obtained from a hearing officer at ODR, the suspension may be implemented.

## For Students with Disabilities Other than an Intellectual Disability

The Individuals with Disabilities Education Act (IDEA) provides guidelines for school officials for discipline and/or change of placement of students with disabilities.

A change of placement is defined as:

- a. The removal of a student for 10 consecutive school days.
- b. A series of removals that constitute a pattern or accumulation of up to 15 school days in a school year.

If the child has committed a violation of school rules that would result in a suspension from school, and if all regular disciplinary procedures have been followed, the student may be suspended **for not more than 10 consecutive school days**. If circumstances warrant, the IEP Team may meet to determine if a functional behavioral assessment would be appropriate.

If the suspension will be **for more than 10 consecutive school days**, or results in the student **being suspended for a total of at least 15 school days, or if the suspension exhibits a pattern** of such removals, then the following must occur:

1. Within 10 school days of the date on which the decision to impose discipline is made, the IEP Team will meet for a “manifestation determination,” to determine if there is a relationship between the child’s disability and the behavior subject to the disciplinary action.
2. Within 10 school days, the IEP Team will meet to determine if a Functional Behavior Assessment is needed and to develop a behavior intervention plan if one does not already exist. If a plan does exist, the IEP Team will review the existing behavior intervention plan for appropriateness and determine if modifications are needed. After six-eight weeks of progress monitoring the implementation of the new intervention(s), the IEP Team (including the parent/guardian) will meet to review the student’s progress.

## Manifestation Determination

A manifestation determination is required by IDEA when considering the exclusion of a student with a disability from school that constitutes a change of placement. The IEP team must decide if the behavior that is subject to disciplinary action is related to the student’s disability (i.e., a manifestation of the student’s disability) or if the behavior is a direct result of LEA’s failure to implement the IEP. The IEP Team must answer yes or no to the following statements:

**Question One:** Was the conduct in question caused by the student’s disability or had a direct and substantial relationship to the student’s disability?

**Question Two:** Was the conduct in question a direct result of LEA’s failure to implement the IEP?

If the team answered “Yes” to either of the questions, the behavior must be considered a manifestation of the student’s disability. The LEA must then conduct a Functional Behavior Assessment plan. If one already exists, the IEP Team must meet to review and modify the plan as needed.

Punishment for a behavior that is a manifestation of a student’s disability is an aversive technique. Therefore, the team must immediately take steps to remedy any and all deficiencies found in the student’s IEP or its implementation.

The law formalizes the long-held position of the U.S. Department of Education, Office of Special Education, Office of Special Education Programs (“OSEP”) that schools remain obligated to provide special education to students who are “suspended or expelled.”

If the violation for which suspension or expulsion is sought consists of the possession of a “weapon,” the knowing possession, sale, or solicitation of a “controlled substance” or the infliction of serious bodily injury upon another person the child may be placed unilaterally in an interim alternative placement for the same period that a non-disabled student would be excluded from school for the same offense or for 45 school days, whichever is less, provided that:

1. All of the requirements described above for suspensions that result in a change of placement are met.
2. The IEP team develops an IEP for the alternative placement that:
  - enables the child to participate in the general curriculum, although in another setting; and
  - enables the child to continue to receive the services described in the current IEP; and
  - after 45 school days, the child is returned to the last placement prior to the interim alternative placement, pending the resolution of any disputes concerning the results of the manifestation determination or the permanent program and placement recommendation of the school.

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A special education student can be transferred to an alternative education program for up to 45 days if the student brings a gun, a pocket knife with a blade longer than 2½ inches, or another weapon to school; uses, buys, or sells illegal drugs at school; or does serious bodily harm to another student or staff member. Any decision to transfer a student must be made by the Individualized Education Program (IEP) Team. However, while the decision is being made, the placement can occur.

### **For Gifted Students**

Students ONLY identified as gifted are *not* included under IDEA regulations, according to PA Chapter 16 regulations. Discipline for gifted students is the same as discipline for students in regular education, unless the child is dually identified with a disability category under Chapter 14 regulations.

### **For Students with 504 Service Agreements**

*(Based on Board Policy 103.1)*

A manifestation determination must be conducted when considering an exclusion from school that constitutes a change of placement for a student with a disability. The 504 team should decide if the behavior that is subject to disciplinary action is related to the student's disability (i.e., a manifestation of the student's disability).

### **The 504 team should address the following statements:**

- The conduct in question was caused by the student's disability or had a direct and substantial relationship to the student's disability.
- The conduct in question was the direct result of the LEA's failure to implement the 504 Service Agreement.

If the determination of the 504 team is "Yes" to either one of the statements listed above, the behavior must be considered a manifestation of the student's disability. The 504 team must take steps to review and/or revise the 504 plan to address the needs of the child.

If the determination of the 504 team is "No" to both of the statements listed above, the behavioral incident is not a manifestation of the student's disability. Then student may be disciplined similarly to their nondisabled peers.

# **GLOSSARY OF TERMS**



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### **Alternative Education (AEDY):**

Camelot of Buehrle is a full-day program that serves students in grades 6 through 12, who have experienced behavioral issues at their home school. Camelot of Buehrle combines an academic program based on the School District of Lancaster's curriculum with a restorative practices program to successfully transition students back to their (original, home, sending) school. Buehrle utilizes individualized behavior plans which focus on the reasons for each students' referral to AEDY. Each student is reviewed every 45 days to monitor their progress and ability to return to their home school. Once behavioral goals are met, a transition meeting is held to coordinate a return to the appropriate school. Students who have been expelled by the School District, will have a transition meeting at the end of the expulsion period. Parents and students are required to attend orientation before starting the program.

### **Bullying/Cyber Bullying:**

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following: substantially interfering with a student's education, creating a threatening environment and substantially disrupting the orderly operation of the school.

Students who believe they or others have been bullied are encouraged to promptly report such incidents to any School District employee.

### **Cheating:**

To misrepresent academic performance as one's own by taking answers or work from another individual.

### **Community Service:**

Work provided in a building, on grounds, or other services provided by the student to the school or to the community at large (Parent permission required).

### **Compulsory School Age:**

The period of a child's life from the time the child's parents/guardians elect to have the child enter school, and which shall be no later than six years of age until the child reaches eighteen years of age or holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.

### **Controlled Substance:**

Substances intended to affect the structure of any function of the human body which includes controlled substance prohibited by federal and state law, look-alike drugs, alcoholic beverages, including alcohol in any form, anabolic steroids, drug paraphernalia, any volatile solvents or inhalants, such as but not limited to glue and aerosol products, prescriptions or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy. designer drugs, counterfeit substances, and drug paraphernalia. This does not include a legally prescribed drug.

### **Detention:**

Detention is designated time assigned to students by administration or teachers for various infractions. When the assignment is made, the reason for the detention must be explained to the student, cooperation from parents will be solicited, and parents will be informed of the consequences if detention is not served.

### **Disorderly Conduct:**

When an individual makes loud and rowdy noise in the vicinity of the school or at school functions, causing unreasonable disturbance or distress to others; or when an individual without authority or justification obstructs school premises; or any access to the school with the intent to prevent or hinder its lawful use by others.

### **Destruction:**

The action or process of causing so much damage to something that it no longer exists and/or cannot be repaired.

## **Due Process Hearing:**

A Due Process Hearing is a procedure in which students are given due process rights. This process provides students with an opportunity to present their account of an incident prior to being suspended or given disciplinary consequences for an alleged misconduct.

- 1.** For suspensions up to three days, a student must be informed of the reason for the suspension, and given the opportunity to meet with the building administrator or designee to respond.
- 2.** When the suspension exceeds three school days an informal hearing is provided and includes the following requirements:
  - a.** notification of the reasons for suspension are given in writing to the parent/guardian and to the student;
  - b.** the student has the right to question witnesses present and produce witnesses;
  - c.** the District should offer to hold the hearing within the first five days of suspension.
- 3.** In cases of expulsion, a formal hearing is required. The hearing is to be held before the Judiciary Committee of the School Board. The Due Process requirements for such hearings are detailed in Section 12.8 of State Board Regulations.

## **Expulsion:**

Expulsions may be for more than 10 days or a fixed period such as a semester or a permanent expulsion. The school must hold a “formal hearing” before any expulsion takes place.

Students who are under the age of 18 years and are expelled must continue to receive education. The parents have 30 days to find another school or program. If they fail to find education for their son or daughter within 30 days, they must contact their School District of residence. The School District then must make “some provision” of education toward normal academic progress. This may be in an

alternative education program, home school, or another educational program.

Students who are 18 years or older (unless they are special education students) and who have been officially expelled, are not entitled to a free public education.

## **Futures Academy:**

Futures Academy is designed for students who have not been successful in their traditional 4th or 5th grade classroom. The program utilizes the School District of Lancaster curriculum with a restorative practices program to successfully transition students back to their sending school. Futures Academy has a smaller class size than traditional elementary schools which allows for individual attention and maintaining academic rigor. Typically, students are assigned for 45 days or a marking period. Once behavioral goals are met, a transition meeting is held to coordinate a return to the appropriate school.

## **Habitual Truancy:**

A child subject to compulsory school laws having six or more school days of unexcused absence during the current school year.

## **Hazing:**

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.

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. Students who believe they, or others, have been subject to hazing should promptly report the incident to any District employee.

### **In-School Suspension:**

In-school suspension is a consequence some schools use based on school violations whereby students are supervised for a period of time in a structured setting. Students work on classroom assignments as specified by classroom teachers or as defined by their IEP (Individual Educational Program). Students must be informed of the reasons for the suspension and given an opportunity to respond. ISS cannot exceed 10 consecutive days and has to be documented. Document in ATT and in the referral. Parents are to be notified of the reasons for suspension and the length of assigned time.

### **Gang Activity:**

Any group who intimidates, harasses, causes disruption, damages, or destroys property, engages in criminal or other illegal activity, and displays colors or dresses with symbols and patrols a specific "turf" area.

### **Judicial Referrals (Direct):**

Judicial referrals (direct) is a mode of action for referring extremely serious offenses to the Judiciary Committee. These violations may include but are not limited to: weapon violations, use of explosives, distribution or other serious substance abuse offenses, tampering with fire extinguishers on school premises, bomb threats, extortion of money or other property, intimidating or assaulting another, spraying mace, or other chemicals on school property or at a school sponsored activities.

### **Lawful Absence:**

Lawful absences are when a student is prevented from attendance in school for mental, physical, or other urgent reasons. Illness, family emergency, death of a family member, medical or dental appointments, authorized school activities, educational travel with prior approval, and attendance at legal or court proceedings are considered lawful absences.

### **Look-a-like Substance:**

Substances that resemble illegal drugs or items that resemble real weapons.

### **Manifestation Determination:**

A mandated process to review whether or not a student's behavior was a result of a student's disability and/or the District's failure to implement the IEP or 504 as written.

### **Multi-Tiered System of Support:**

A tiered approach to provide instruction and interventions for students struggling behaviorally or academically. Tier I addresses all students through core instruction and school-wide practices. Tier II interventions may include small group instruction with specific focus on identified skill deficits. Tier III interventions are individualized to meet the needs of each student and are the most time intensive interventions.

### **Out-of-School Suspension:**

Out-of-school suspension (OSS) is a process by which students are excluded from the learning environment for a specific period of time. Suspensions are legal excused absences, which

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permit students to make up missed school work. Suspensions should not exceed 10 consecutive days without School Board approval. Students and parents are to be notified of the reason for the suspension and documented.

**Parent(s):**

The term parent in this publication refers to parents/guardians who have legal and educational responsibilities for the guidance and supervision of children/students attending the School District of Lancaster.

**Plagiarism:**

Plagiarism includes copying the language, structure, idea, and/or thought of another and representing it as one's own original work.

**School Grounds:**

Any property owned or utilized by the School District of Lancaster or by any contractor of the School District.

**School Resource Officer (SRO):**

A police officer employed by a law enforcement agency who works within a school to support the students, faculty, and administration. Supports provided by the SRO include reducing criminal activity by recommending physical changes to the school. The SRO also provides training to students in conflict resolution and restorative justice, expands community justice initiatives for students, and addresses crime, gang, and violence issues.

**Serious Bodily Injury:**

Injury that creates a substantial risk of death or which causes serious, permanent disfigurement, or loss or impairment of the function of any bodily member or organ.

**Sexual Harassment:**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature. This behavior is from one student to another, from one staff person to another, from a staff member to a student, and/or a student to a staff member or any person on school property.

**Student Assistance Program:**

The Student Assistance Program (SAP) or Elementary SAP (ESAP) is a systematic team process used to mobilize school resources to remove barriers to learning. SAP/ESAP is designed to assist in identifying issues including alcohol, tobacco, other drugs, and mental health issues which pose a barrier to a student's success. The primary goal of the Student Assistance Program is to help students overcome these barriers so that they may achieve, advance, and remain in school. SAP/ESAP team members (a minimum of four team members per building from any or all of the following groups: administration, teacher, counselor, psychologist, social worker, or nurse) are trained to identify problems, determine whether or not the presenting problem lies within the responsibility of the school and to make recommendations to assist the student and the parent. When the problem lies beyond the scope of the school, the SAP/ESAP team will assist the parent and student so they may access services within the community. The student assistance team members do not diagnose, treat or refer to treatment, but they may refer for a screening or an assessment for treatment.

**Theft:**

Theft (also known as stealing) is, in general, the wrongful taking of someone else's property without that person's willful consent with the intent to deprive them of the property. In law, it is usually the broadest term for a crime against property. It is a general term that encompasses offences such as burglary, embezzlement, larceny, looting, robbery, and shoplifting.

**Threat:**

Conveying by physical gestures, written notes on paper or by electronic devices, or verbal comments with the intent to cause bodily injury.

**Trespass:**

Entering into or remaining upon property without permission.

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**Truant:**

A child subject to compulsory school laws having three or more school days of unexcused absence during the current school year.

**Vandalism:**

Any malicious attempt to harm or destroy equipment, data, websites and/or other networks. This includes but is not limited to physical damage.

**Waiver:**

After a determination that a student has committed an expellable offense, and with full knowledge of their rights, the student and the student's parents may waive their right to a formal School Board hearing, and accept the consequences described on the District's waiver form. The student and the student's parents further waive their right to contest the consequences and this agreement by appeal or legal proceeding in any court.

**Weapon:**

May include, but is not limited to, any knife, dagger, cutting instrument, cutting tool, nunchaku, blackjack, explosive or incendiary device, noxious substance, firearm, shotgun, rifle, or any other tool, instrument, or implement capable of inflicting serious bodily injury or used under circumstances not manifestly appropriate to lawful possession and use.

**Dangerous Weapon (IDEA):**

Any item that is used for, or is readily capable of, causing death or serious bodily injury, but NOT a knife with a blade of less than 2 ½ inches. *Note: This definition is both broader than the definition used in Pennsylvania law governing the discipline of non-disabled students, and in its exclusion of small knives, narrower than Federal law. Federal law governs to the extent that it affords more protection to the child.*

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**Notes:**



**School District of  
Lancaster**

*Together We Can!*