

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

K-12 STUDENT CODE OF CONDUCT

INTRODUCTION

Students in the Bethlehem Area School District generally begin their formal education in kindergarten and continue to move through a graded system of schooling until they are graduated at the end of twelfth grade. One might liken that kindergarten child to someone embarking on a voyage of discovery, a voyage that will continue for years to come. One of the most important ideas for children to discover on that voyage is that *our democratic society is founded on the worth of each individual and the value of each individual's unique contribution to our society.*¹

It is imperative that each student understand that one's life is governed by rules, whether those rules be for a family, a school, a community, or a whole country. It is a basic responsibility of citizens in a democracy to know and follow the rules. There is little hope for our communities and our schools if the hearts and minds of our children and youth cannot be touched by a call to something greater than themselves. When most people accept and comply voluntarily with the rules, democracy works and all of us can enjoy the benefits of a free society.

*The vast majority of Americans share a respect for certain fundamental traits of character: honesty, compassion, courage, perseverance, etc. These are virtues. But because children are not born with this knowledge, they need to learn what these virtues are.*²

We intend, via this Student Code of Conduct, to help our school district's children and youth see what the universal values are, what they look like, what they are in practice, how to better recognize them, and how they work within the context of school rules. Through this Code we intend to give our students specific reference points for acceptable behavior while in our schools.

OUR FRAMEWORK FOR CITIZENSHIP

Our Framework for Citizenship: Building a safe, caring and respectful learning community is based upon four components-Universal Values, Excellence, Global Understanding, and Community Service. Together these four guiding principles promote the education of the whole child using an integrated approach. Our goal is to teach children that they must demonstrate certain behaviors on a regular and ongoing basis and that traditional American values need to be learned and become an integrated part of their daily lives.

¹ *Philosophy of Education*, No. 101, p. 1, School Board Policy Manual. 1983.

² Bennett, William. The Book of Virtues, introduction.

UNIVERSAL VALUES

Classroom experiences in the Bethlehem Area School District will emphasize learning character development and universal values. The first component, *Universal Values*, provides the foundation of this school district's direction.

Universal Values

- Courage: mental or moral strength
- Empathy: appreciating another's feelings by putting oneself in their place
- Friendship: mutual liking or attachment between friends.
- Honesty: speaking or seeking truth; sincerity.
- Integrity: incorruptibility; honor
- Kindness: being friendly or nice to others
- Loyalty: consistent devotion or allegiance; faithfulness
- Patience: endurance of hardship or trouble without complaint
- Patriotism: love for or devotion to one's country
- Persistence: continuing firmly and steadily in spite of opposition.
- Respect for Others and Self: holding in high regard; esteem
- Responsibility: moral, legal or mental accountability
- Self-Discipline: training that molds the moral character of oneself.
- Tolerance: acceptance of beliefs differing from one's own.
- Trust: reliance or faith
- Work Ethic: effort applied to produce a desired effect or result

EXCELLENCE

The second component, *Excellence*, is a natural consequence of a student's character development and of the universal values focus. Aiming for their very best becomes not an external push, but an internal desire of students. Students learn that they can make a positive contribution to their community and society by developing excellence in all things. An emphasis on the joy of learning creates a thirst for knowledge that brings lasting results in academic pursuits.

GLOBAL UNDERSTANDING

The third component, *Global Understanding*, is built on the first two. Students are helped to develop respect and appreciation for all peoples and beliefs. They learn to value the range of cultures, races, and individual characteristics.

COMMUNITY SERVICE

The last component, *Community Service*, encourages the students to become actively involved in activities of their choice which make the world a better place.³

In addition to the formal curriculum, students learn from a hidden curriculum—all the personal and social instruction that they acquire from their day-to-day schooling. Many of education's most profound and positive teachings are conveyed in that *hidden curriculum*. The everyday behavior of the staff and students cannot fail to have an impact on a student.

³ Ideas adapted from *A Bold Experiment in Teaching Values* by C. Cottom: Educational Leadership International, May, 1996.

If we want our children and youth to possess, at least to some degree, these traits of character...these virtues or values...we need to both teach and model exactly what those traits are and why they deserve so much attention. Aristotle wrote that...*good habits formed at youth make all the difference*.⁴ In order to best convey these ideals and make a difference, the entire BASD community—students, parents, teachers, administrators, custodians, secretaries, aides, cooks, bus drivers and all others—must strive to provide everyday examples of them. It is much like a working philosophy that is framed and posted in some of our faculty rooms, "If you aren't modeling what you are teaching, then you are teaching something else."

I. GOOD DISCIPLINE - WHAT IS IT?

The dictionary defines *discipline* as "training that develops self-control, character, or orderliness and efficiency." With this definition in mind, the need for stressing good discipline will become obvious:

A. SELF -CONTROL

All students have rights. All students have responsibilities. Students have the right to receive equal educational opportunity in a safe and orderly learning environment. To protect this right, all students have the responsibility to control their personal desires. Students must examine their own behavior and how it will affect others. Self-control is the preferred method of assuring that the rights of all are protected.

B. CHARACTER

Your character is defined by your total pattern of behavior. You own your own behavior. The behavior you exhibit is yours. Defending your actions by describing the actions of others is unacceptable. Your own actions determine your reputation and also help to determine how people react to you now and in the future. Trust, respect, and true friendship of others must be earned. Your pattern of behavior or character determines how much trust, respect, and friendship you earn. You should make a genuine effort to develop or maintain good character.

C. ORDERLINESS AND EFFICIENCY

Learning is often difficult work. It is made even more difficult when unnecessary distractions exist or when plans are unnecessarily disrupted. Self-control and good character help to ensure that learning can be accomplished in an orderly and efficient manner.

The information in this Code of Conduct identifies your responsibilities as a student. Also identified are certain types of behavior which disrupt student learning. In order to ensure an effective learning environment, students are urged to fulfill their responsibilities and refrain from disruptive behavior. In summary, good discipline ensures each of the following:

1. The ability to make the best use of each student's educational opportunity.
2. The opportunity to receive education in a safe, orderly, and efficient environment.
3. The development of useful positive patterns of behavior which will be respected and appreciated now and in the future.

⁴Bennett, op. cit., introduction.

D. STUDENT RIGHTS AND RESPONSIBILITIES

Free Education and Attendance

Regulatory Requirement:

(a) All persons residing in this Commonwealth between the ages of 6 and 21 years are entitled to a free and full education in the Commonwealth's public schools;

(b) Parents or guardians of all children between the ages of eight and 17 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 17 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:

- (1) the student is married;
- (2) the student is pregnant;
- (3) the student has a disability as identified by Chapter 15 (relating to protected handicapped students);
- (4) the student is an eligible student identified under Chapter 14 (relating to special education services and programs).

Student Responsibilities

Regulatory Requirement: Student responsibilities include:

(a) Regular school attendance, conscientious effort in classroom work and homework and conformance to school rules and regulations. Most of all, students are responsible to share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living;

(b) 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;

(c) Students should express their ideas and opinions in a respectful manner;

(d) It is the responsibility of the students to conform to the following:

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

- (4) Assist the school staff in operating a safe school for the students enrolled therein.
- (5) Comply with Commonwealth and local laws.
- (6) Exercise proper care when using public facilities and equipment.
- (7) Attend school daily and be on time at all classes and other school functions.
- (8) Make up work when absent from school.
- (9) Pursue and attempt to complete satisfactorily the courses of study prescribed by local school authorities.
- (10) Report accurately in student media.
- (11) Do not use obscene language in student media or on school premises.

School Rules

Regulatory Requirement:

(a) The governing board has the authority to make reasonable and necessary rules governing the conduct of students in school. The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. A governing board has only those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of the school;

(b) Governing boards may not make rules that are arbitrary, capricious, discriminatory or outside their grant of authority from the General Assembly. A rule is generally considered reasonable if it uses a rational means of accomplishing some legitimate school purpose;

(c) Each governing board shall adopt a code of student conduct that includes policies governing student discipline and a listing of students' rights and responsibilities as outlined in this chapter. This conduct code shall be published and distributed to students and parents or guardians. Copies of the code shall also be available in each school library.

Discrimination

Regulatory Requirement: Consistent with the Pennsylvania Human Relations Act (43 P. S. §§ 951—963), a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability.

Corporal Punishment

Regulatory Requirement:

(a) Corporal punishment is defined as physically punishing a student for an infraction of the discipline policy. Use of corporal punishment is prohibited;

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

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

Exclusion from School

Regulatory Requirement:

(a) The governing board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting certain students with disabilities shall be governed by § 14.143 (relating to disciplinary placements) and 34 CFR 300.519—300.529¹ (relating to discipline procedures);

(b) Exclusion from school may take the form of suspension or expulsion;

(1) Suspension is exclusion from school for a period of from one to 10 consecutive school days.

(i) Suspensions may be given by the principal or person in charge of the public school.

(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.

(iii) The parents or guardians and the superintendent of the district shall be notified immediately in writing when the student is suspended.

(iv) When the suspension exceeds three school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements in § 12.8(c) (relating to hearings).

(v) Suspensions may not be made to run consecutively beyond the 10 school day period.

(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to

¹ Following the Reauthorization of the Individuals with Disabilities Education Improvement Act of 2004 and the promulgation of revised implementing regulations provisions relating to discipline procedures may now be found at 34 C.F.R. §§300.530-300.536

complete these assignments within guidelines established by the governing board.

(2) Expulsion is exclusion from school by the governing board for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing under § 12.8.

(c) During the period prior to the hearing and decision of the governing board in an expulsion case, the student shall be placed in his normal class except as set forth in subsection (d);

(d) If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study;

(e) Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardians, through placement in another school, tutorial or correspondence study or another educational program approved by the district's superintendent.

(2) Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400—1482).

(3) If the approved educational program is not complied with, the school entity may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See § 12.1(b) (relating to free education and attendance).

Exclusion from Classes – In-School Suspension

Regulatory Requirement:

(a) A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective;

(b) Communication to the parents or guardian shall follow the suspension

action taken by the school;

(c) When the in-school suspension exceeds 10 consecutive school days, an informal hearing with the principal shall be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures in § 12.8 (relating to hearings);

(d) The student's school entity has the responsibility to make provision for the student's education during the period of the in-school suspension.

Department Expectations: LEAs will reflect the requirements set for in Section 12.7 for in-school suspensions in their annual notifications to students and parents. Local policies should be in compliance with the requirements.

Hearings

Regulatory Requirement:

(a) *General.* Education is a statutory right, and students shall 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;

(b) *Formal hearings.* A formal hearing 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. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire governing board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

- (1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.
- (2) At least three days' notice of the time and place of the hearing shall 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 good cause for an extension.
- (3) The hearing shall be held in private unless the student or parent requests a public hearing.
- (4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
- (5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
- (6) The student has the right to request that the witnesses appear in person

and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his own behalf.

(8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.

(9) The proceeding shall 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 shall be held as soon as reasonably possible:

(i) Laboratory reports are needed from law enforcement agencies.

(ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20 U.S.C.A. §§ 1400—1482).

(iii) 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.

(10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

(c) *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;

(1) 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 by which future offenses might be avoided.

(2) The following due process requirements shall be observed in regard to the informal hearing:

(i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

(ii) Sufficient notice of the time and place of the informal hearing shall be given.

(iii) A student has the right to question any witnesses present at the hearing.

(iv) A student has the right to speak and produce witnesses on his own behalf.

(v) The school entity shall offer to hold the informal hearing within the first five days of the suspension.

Freedom of Expression

Regulatory Requirement:

(a) The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the Constitution of the Commonwealth

(b) Students shall have the right to express themselves unless the expression materially and substantially interferes with the educational process, threatens serious harm to the school or community, encourages unlawful activity or interferes with another individual's rights

(c) Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities:

(1) Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression.

(2) 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.

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

(e) School officials may require students to submit for prior approval a copy of materials to be displayed, posted or distributed on school property;

(f) Bulletin boards must conform to the following:

(1) School authorities may restrict the use of certain bulletin boards.

(2) Bulletin board space should be provided for the use of students and student organizations.

(3) 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.

(g) School newspapers and publications must conform to the following:

(1) Students have a right and are as free as editors of other newspapers to report the news and to editorialize within the provisions in paragraphs (4) and (5).

(2) 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.

(3) School officials may not censor or restrict material simply because it is critical of the school or its administration.

(4) 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 authorized for distribution.

(5) Students who are not members of the newspaper staff shall have access

to its pages. Written criteria for submission of material by non staff members shall be developed and distributed to all students.

(h) The wearing of buttons, badges or armbands shall be permitted as another form of expression within the restrictions listed in Subsection (c);

(1) 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:

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

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

Flag Salute and Pledge of Allegiance

Regulatory Requirement: It is the responsibility of every citizen to show proper respect for his country and its flag:

(a) 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.

(b) Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

Hair and Dress

Regulatory Requirement:

(a) The governing board may establish dress codes or require that students wear school uniforms. Policies may apply to individual school buildings or to all school buildings;

(b) Students have the right to govern the length or style of their hair, including facial hair. Any limitation of this right must include evidence that length or style of hair causes disruption of the educational process or constitutes a health or safety hazard. When length or style of the hair presents a health or safety hazard, some types of covering shall be used;

(c) Students may be required to wear certain types of clothing while participating in physical education classes, shops, extracurricular activities or other situations when special attire may be required to insure the health or safety of the student;

(d) Students have the responsibility to keep themselves, their clothes and their hair clean. School officials may impose limitations on student participation in the regular instructional program when there is evidence that the lack of cleanliness constitutes a health hazard.

Confidential Communications

Regulatory Requirement:

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

(b) 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.

Searches

Regulatory Requirement:

(a) The governing board of every school entity shall adopt reasonable policies and procedures regarding student searches. The local education agency shall notify students and their parents or guardians of the policies and procedures regarding student searches;

(b) Illegal or prohibited materials seized during a student search may be used as evidence against the student in a school disciplinary proceeding;

(c) Prior to a locker search, students shall be notified and given an opportunity to be present. When school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare or safety of students in the school, student lockers may be searched without prior warning.

II. CLASSIFICATION OF STUDENT MISCONDUCT

In order to protect the right of all students to receive the best education possible in a safe and orderly learning environment, certain types of behavior are prohibited. Student misconduct is classified in four (4) levels based upon place of occurrence, frequency of occurrence, and disruptive effect upon the safety and orderliness of the learning environment.

A. ATTENDANCE POLICY REGULATIONS

1. The following days of absence are classified as "noncumulative" and are not subject to Attendance Policy regulations related to the Student Code of Conduct:
 - a. Suspensions from school.
 - b. Illness verified by a physician's note submitted within three days of a student's return to school.
 - c. Death in the family from the date of death until two days after the funeral unless otherwise authorized by the building principal or his designee. A signed parental note must be submitted within three days of the student's return to school.

- d. Designated religious holidays provided that a signed parental request is submitted prior to the holiday.
 - e. School-sponsored activities.
 - f. College visits for up to three total days per school year provided that a signed parental request is submitted prior to the visit(s).
2. The following days of legal excused absence are classified as "cumulative" and are not subject to Attendance Policy regulations related to the Student Code of Conduct:
- a. Preapproved family vacation(s) while school is in session within limits established by the District:

Students at the elementary level will be permitted to take four (4) educational trips, up to a cumulative maximum of fifteen (15) school days during their tenure in elementary school. Educational trips may not exceed five (5) days per year.

Middle School students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the middle school level. Educational trips may not exceed five (5) days per year.

High school students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the high school level. Educational trips may not exceed five (5) days per year.
 - b. Preapproved college visits beyond three days within a school year.
 - c. Any absence for which a written parental excuse is submitted within three days of the student's return to school.
 - (1) For elementary students, a maximum of ten days of cumulative absence verified by parent notes will be permitted during a school year. Beginning with the eleventh day of elementary school student absence, a physician's note will be required unless authorized otherwise by the building principal.
 - (2) For middle and high school students, a maximum of seven days of cumulative absence verified by parent notes will be permitted during a school year. Beginning with the eighth day of secondary school student absence, a physician's note will be required unless authorized otherwise by the building principal.

The following cumulative absences are classified as "unexcused/unlawful" and are subject to Attendance Policy regulations related to the Student Code of Conduct.

- a. Any day of absence for which neither a written parental or physician's note is submitted within three school days of a student's return from absence.
- b. Any day of absence not excused by a physician's note after seven days of secondary school absence or ten days of elementary school absence unless authorized otherwise by the building principal or his designee.
- c. School truancy which includes any unexcused or unlawful absence by students aged sixteen and under. Also classified as truancy is any unexcused absence by students aged seventeen and over.
- d. Three unlawful absences result in parent receipt of a written notice of violation of the Compulsory Attendance Law and may result in prosecution before a district

justice in accordance with Section 1333 of the Pennsylvania School Code. A written notice will also occur for all subsequent absences. Parents and guardians are subject to fines of up to \$300 and possible arrest. Students may also have their driving privileges delayed or suspended.

- e. Unlawful class absences exceeding 50% or more of any school day will be classified as an unexcused/unlawful absence for the day and result in Student Code of Conduct consequences as outlined on the Disciplinary Action Sequence Chart (pages 15-16).
 - f. Unlawful and unexcused absences will result in a grade of "F", "N", or "zero" for all school responsibilities and class work missed on that day.
4. Late to class and late to school are categorized as attendance infractions of the Student Code of Conduct.
- a. Lateness to school due to physician's appointments, court appearances, or funerals are not subject to actions outlined in the Student Code of Conduct provided written verification is submitted when the student reports to school.
 - b. An administrative discipline referral will be acted upon beginning with the third occurrence of unexcused lateness to school or class.
 - c. Students who have reached the category of 3-5 sessions of detention on the third step for lateness to class will have any further occurrences considered as an act of defiance.
 - d. Students who have reached the category of 3-5 sessions of detention on the sixth step for lateness to school will have any further occurrences considered as an act of truancy and will result in minutes accumulating towards a violation of the Compulsory Attendance Law of the Pennsylvania School Code and be subject to prosecution before a district justice. 180 minutes of tardiness will be considered a full day of absence.
 - e. Students who fail to report for unexcused reasons to administratively assigned detention for an attendance violation will be considered to be guilty of defiance.
 - f. A schedule modification may be imposed in cases where attendance infractions primarily affect a particular course of study. Students withdrawn from courses are ineligible to earn credit for such courses during the current school year.
5. Unexcused class absence (class cutting) is categorized as a Level II infraction of the Student Code of Conduct.
- a. Unexcused class absence includes any class missed without authorization for 50% or more of the scheduled class time.
 - b. Unexcused class absence will result in a grade of "F", "N", or "zero" for all school responsibilities and class work missed.
 - c. A schedule modification may be imposed in cases where attendance infractions primarily affect a particular course of study. Students withdrawn from courses are ineligible to earn credit for such courses during the current school year.
6. Truancy is classified as a Level III infraction of the Student Code of Conduct.

- a. Each day of truancy beginning with the third day is a violation of the Compulsory Attendance Law of the Pennsylvania School Code and subject to prosecution before a district justice.
 - b. Students truant on multiple occasions will be assigned to in-school suspension, Saturday detention, or an extended school year.
 - c. Students truant from school will receive a grade of "F", "N", or "zero" for all school responsibilities and class work missed on that day.
7. Travel to an unauthorized area is classified as a Level III infraction of the Student Code of Conduct and includes students who leave the school grounds or who travel to an unsupervised or restricted area within the building without authorization.
8. Administrative discretion may be employed in the enforcement of all attendance regulations.

B. LEVEL I INFRACTIONS

Level I infractions include behaviors which disrupt the learning environment and occur within the classroom.

1. Each classroom teacher or team of teachers will provide or involve students in the development of a Class Management Plan. The plan will include a list or description of expected student behaviors and/or prohibited student behaviors within the class and consequences for failing to adhere to the procedures. Class Management Plans will be shared with parents.
 - a. Consequences implemented by the teacher in the Class Management Plan may include but are not limited to:
 - conference with student, conference with parent
 - conference with guidance staff
 - student detentions
 - student contract
 - modified instructional programming
 - specially-designed assignments
 - denial of class privileges
 - b. This Class Management Plan will be reviewed in advance and endorsed by a building administrator.
 - c. All special education students who exhibit behavioral problems which violate aspects of the Student Code of Conduct will have a revision of their Individualized Educational Plan (IEP) which will include a Behavior Management Plan prepared by district staff with the involvement and agreement of the parent or guardian. Special education students identified as Seriously Emotionally Disturbed must have an IEP that includes a Behavior Management Plan. This plan is developed at the initial conference and is revised as needed.
2. Students who violate the classroom regulations will first be dealt with by the classroom teacher according to the Class Management Plan or Behavioral Management Plan incorporated in their Individualized Educational Plan.
3. Students will be referred to an administrator when, despite efforts of the teacher to change the student behavior, the student continues to demonstrate a pattern of misconduct, refusing or neglecting to follow the directions of the teacher.

C. LEVEL II INFRACTIONS

Level II infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school by district transportation.

Each school may define additional types of student misconduct to be included as Level II infractions and the consequences for those infractions.

1. Misconduct which meets the definition of a Level II infraction may be referred to an administrator for appropriate action within guidelines established by the building administration.
2. Continued class misconduct is also classified as a Level II infraction and may be referred to an administrator after the teacher has completed the Level I interventions outlined in the teacher's Class Management Plan.
3. Violations of student dress regulations are classified as Level II infractions. Student dress regulations are required to ensure safety or to avoid disruption of the educational process. Student dress must adhere to standards which show respect for oneself and the larger school community.
 - a. Students shall not wear or display clothing, symbols, pins, or other paraphernalia (1) advertising alcohol, tobacco, and other controlled substances; (2) displaying inappropriate words or pictures; (3) derogatory to any ethnic group; or (4) which may cause disruption to any school, class or activity.
 - b. Students are not permitted to wear revealing clothing which offends the sense of common decency, as judged by those entrusted with providing a positive school environment. Revealing clothing includes, but is not limited to, clothing that reveals the midriff, halter-like tops, see-through blouses or shirts, short shorts, and cut-off shorts.
 - c. The wearing of caps, hats, jackets, coats, and other outerwear is prohibited inside the school building unless authorized by an administrator. All such clothing items must be stored in lockers or designated areas during the school day.
 - d. Shoes, sneakers or other appropriate footwear must be worn in school at all times unless otherwise specified by an adult authority.
 - e. Students shall not wear any clothing items or clothing accessories which, in the view of an administrator, represent a safety hazard or danger to school property.
 - f. Students will be informed of any special dress regulations which exist in specialized school programs or activities and will be expected to abide by such regulations.
4. The possession, furnishing, or selling of unauthorized items and materials on school property is classified as a Level II infraction.
 - a. Such items include but are not limited to electronic, entertainment, and communication devices.
 - b. All such items will be confiscated, forwarded to an administrator, and returned only to a parent or guardian.

- c. All cellular telephones and other communication devices must be deactivated and must be stored in lockers or other administratively designed areas during the regular school day. Students are prohibited from receiving and/or transmitting voice messages or text messages as well as activating any other communication device functions except in unique circumstances with prior approval from an administrator. The school district assumes no responsibility for lost or stolen cellular telephones or communication devices.
- 5. Students who violate the District's Transportation Policy guidelines will be addressed appropriately within the Level II or III category of the Student Code of Conduct. (See Appendix, p. 40)
 - 6. Defiance is a Level II infraction. Defiance is defined as the willful failure or refusal to follow instructions or directions of an adult authority on school property or during school-sponsored activities.
 - 7. Students who exceed the category of 3-5 sessions of detention for a Level II infraction will have any subsequent occurrences of the same infraction categorized as Insubordination, a Level III infraction.
 - 8. After a student has committed five incidents from any combination of Level II infractions, any further Level II infractions may be acted upon as insubordination by the building administrator.
 - 9. A student may be granted an additional Level II infraction category if twenty (20) school days have elapsed since his/her last infraction.

No student may be permitted to exceed eight (8) Level II infractions. All subsequent infractions will be categorized as insubordination.

D. LEVEL III INFRACTIONS

Level III infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school by district transportation.

Level III infractions and consequences will be consistent throughout the Bethlehem Area School District. All Level III infractions must be referred to an administrator as expediently as possible.

- 1. Level III infractions include but are not limited to the following types of behavior:

- a. **Activating False Fire Alarms**

In addition to the school penalty imposed, students may also be prosecuted under Section 4905 of the Pennsylvania Penal Code which includes a penalty of up to five years imprisonment.

- b. **Damage/Destruction of School and/or Personal Property**

Willful behavior which damages/destroys property belonging to the school district or to any students, employees, representatives, or visitors of the school district. When it is determined that students are responsible for the destruction of school or personal property, the full cost of materials and labor to repair or

replace the damaged property will be the responsibility of the student(s) causing the damage/destruction.

c. Disrespect

Willful behavior which without reasonable cause is designed to lessen the reputation, honor, or public opinion of any individual. Any use of profanity and/or obscenity specifically directed at an employee of the school district will be categorized as disrespect.

d. Drugs/Alcohol

- (1) The use, possession, transmission or attempted transmission, or being under the influence of drugs or alcohol or substances purported to be drugs or alcohol.
- (2) In addition to the school penalty imposed, the student will be referred to the proper state or local authorities should the student behavior violate the laws of the Commonwealth of Pennsylvania. The sale, distribution, or attempted sale or distribution of drugs, or alcohol or substances purported to be drugs or alcohol will be classified as a Level IV infraction. Violators will be subject to a formal expulsion hearing before the Board of School Directors.
- (3) Students will be referred to the Student Assistance Team and may be required to obtain treatment from proper medical or health facilities before receiving permission to re-enter school.
- (4) Any drug and/or alcohol products found on school property or during school sponsored activities will be confiscated.
- (5) The use of drug detection dogs may assist school authorities in locating illegal substances in accordance with the District's Locker Search Policy (see Appendix).

e. Endangerment

Willful, improper behavior which may cause injury or harm to another individual or create an environment where injury or harm would be likely to occur. Should injury or harm to an individual actually occur, the behavior will be considered as an assault.

f. Extortion

Willful behavior which causes any individual to relinquish a personal possession or individual right as a result of threat or fear of violence or personal injury.

g. Fraud/Cheating

Misrepresentation of the truth including deceptive completion of school responsibilities.

h. Insubordination

Repeated acts of defiance or behavior as set forth in II.C.7 or II.C.8.

i. Physical Assault

Any behavior which causes physical harm or injury to another individual, except in cases of self-defense. In addition to school penalty imposed the victim may choose to hold the student liable for payment of damages. The student may be referred to civil authorities. In the case of serious physical harm or injury, as defined as, but not limited to, broken bones, possible internal injuries, severe lacerations and bleeding, or loss of consciousness, the behavior shall constitute a Level IV infraction, the student may be suspended for 10 days and recommended for expulsion.

j. Profanity/Obscenity

Any behavior which visually and/or verbally presents ideas which are considered offensive to and/or inappropriate for maintaining an effective school environment.

k. Theft/Larceny

The taking of property belonging to the school district or any employee, student, representative, or visitor of the school district without permission. In addition to the school penalty imposed, the student will be liable for restitution and may be referred to civil authorities. Additionally the theft of district property/equipment may be immediately referred by the building principal to the Superintendent of Schools for consideration as a Level IV offense and an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

l. Threats/Harassment/Bullying

- (1) Intentional behavior that results in trouble, worry, or torment to another individual for no beneficial purpose. This includes but is not limited to expressions of an intent, actual or attempts, to injure or harm an individual or their property.
- (2) Dependent upon the actual or apparent nature and intent of the threat, the disciplinary action sequence may be modified in order to protect the health, safety, and welfare of the school community. The modification may include disciplinary action up to and including expulsion from school.
- (3) Students who express, in any manner, any statement(s) which indicate a planned intent to injure or harm another individual will, after consultation with the Director of Operations or Director of Student Services, be referred to proper state or local authorities should the student behavior appear to violate local, state, or federal law.
- (4) Students who make threats to injure or harm others may be subject to search of their person, personal belongings, or vehicles, as well as district-supplied lockers.
- (5) Technology based harassment/bullying through computer, texting, cell phone communication, or other technologies shall also be subject to consequences under this policy.
- (6) Incidents of harassment/bullying as defined by the District's Harassment and Bullying Policy will result in consequences determined to be appropriate within Student Code of Conduct guidelines defined by the administrator.

m. Tobacco

- (1) The use, possession, sale or distribution of tobacco products or assisting in the use, possession, sale or distribution of tobacco products on school property or during school-sponsored activities.
- (2) In addition to the school penalty imposed, all tobacco products found on school property or during school-sponsored activities in the possession of students will be confiscated.
- (3) Students in violation of the prohibition will also be issued a citation by a school administrator and be subject to a \$50 fine and court costs by a district justice in accordance with state law.

n. Computer, Network, and Internet Use

Violation of the Computer, Network, and Internet Use Policy may be acted upon appropriately within the Level III infractions included in the Student Code of Conduct. (For further detail see the District's *Computer, Network, and Internet Use Policy* included in the Appendix, p. 34)

o. Unauthorized Area

For the purpose of the Bethlehem Area School District Code of Conduct, “Unauthorized Area” may constitute any location, on or off school grounds, for which a student has no reasonable purpose or authority to be at said location or when the student should be somewhere else.

p. Truancy – Confirmed

For the purpose of the Bethlehem Area School District Code of Conduct, “Truancy – Confirmed” may constitute any school day or portion of the school day for which a student does not have an appropriate and/or acceptable excuse for being absent from school or class and the school has confirmation that the student was in fact at another location (not in school).

q. Fighting

This category includes physical altercations between students in which all students involved are willing participants and no severe physical harm was done to any student.

2. Level III infractions resulting in serious personal injury to any person or substantial damage to property, or which otherwise results in significant actual harm to the health, safety, or welfare of the school community may constitute a Level IV infraction and may be immediately referred by the building principal to the Superintendent of Schools for consideration of referral for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.
3. Habitual offenders of Level III infractions may be referred to the Board of School Directors of the Bethlehem Area School District for an expulsion hearing. Habitual offenders may be defined as either:

- a. Students who have exceeded the category of 5-10 days of suspension during the current school year for a specific Level III infraction.
- b. Students who have exceeded five (5) separate suspensions during the current school year for any combination of Level III infractions.

E. LEVEL IV INFRACTIONS

Level IV infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school by district transportation. Level IV infractions also include behaviors, which represent an immediate danger to the safety and well being of the school community.

- 1. Students cited for Level IV infractions will be suspended from school for ten (10) school days and referred by the building principal to the Superintendent of schools for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.
- 2. Level IV infractions include but are not limited to the following types of behavior:
 - a. Possession of a weapon as defined in Section 1317.2 of the Public School Code including, but not limited to any firearm, explosive, knife, or unauthorized cutting instrument; or possession of a replica of a weapon and/or look alike objects.
 - (1) Unless recommended otherwise by the Superintendent of Schools, any student found to be in violation of a Level IV infraction as defined in Section 1317.2 of the Public School Code will be expelled from the District for no less than one year.
 - (2) The Board of School Directors must approve any recommendation of the Superintendent of Schools for an expulsion of less than one year for a Level IV infraction involving a weapon as defined in Section 1317.2 of the Public School Code. The Board of School Directors may enact an expulsion of any term from one year to a permanent expulsion.
 - b. Assault upon a district employee.
 - c. Habitual offenders of District regulations
 - (1) Exceeding the level of 5-10 days of suspension consequence during the current school year for a specific Level III infraction.
 - (2) Exceeding five (5) separate suspensions during the current school year for any combination of infractions.
 - d. Any offense of such a serious nature, as determined by the administration, that expulsion of a student is justified.
 - e. Infractions resulting in serious personal injury to any person or substantial damage to property, or which otherwise results in actual harm to the health, safety, or welfare of the school community may be immediately referred by the building principal to the Superintendent for consideration of referral for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District. In addition, any criminal offense substantially interfering with or negatively affecting the health, safety, and/or welfare of the school community may result in an expulsion hearing.

III. DISCIPLINARY ACTION SEQUENCE

A. GUIDELINES

The guidelines outlined on the Disciplinary Action Sequence Chart represent expected consequences for violations of the Student Code of Conduct. The sequence, however, may be modified if, in the judgment of an administrator, alternative or additional action(s) will serve the best interest of the student and/or school environment.

All the provisions of the Student Code of Conduct shall be interpreted and applied in accordance with all state and federal laws pertaining to students with disabilities.

B. IMPLEMENTATION

In implementing the Disciplinary Action Sequence Chart, the following guidelines will be followed:

1. The infractions are listed in the column on the left side of the chart.
2. The numbers across from each infraction represent occurrences of the same infraction. For example, the number "1" indicates the first offense, the number "2" indicates the second offense, etc.
3. The consequence for each offense is listed directly above the number of each occurrence as a range of either detentions or suspensions.
4. Student Detention Session:
 - a. Students assigned a session of detention(s) will be required to report to a designated location at times to be specified by a building administrator. Students will be expected to use detention time to study, complete assignments, or read curriculum-related materials.
 - b. Unless authorized otherwise by an administrator, the serving of administratively assigned detention will take precedence over all other school activities or events.
5. Suspension from School:
 - a. Students suspended from school will be removed from the regularly scheduled instructional program.
 - b. Suspension is exclusion from school for a period of from one to ten consecutive school days. Students suspended will be removed from the regular school program, and assigned to a designated location in school, or assigned to a designated location out of school during the term of the suspension, which may include the students' home for an out of school suspension.
 - c. Suspension may be issued by the principal or designee in charge of the school.
 - d. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond.
 - e. Prior notice of the intended suspension need not be given when it is clear that the health, safety, or welfare of the school community is threatened.
 - f. After giving the student notice of the intended suspension, the school will immediately attempt contact of the parent/guardian to notify the parent of the

suspension, its cause, its duration, the expected restrictions on the student during the suspension, and that a written confirmation will be mailed to the home.

- g. In those cases where the parent cannot be reached, every effort should be made to keep the child in school until the end of the school day unless the nature of the offense is so severe that other arrangements are necessary. Written notice will be provided to the student. The student will be expected to deliver the written notice to the parent. Written notice will also be mailed to the parent.
- h. When a student is suspended, the student and the parent/guardian shall be required to attend an informal hearing. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the incident for which the student is being suspended for the parent or the student to show why the student should not be suspended. The informal hearing is meant to encourage the student's parents or guardian to meet with the administrator to discuss ways by which future offenses can be avoided. The informal hearing includes the following due process requirements:
 - i. Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.
 - ii. Sufficient notice of the time and place of the informal hearing shall be given.
 - iii. A student has the right to question any witnesses present at the hearing.
 - iv. A student has the right to speak and produce witnesses on his own behalf.
 - v. The district shall offer to hold the informal hearing within the first five days of the suspension.
- i. Suspensions may not be made to run consecutively beyond the ten school day period.
- j. Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by each school.
- k. Suspension from school of exceptional students will be in accordance with due process requirements as defined by state regulations.

6. Expulsion from School

- a. Expulsion is removal of a student from the regular school program for a period of time exceeding ten school days up to, and including, permanent removal from school.
- b. Unless a written agreement ("Waiver of Expulsion Hearing and Stipulation") is endorsed by the District, parent/guardian, and student, expulsions require a prior formal hearing. The hearing may be held before the Board of School Directors, a duly authorized committee of the Board, or a qualified hearing examiner appointed by the entire School Board. The formal hearing includes the following due process requirements:
 - (1) Notification of the charges shall be sent to the student's parent(s) or guardian(s) by certified mail.
 - (2) Sufficient notice of the time and place of the hearing must be given.

- (3) The hearing shall be held in private unless the student or parent/guardian requests a public hearing.
 - (4) The student has the right to be represented by counsel.
 - (5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
 - (6) The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.
 - (7) The student has the right to testify and present witnesses on his own behalf.
 - (8) A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript or audiotape. However, a copy will be provided at no cost to a student who is indigent.
 - (9) The hearing must be held in the time required by law.
- c. During the period prior to the hearing and prior to a decision of the Board, the student shall be placed in his normal class unless it is determined, after an informal hearing, that a student's presence in his normal class would constitute a threat to the health, safety, or welfare of others. The student may not be excluded from school for more than 15 school days without a formal hearing unless mutually agreed by all parties. Any student so excluded shall be provided with alternative education, which may include home study.
- d. Where a student disagrees with the results of a hearing, an appeal may be taken to the Court of Common Pleas.
- e. Students who have been expelled who are less than 17 years of age are still subject to the compulsory school attendance law, and they must be provided an education.
- (1) The initial responsibility for providing the required education rests with the student's parent(s) or guardian(s), through placement in another school, through tutorial or correspondence study, or through another educational program approved by the Superintendent of Schools.
 - (2) If the parent(s) or guardian(s) are unable to provide for the required education they must, within 30 days, submit to the school district written evidence so stating. The District then has the responsibility to make some provision for the student's education. If 30 days pass without the district receiving satisfactory evidence that the required education is being provided to the student, it must again contact the parent/guardian and pending the parents' or guardian's provision of such education, the District must make some provision for the student's education.
 - (3) Expelled students assigned to the District's Lifeskills/Academic Maintenance Program (L/AMP) will be required to adhere to all procedures and guidelines established specifically for this program.
 - (4) L/AMP attendance regulations require students to notify a program representative in advance of any absences from class.

C. ALTERNATIVE ACTIONS

1. In addition to the detentions and days of suspension indicated in the Disciplinary Action Sequence Chart, alternative action may also be taken by an administrator for violation of the Student Code of Conduct.
2. In each incident, the administrator will decide on an individual basis if alternative action will best meet the needs of the student, the school district, and/or the employees of the school district.
3. Alternative actions may replace and/or accompany the action indicated in the Disciplinary Action Sequence Chart for each violation of the Student Code of Conduct.
4. Alternative actions which may be taken include but are not limited to:
 - a. civil and/or criminal prosecution
 - b. denial of privileges
 - c. design of a unique student educational program
 - d. design of a student behavioral program
 - e. design of a student work or service program
 - f. inclusion in the Saturday detention program
 - g. liability for damages or financial loss
 - h. parent conference
 - i. participation in a conflict resolution program
 - j. referral to alternative education program
 - k. referral to appropriate local, county, and/or state agencies and/or institutions
 - l. referral to counselor
 - m. referral to Instructional Support Team (IST)
 - n. referral to psychiatric and/or psychological service staff
 - o. referral to Student Assistance Program (SAP) staff
 - p. scheduling of a parenting improvement course.
5. Students who have violated the Student Code of Conduct should not expect to receive only a warning when referred to an administrator. This policy will be explained in its entirety at the beginning of the student's school year.

D. DISCIPLINARY ACTION SUMMARY

A Disciplinary Action Summary will be maintained for students violating the Student Code of Conduct.

1. The summary will include all infractions committed by the student during the current school year. Consequences for student misconduct are not cumulative from year to year. A new summary will be developed at the beginning of each school year
2. The summary will be forwarded with student records when a student transfers to schools within the Bethlehem Area School District.
3. The summary will be forwarded with student records when the student earns promotion to the next grade.

4. Also forwarded will be student discipline referrals for any misconduct resulting in school suspension. In addition, student suspension reinstatement contracts and personal improvement plans will also be forwarded with student records.

E. SUSPENSION REINSTATEMENT PROCESS

1. Upon returning from any suspension, the student is required to complete a Student Contract or Personal Improvement Plan prior to reinstatement. The intent of this contract or plan is to improve student behavior.
2. Parents must accompany students upon their return to their regular school program from all suspensions. During the suspension reinstatement hearing:
 - a. The administrator imposing the suspension will review the reason(s) for the suspension.
 - b. The administrator will also review the student's discipline record and explain the consequences which will occur for further violations of the Student Code of Conduct.
 - c. The administrator will advise the parent of any current student obligations related to the Student Code of Conduct or lack of academic performance.
 - d. The administrator will assure that an appropriate Student Reinstatement Contract or Personal Improvement Plan is completed and advise the student and parent of the monitoring process which will be employed upon the student's return to school.
 - e. When directed by the administrator, the counselor will review or assist in the development of the contract or improvement plan and establish a schedule for consulting with the student.
3. Students who fail to abide by conditions outlined in the suspension reinstatement contract may be cited for insubordination by an administrator when efforts by the counselor and teaching staff have proven unsuccessful in changing student behavior.

F. IMPOSITION OF STUDENT CODE OF CONDUCT CONSEQUENCES

1. Students who transfer to a different school within the Bethlehem Area School District will be required to fulfill Student Code of Conduct consequences at the school in which the student enrolls.
2. Students who withdraw from the Bethlehem Area School District will be required to fulfill Student Code of Conduct consequences upon re-entry into the District. Student expulsion hearings may be conducted for students who withdraw from the District.
3. Students concluding the regular school year with Student Code of Conduct consequences yet to be fulfilled will be required to fulfill the consequences following conclusion of the regular school year.

IV. SUMMARY

For the majority of students in the Bethlehem Area School District, good discipline is not a problem. Most students have already learned to respect the rights of others and to take seriously the educational opportunity the school represents. This Student Code of Conduct is not designed to either alarm or restrict those students.

To those students who already demonstrate good discipline, the Student Code of Conduct, hopefully, assures them a safe and positive school environment in which to learn.

For those students who have yet to develop the self-control and character needed for success, the Student Code of Conduct provides a series of guidelines. The guidelines will, hopefully, assist these students to more clearly understand the rights of others and themselves.

Behavior is a series of decisions and choices. It is hoped students will make those behavioral decisions and choices with the overall major purpose of school in mind-to prepare for the future by developing into a better person today.

NOTIFICATION OF NONDISCRIMINATION

It is the policy of the Bethlehem Area School District not to discriminate on the basis of race, color, national origin, sex, disability, age, religion, veteran status or any other legally protected classification in its educational and vocational programs, activities, or employment as required by Title VI, Title IX, Section 504.

POLIZA DE DERECHOS IGUALES Y OPORTUNIDADES El Distrito Escolar de Bethlehem no discriminara en sus programas educacionales, programas vocacionales, o practicas de empleos, basado en su raza, color, nacionalidad sexo, incapacidad, edad, religion, status de veterano u otras clasificaciones legalmente protegidas. Esta notificacion esta de acuerdo con lag leyes estatales y federales, incluyendo Titulo VI, litulo IX, Seccion 504.

APPENDIX

- ◆ Attendance Policy
- ◆ Computer, Network, and Internet Use Policy.
- ◆ Gangs
- ◆ Locker Search Policy
- ◆ Summarization of Drug and Alcohol Administrative Guidelines.
- ◆ Transportation Policy

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

ATTENDANCE POLICY

The Board of School Directors requires that school-aged pupils who are enrolled in the schools of this district attend school regularly in accordance with the laws of the state. The educational program offered by this district is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation.

Attendance shall be required of all students during the days and hours that school is in session, except that a principal or teacher may excuse a student for temporary absence when they receive satisfactory evidence of such mental, physical or other urgent condition which may reasonably cause the student's absence.

The Board considers the following conditions to constitute reasonable cause for absence from school:

- illness
- quarantine
- recovery from accident
- required court appearance
- death in the family

All absences occasioned by the observance of the student's religion on a day approved by the Board as a religious holiday shall be excused and no student so excused shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on that day.

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board, or at the place where the student is receiving approved tutorial instruction or health care, or at the place where the student is engaged in an approved and properly supervised work/study or career education program, or at home when the student is receiving approved homebound instruction.

The Board shall consider each student assigned to a program of independent study to be in regular attendance for the program, provided the student is under the guidance of a staff member so assigned and reports weekly to such staff member the place in which the student is conducting study and regularly demonstrates progress toward the objectives of the course of study.

Repeated infractions of Board policy regarding attendance may constitute such misconduct and disobedience as to warrant the suspension or expulsion of the student from the regular school program.

It shall be the policy of the Board to consider the effectiveness and appropriateness to the pupil's needs of the educational program that is offered each child who is habitually and repeatedly absent from such program. The Board authorizes the superintendent to suspend a student from a particular class or from school in accordance with the policies of the Board if sincere efforts by the staff and parents cannot rectify the pattern of absence. The superintendent is authorized to establish the criteria to implement this policy.

The Board will excuse the following students from the requirements of attendance at the schools of this district:

- On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons so urgent as to preclude regular attendance;
- Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught, except that such students and students attending college and also enrolled in the schools shall be counted as being in attendance in this district;
- Students 16 or 17 years of age, whose enrollments in a private trade or business school have been approved;
- Children 15 years of age and 14 years of age who have completed sixth grade and who are engaged in farm work or private domestic service under duly issued permits; and
- Children 16 years of age, regularly employed during the school session and holding a lawfully issued employment certificate.

The Board may excuse the following students from the requirements of attendance at school:

- Students receiving private instruction from a properly qualified tutor,
- Homebound children, and
- Students enrolled in special schools conducted by the Colonial Intermediate Unit 20 or by the Department of Education.

The Board may report to appropriate authorities infractions of the law regarding the attendance of students under age 17. The Board shall issue notice to those parents and guardians who fail to comply with the statutory requirements of compulsory attendance that such infractions of the statute will be prosecuted.

Requirements for a Written Parental Explanation for a Student's Legal Absence

1. Parents are required to submit a written explanation for the legal absence of their child within three (3) days from the date of the child's return to school. Failure to provide such written explanation or failure of the child to present the excuse to the principal will result in the absence being declared unexcused and/or unlawful, as provided in Section 1329 of the School Laws and Section 113-411 of the School Administrator's Handbook (March 20, 1970).
 - a. The mere fact that a parent provides a written explanation does not qualify the absence as excused. The absence must be for a legal reason as determined by the principal and/or teacher, according to law.
2. When it is known that a parent(s) cannot read or write, the principal or teacher may accept a verbal excuse. However, the verbal excuse shall be documented in writing as to the date of the absence, the reason and the name of the parent contacted. This documented note is to be signed by the person from the school who had contacted the parent.

3. In those cases where a child has an excessive number of absences verified only by a verbal communication, a home visit shall be made by the attendance officer and/or the home-school visitor to secure the "mark" of the parent on a written excuse provided by the school.
4. If the dominant language in a student's home is not English and the parent(s) are able to read and write in another language, they shall be required to submit a written explanation in that language, as required in Item 1 above.

The superintendent shall develop procedures for the attendance of students which:

- Ensure a school session in conformity with requirements of the State Board,
- Govern the keeping of attendance records in accordance with rules of the State Board,
- Impose on truant students such incremental disciplinary measures as appropriate for infractions of school regulations, but no such penalty may have an irredeemably negative effect on the student's record beyond that which naturally follows absence from school activities,
- Identify the habitual truant, investigate the cause(s) of behavior, and consider modification of the educational program,
- Ensure that students who are excused absent for any reason have an opportunity to make up work they missed, and
- Issue written notice to a parent or guardian who fails to comply with the compulsory attendance statute within three days of the any proceeding brought under that statute. Such notice shall inform the parent or guardian of the date(s) on which the absence occurred, that the absence was unexcused and in violation of law, that the parent must be so notified and informed of liability under law, and that further violations during the school term will be prosecuted without notice.

Upon written request of the parent(s), the Board shall release from attendance a student participating in a religious instruction program acknowledged by the Board. Such instruction shall not require the child's absence from school for more than 36 hours per school year and its organizers must inform the Board of the child's attendance record. The Board shall not provide transportation to religious instruction.

The Board will recognize other justifiable absences for part of the school day. These will include medical or dental appointments, court appearance, or family emergency.

Pennsylvania School Code of 1949

Student absences are generally governed under the definition and authority of Section 1329 of the Pennsylvania School Code of 1949. This section permits student absences to be considered excused in cases of illness, quarantines, recovery from an accident, required court attendance, death in the family, or any "other urgent reason" justifying a temporary absence. Absences covered under Section 1329 must be directly related to the child's inability to attend school due to reasons cited above and not merely for the convenience of the family.

Absences will generally be recognized as cumulative or noncumulative. Cumulative absences refer to days that contribute to the allotted number of days a student may be absent (10 for elementary school and 7 for middle and high school). Noncumulative absences are absences that do not contribute to the specified 7 or 10 days.

Definitions of Absences

Cumulative Absences

Excused absences include:

- Any absence in which a written excuse is submitted within three school days of a student's return.
- A maximum of 10 days of absence for elementary students during a school year verified by a parent note. All absences beyond the tenth day of absence will require a physician's note.
- A maximum of 7 days of absence for middle school and high school students during a school year verified by a parent note. All absences beyond the seventh day of absence will require a physician's note.
- Preapproved family vacation while school is in session per School Board Policy-five days within two occasions.
- Preapproved college visits beyond three days.

Unexcused/unlawful absences include:

- Any day for which a written excuse is not submitted within three school days of a student's return from an absence, including notes from physicians.
- Any absence not excused by a physician's note after 7 absences verified by parental excuses in the middle and high school and 10 absences verified by parental excuses in elementary school had already been received.
- Truancy-Unlawful absence (Age 16 and under) and Unexcused absence (Age 17 and over).

Noncumulative Absences

- Suspensions from school
- Illness verified by a physician's note submitted within three days of a student's return- Any absence in which a physician's note is submitted is not included in the 7 days permitted for parental excuses in middle and high school or the 10 days permitted for parental excuses in elementary school.
- Death in the family-from date of death until two days after the funeral unless otherwise authorized by the building principal.
- Religious holidays
- School-sponsored activities
- Preapproved college visits up to three days

ATTENDANCE VIOLATIONS

Late to Class, Late to School, Unexcused Class Absences

The Student Code of Conduct defines attendance violations as late to class, late to school, and unexcused class absences.

Late to class and late to school will result in an administrative discipline referral upon the third occurrence. Unexcused class absences will result in an administrative discipline referral upon the first occurrence.

When a student has committed three attendance violations of any combination of late to class, late to school, or unexcused class absences, the next violation will be considered an act of defiance.

Continued attendance violations may result in the student being classified as a habitual offender as defined in the Student Code of Conduct which may result in expulsion from the Bethlehem Area School District.

Late to Class

- First and second unexcused late to class-To be addressed by classroom teacher intervention.
- Unexcused lateness exceeding 50% or more of one class period will be considered an unexcused absence from class and will result in a "0" (Zero) grade for the work in that class on that day.

Late to School

- The following lates to school will not result in disciplinary action:
 - ◆ Illness and appointments verified by a physician's note
 - ◆ Court appearances
 - ◆ Funeral for family member
- First and second unexcused late to school-Warning to be issued
- Students who arrive late and do not report to homeroom or procure a late slip from the office, student service center, or vocational-technical school will be charged with an unexcused/unlawful absence which will result in a "0" (Zero) grade for all class work that day.

Unexcused Class Absence

- Unlawful and unexcused absences or unexcused class absences will result in a "0" (Zero) grade for all class work missed that day.

TRUANCY

- Any day for which a student is confirmed truant will result in the student being cited for a violation of Student Code of Conduct, Level III infraction #383 - Truancy confirmed.
- Three unlawful absences will result in written notice of violation of the Compulsory Attendance Law and may result in prosecution pursuant to Section 1333 of the Pennsylvania School Code.
- Unlawful and unexcused absences or unexcused class absences will result in a "0" (Zero) grade

- Unexcused class absences exceeding 50% or more of any school day will result in an unexcused/unlawful absence for the day.
- In each incident the administrator will decide on an individual basis if alternative action will best meet the needs of the student, the school district, and/or the employee of the school district.

Educational/Vacation Tours and Trips, Grade K-12

Requests by parents to have their children excused from school for educational/vacation trips must be evaluated under the authority of Regulations of the State Board of Education, Chapter 11, Pupil Attendance, Section 11.26, "Educational Tours and Trips, Not School Sponsored."

"Upon receipt of a written request from the parents of the pupils involved, pupils may be excused from school attendance to participate in an educational tour or trip provided during the school term at the expense of the parents when such tour or trip is so evaluated by the District Superintendent or designee and pupil participants therein are subject to direction and supervision of an adult personage acceptable to the District Superintendent or designee and to the parents of the pupils concerned."

1. Students at the elementary level will be permitted to take four (4) educational trips, up to a cumulative maximum of fifteen (15) school days during their tenure in elementary school. Educational trips may not exceed five (5) days per year.
2. Middle School students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the middle school level. Educational trips may not exceed five (5) days per year.
3. High school students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the high school level. Educational trips may not exceed five (5) days per year.
4. Parental requests which go beyond the number of days or trips allowed must first be approved by the building principal and then referred to the superintendent or his designee for final permission.
5. Any days taken beyond the maximum of five (5) days permitted for educational trips in a given year may be considered unexcused and unlawful for students under the age of seventeen (17) and unexcused for students seventeen (17) years of age and over. Appropriate legal action may be taken where applicable
6. The following will be taken into consideration by the principal in granting permission for the trip:
 - a. The student's academic standing,
 - b. The student's attendance record,
 - c. The effect the absence will have on the student's educational welfare, and
 - d. Exceptionality of the request.
7. The Application for Permission for Student Excusal Due to an Educational Trip or Tour must be submitted to the principal ten (10) school days prior to the trip.
8. It will be the student's responsibility to contact teachers and make up assignments missed.
9. Permission will not be granted for trips/tours during the district's standardized testing periods, the state's testing periods, and the secondary school examination periods at the end of the first and second semesters.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania
Computer, Network, and Internet Use Policy
Revised, June 2005

Philosophy

The main mission for the Bethlehem Education Network (BEN) is to provide for its staff and students a safe means to learn to find, retrieve, manage, share, publish, and create information resources. For this mission to succeed, all staff must foster an environment of guidance and supervision for student computer/network use. Such an environment can provide students with supervised access to information, management, communication, and publishing resources, while maintaining a secure environment for the flow of confidential information, the protection of computing resources, and the protection of the rights of other computer users.

The Internet is the global computer network that provides access to the educational resources of museums, libraries, universities, companies, and governmental agencies that are valuable for school use. Unfortunately, on this global network it is impossible to prevent students from encountering controversial or offensive materials. BASD believes that the valuable educational experiences available on this worldwide network far outweigh the possibility that users may encounter material that is not consistent with the educational goals of the district. It is the BASD policy that the issue of inappropriate material be approached primarily from a guidance, supervision and access perspective, as opposed to an unworkable censorship approach. Students will access these resources for specific educational purposes under the guidance and supervision of the faculty.

This policy shall follow three (3) general approaches to encourage the productive educational use of its computer and network resources:

1. All network users will need to formally learn the technical, ethical and legal issues that arise from a school, district, and worldwide network.
2. It is the students' responsibility to use the new technologies according to the direction of their teachers, their parents/guardians, and this policy. Students will be responsible for their actions in this area as specified in this policy, in the Technology Plan, and in the Student Code of Conduct.
3. It is the teachers' responsibility to use new technologies as part of their classroom instruction and preparation, when appropriate, to use technology for the purpose of this policy, and to provide clear guidelines, direction, and supervision for the use of the new technologies with their students. It is also the staff's responsibility to protect the confidentiality of computer-accessible student information.

Policy

The District's main mission for the Bethlehem Education Network (BEN) is to provide for its students a means to access information resources around the school and around the world. For

this mission to succeed teachers must foster an environment of guidance and supervision for student computer/network use. Such an environment can provide students with supervised access to a world of resources while maintaining a secure environment for the flow of confidential information, the protection of computing resources, and the protection of the rights of other computer users.

BASD policy follows three general approaches to encourage the productive educational use of its computer and network resources:

- A. All network users will need to formally learn the technical, ethical, and legal issues that arise from a school-, district-, and worldwide network.
- B. It is the student's responsibility to use the new technologies according to the direction of their teachers, their parents and this policy. Students will be responsible for their actions in this area as specified in his policy and in the Student Code of Conduct.
- C. It is the teacher's responsibility to provide clear guidelines, direction, and supervision for the use of the new technologies with their students.

This Board policy shall prohibit the following activities:

1. Using school computers for non-educational purposes inconsistent with the objectives of the district.
2. Attempting to modify, harm or destroy data of another user or to modify, harm or destroy computer hardware, software, or configuration. Individuals and/or their families are responsible for any cost to restore vandalized systems to normal operation.
3. Disclosing to an unauthorized person a BEN password or any password for any district program, computer, or network. Students and staff are not permitted to use, or try to use, anyone else's account, or try in any way to obtain the password for another user's account. Seeking unauthorized access to any network-accessible resource is prohibited.
4. Attempting to defeat or bypass virus protection or security software on any district computer or network. Students and staff may not try to access unauthorized computer files or network services.
5. Accessing, disclosing, or posting confidential student or staff information in violation of Board policy or local, state, or federal law.
6. Harassing others or infringing upon their rights by sending annoying, profane, threatening, or libelous messages. This includes material deemed offensive by district policy and by local, state, and federal law. Disguising or attempting to disguise the identity of an account or a computer is prohibited.

7. Unauthorized monitoring or tampering with another's electronic files or communications, or reading, copying, changing, or deleting another's files or software.
8. Using a BEN account commercially (to run a business), for commercial advertising, for political lobbying, for excessive personal use, or for any purpose that violates the Board policy or local, state, or federal laws.
9. Violating intellectual property rights by illegal copying, retrieving, or sending copyrighted material, or violating software licensing agreement and copyright laws.
10. Violating any terms of our Internet Service Provider's Acceptable Use Policy. The contract with our Internet Service Provider requires compliance with their policy. Individual schools, grades, departments, libraries, or classrooms may have additional rules that govern student computer use. These rules are in addition to, rather than instead of, the rules on this document.

SECTION: PUPILS
TITLE: GANGS
ADOPTED: January 14, 2008
REVISED:

BETHLEHEM AREA SCHOOL DISTRICT

218.3. GANGS

1. Purpose The Board recognizes the importance of providing a safe learning and working environment for students, employees, and visitors and that the presence of gang activity threatens the safety of the school environment.
2. Definition For purposes of this policy, a **gang** shall be defined as three (3) or more individuals with a common interest, bond, or activity which are associated with criminal activities or whose purpose includes the commission of illegal acts; and who refer to themselves by a group name or designation. This definition shall also include what is commonly known as a hate group.
3. Authority The Board prohibits gang activity on school property or at any school-sponsored activity or during the time the student is traveling to or from school.
4. Guidelines The following guidelines are deemed closely related to gang activity and are prohibited:
 1. Wearing, possessing, using, distribution, displaying or selling of any clothing, jewelry, emblem, badge, symbol, sign, tattoos or manner of grooming, or other item which indicates or implies membership in, or affiliation with, any gang and/or is representative of any gang.
 2. Commission of any act or omission, or the use of any speech, either verbal or nonverbal (gestures, handshakes, etc.), which indicates or implies membership in or affiliation with any gang, and/or is representative of any gang.
 3. Use of any speech, or committing any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
 - a. Soliciting others for membership in any gangs.
 - b. Requesting any person to pay for protection or otherwise intimidating or threatening, hazing, or harassing any person.
 - c. Committing any illegal act or violation of school district policies.
 - d. Inciting another person to act with physical violence upon any other person or to cause damage to property.

e. Painting, writing or otherwise inscribing gang-related graffiti, messages, insignias or signs on school property.

Implementation

A school or school district employee shall report all suspected signs of gang activity to his/her administrator. In determining whether acts are gang related, administrators are to exercise discretion and judgment based upon current circumstances in their school and surrounding neighborhood and the definition of gang set forth in this policy.

No student may engage in the above whether or not s/he is connected with a gang.

The administration shall devise a schedule of penalties for engaging in activities in violation of this policy as included in the Student Code of Conduct.

Notification of this policy shall be given to all students and employees.

Gang clothing, jewelry, emblems, badges, symbols or signs shall be identified by school administrators. District administrators shall consult with police, the district attorney, the district's office of student services or any other organization, as needed, to help them determine what is gang-related. All incidents of suspected gang-related activity shall be communicated to the appropriate law enforcement agency.

Administration shall report all incidents consistent with procedural guidelines.

References:

School Code – 24 P.S. Sec. 510

GANG ACTIVITY POLICY GUIDELINES

Students should associate with peers who engage in safe, respectful, and responsible behaviors. Students must not participate in gang activity. Gangs are defined as three or more individuals with a common interest, bond, or activity which are associated with criminal activities or whose purpose includes the commission of illegal acts and who refer to themselves by a group name or designation. This definition shall also include what is commonly known as a hate group.

The following guidelines are deemed closely related to gang activity and are prohibited:

1. Wearing, possessing, using, distributing, displaying or selling of any clothing, jewelry, emblem, badge, symbol, sign, tattoos, manner of grooming, or other item which indicates or implies membership in, or affiliation with, any gang and/or representative of any gang.
2. Commission of any act or omission, or the use of any speech, either verbal or nonverbal (gestures, handshakes, etc.), which indicates or implies membership in or affiliation with any gang, and/or is representative of any gang.
3. Use of any speech, or committing any act or omission in furtherance of the interest of any gang or gang activity including, but not limited to:
 - a. Soliciting others for membership in any gangs.
 - b. Requesting any person to pay for protection or otherwise intimidating or threatening, hazing, or harassing any person.
 - c. Committing any illegal act or violation of school district policies.
 - d. Inciting another person to act with physical violence upon any other person or to cause damage to property.
 - e. Painting, writing, or otherwise inscribing gang-related graffiti, messages, insignias, or signs on school property.

Gang activity consequences shall be assigned by the Administrator after assessing whether any acts or behavior is gang related. Consequences may range from Level II to Level IV infractions. Additionally, students may be immediately referred by the building principal to the Superintendent of Schools for consideration of an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

LOCKER SEARCH POLICY #226

The board recognizes students' need to store books, clothing and other personal property safely in school; and the district may provide lockers or other storage space for this purpose. No locker or other assigned in school storage space may be used to store any substance or object which is prohibited, or which constitutes a threat to the health, safety or welfare of the occupants of the school building or the safety of the building itself.

By making lockers or other in-school storage space available for use by students, the district does not relinquish control over the lockers or other space, and students have no expectation of privacy in their locker or any other storage space assigned to them. Student lockers or other storage space may be searched at any time at the discretion of the district. The district may authorize or undertake such searches regardless of whether the district has reason to believe that prohibited material, or evidence of a violation of law or school policy, will be found in any particular locker.

Student lockers or other in-school storage space shall be secured against incursion by other students only by a lock or other device provided by the district, to which the district shall maintain the key and/or combination. Students may not secure lockers or any other in-school storage space with personal locks or other devices.

The district will enter or conduct searches of lockers or other in-school storage space assigned to students as follows:

1. The district retains the right to search by any means the student locker or other in-school storage space provided to the students for their convenience.
2. The district may enter any student locker or other in-school storage space to repair it or for routine sanitation inspections. The district may also enter any student locker or other in-school storage space for other administrative reasons, including to retrieve books and/or other materials when students are absent.
3. The district will conduct unannounced general inspections of students lockers or other in-school storage space with or without articulable suspicion. Such searches may be conducted by any means including searches conducted with the assistance of trained sniffer dogs.

The superintendent shall develop procedures for implementing this policy which require the following:

1. Student lockers and other in-school storage space may be searched without prior warning to the student, and without the student's presence.
2. Unannounced general searches shall be conducted at the direction of the superintendent.
3. All entry into student lockers or other in-school storage space, other than unannounced general inspections of this policy, shall be at the direction of the building principal. In the event that the principal is absent from the building or otherwise unavailable, a person temporarily in charge of the building may direct that the search be conducted.

4. The principal or person temporarily in charge of the building, or his or her designee, shall be present whenever a student's locker is opened by the district.
5. At least two representatives of the school shall be present whenever a student's locker is opened.
6. The principal shall be responsible for the prompt recording in writing of each locker inspection, said record shall include persons present during the search, objects found, disposition of the objects and circumstances surrounding the search.
7. Personal items belonging to students may be confiscated by the principal when evidence exists that the items may contain prohibited material. Due process requirements will be complied with in the confiscation of personal items.
8. The principal shall be responsible for the safekeeping and proper disposal of any substance, object or material found to be stored in a student's locker in violation of school policy or the existing law, which shall include prompt delivery to law enforcement authorities, where appropriate.
9. Materials found in locker searches may be used in disciplinary and other proceedings against the student.

SUMMARIZATION OF DRUG AND ALCOHOL ADMINISTRATION GUIDELINE

The Board recognizes that the abuse of drugs and alcohol is a serious problem with legal, physical and societal implications for the whole school community. As an educational institution, the district will strive to prevent abuse of substances.

For purposes of this policy, **drugs** shall mean (a) all controlled substances prohibited by law; (b) any prescription or patent drug; (c) any steroid or other substance intended to enhance physical or athletic performance, except those for which permission for use in school has been granted pursuant to Board policy; (d) any volatile solvents or inhalants, such as but not limited to, glue and aerosol products; (e) all look-alike drugs; and (f) all alcoholic beverages.

The Board prohibits (a) the use or ingestion, possession, distribution, or transmission of drugs; (b) being under the influence of drugs; (c) attempts to use or ingest, possess, distribute, or transmit drugs, and/or, (d) assisting, aiding or participating in the use or ingestion, possession, distribution, or transmission of any drug during school hours, on school district-owned or leased property or vehicles, or at any school-sponsored activities, or during the time spent traveling to and from school and school-sponsored activities.

The Board also prohibits (a) the possession, use, distribution, or transmission, (b) attempts to possess, use, distribute or transmit, and/or (c) assisting, aiding or participating in the possession, use, distribution, or transmission of drug paraphernalia.

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs.

The privileged confidentiality between students and guidance counselors, school nurses, school psychologists, home and school visitors and other school employees shall be respected; and no confidential communication made to such employee shall be required to be revealed without the consent of the student or parent/guardian, unless the best interests of the student can be served only by such release.

The Superintendent or designee shall prepare rules for the identification, amelioration and control of substance abuse in the schools which:

1. Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in school, up to and including expulsion and referral for prosecution.
2. Provide education concerning the dangers of abusing controlled substances.
3. Disseminate to students, parents/guardians and staff Board policy and district procedures governing student abuse of controlled substances.
4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances. Incidents of possession, and/or distribution of controlled substances, including alcohol, by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year.

5. Guidelines In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized. No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.

Anabolic Steroids

The Board prohibits the use of anabolic steroids by students involved in school related athletics, except for a valid medical purpose. Body building and muscle enhancement of athletic ability are not valid medical purposes. For the purpose of this policy, Human Growth Hormone (HGH), may only be taken by a student when prescribed by a licensed physician for growth stimulation due to under development. Students shall be made aware of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their use, unauthorized possession, acquisition, or distribution could subject students to suspension, expulsion, and/or criminal prosecution. The following minimum penalties are prescribed for any student athlete found in violation of the prohibited use of anabolic steroids:

1. For a **first** violation, suspension from school athletics for the remainder of the season.
2. For a **second** violation, suspension from school athletics for the remainder of the season and for the following season.
3. For a **third** violation, permanent suspension from school athletics.

No student shall be eligible to resume participation in school athletics unless a medical determination has been submitted, verifying that no residual evidence of steroids exists.

For further information on drug and alcohol violations please refer to School Board Policy 227 on Controlled Substances and attached documents.

Bethlehem Area School District
Bethlehem, Pennsylvania

TRANSPORTATION POLICY

Bus Transportation Policy

The transportation policy has been set forth by the Bethlehem Area School District's Board of School Directors. Elementary children who live beyond one (1) mile from their school and secondary students who live beyond two (2) miles from their school are eligible for transportation. Bus schedules may vary somewhat dependent on weather and traffic conditions.

We request parents to have their children use the bus as assigned by the Transportation Department in September. We will not make any changes unless there is a great imbalance in the number of students on one or more buses.

Students will be expected to use the same stop and bus for the school year.

Students who are eligible for bus transportation and wish to use this service *cannot* have the option of occasionally walking home instead of using the bus.

Bus Conduct and Safety Code

The following conduct is to be adhered to by all students who use the Bethlehem Area School District transportation system.

1. Be ready to board the bus five minutes prior to pickup time and line up to enter the bus in an orderly manner.
2. Be careful in approaching the school bus stop.
3. Wait until the bus is at a complete stand still before attempting to enter.
4. Remain off the road at all times and behave in a safe manner while waiting for the bus.
5. Ride only the bus to which assigned. Board and get off at assigned bus stop.
6. Assist in keeping the bus safe and sanitary as possible at all times.
7. Practice courtesy to fellow students, assist bus driver whenever possible, particularly with small children.
8. Never stick hands, arms or any other part of the body out of windows or doors.
9. Students are to remain in their seats while the bus is in motion.
10. Never experiment or tamper with the bus or any of its equipment.
11. Be careful not to leave items such as lunches, clothing, books, etc. on the bus.
12. Noise on the bus must be kept at a minimum. Loud talking, or creating any disturbances are not allowed.
13. Roughhousing or throwing objects in or from the bus is prohibited.

14. State law prohibits transportation of musical instruments unless carried in a case on the knees of the student. Personal possessions may not be in the aisle.
15. Carrying of water pistols or other objects that can create disturbances is strictly forbidden.
16. Use of obscene language is not permitted.
17. Smoking by the students or the driver is not permitted on school buses.
18. Eating is not permitted on the bus.
19. Pets are not permitted on the bus.
20. Remain quiet when the bus is approaching railroad crossing and until bus has passed the railroad.
21. The driver is in complete charge of the bus. Students who risk the safety of others by their misbehavior may lose the privilege of riding the bus.
22. Obey school bus driver and in case of emergency remain on bus unless otherwise instructed by the individual in authority.
23. When necessary to cross road after getting off bus, cross immediately in front of bus, and look both ways to make sure that traffic is not approaching.
24. If a student violates any of the above rules and regulations and loses the bus privilege, the student or his or her parent will have to provide transportation to school. In such cases, the law still requires attendance at school. There will be parental arrest for nonattendance.
25. If a student intentionally damages seats or other parts of the bus, the student will be required to pay for replacement.

Disciplinary Action Sequence for Bus Misconduct

1. Each bus driver will review with students the list or description of expected student behaviors and/or prohibited behaviors.
2. Consequences to be implemented by the bus driver may include, but are not limited to, a conference with the student and assigned seating on the bus.
3. Students will be referred to building administrator when, despite efforts of the driver to change the student behavior, the student refuses or neglects to follow the directions of the driver. Such noncompliance will be classified as bus misconduct.
4. Bus misconduct is classified as a Level II infraction by the Student Code of Conduct and will be acted upon within guidelines outlined on the Disciplinary Action Sequence Chart.
5. Any student misconduct while awaiting, traveling on, or departing a bus which meets the definition of a Level III or Level IV infraction will be acted upon within guidelines outlined on the Disciplinary Action Sequence Chart of the Student Code of Conduct.
6. Students suspended due to bus misconduct will be suspended from riding the bus. Students suspended from riding the bus are required to attend school and must assume responsibility for their own transportation to and from school at regularly scheduled times.

Bethlehem Area School District
Bethlehem, Pennsylvania

HARASSMENT AND BULLYING POLICY

The Bethlehem Area School District strives to provide a safe, positive learning environment for students. Therefore, the District will not tolerate harassment in any form.

The District prohibits all forms of harassment of students by all district students and staff members, contracted individuals, vendors, volunteers, and other individuals in the schools, during school-sponsored activities, and while being transported to/from school.

Complaints of harassment shall be investigated promptly by school personnel and corrective action will be taken when allegations are substantiated.

For purposes of this policy, harassment shall consist of verbal, written, graphic, electronic transmissions, or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation, or religion when such conduct:

1. is sufficiently severe, persistent, and pervasive that it affects an individual's ability to participate in or benefit from an educational program, or activity or creates an intimidating, threatening or abusive educational environment.
2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.
3. otherwise adversely affects an individual's learning opportunities.

For the purpose of this policy, sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic, electronic transmissions, or physical conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtation, advances, touching or propositions, verbal abuse of a sexual nature, graphic or suggestive comments about an individual's dress or body, sexually degrading words to describe an individual, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with a student's ability to learn or creates an intimidating, hostile or offensive learning environment.

Bullying will be considered to be any intentional behavior that results in trouble, worry, or torment to another individual for no beneficial purpose. This includes but is not limited to expressions of an intent to injure or harm an individual or their property.

COMPLAINT PROCEDURE

A student who believes he or she has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the appropriate building administrator or any other school staff member. The administrator will assist the student in completing a "Student Complaint" in order to provide details related to the incidents.

The appropriate building administrator will conduct an investigation of the incident and determine the appropriateness of imposing consequences as outlined in the Student Code of Conduct as a result of the finding of the investigation.

The appropriate building administrator will also cooperate with police authorities in investigating the incident should the student and/or the student's parent/guardian decide to file a criminal complaint regarding the incident(s).

If it is concluded that a student has knowingly made a false complaint under this policy, the student shall be cited for "fraud" in accordance with the Student Code of Conduct.

APPEAL PROCEDURE

If a student is not satisfied with a finding of no violation of the policy or with the corrective action recommended upon completion of the investigation by the building administrator, the student may submit a written appeal to the building Principal and/or Director of Student Services within fifteen (15) school days of the administrative decision.

The Principal and/or Director of Student Services shall review the investigation and obtain additional information as necessary to render a decision.

The Principal and/or Director of Student Services shall prepare a written response to the appeal within fifteen (15) school days.

If a student remains dissatisfied following a review by the Principal and/or Director of Student Services, additional appeals may then be filed to the Superintendent of Schools and President of the Board of School Directors who will respond to the appeal in a timely manner.