

LUZERNE INTERMEDIATE UNIT #18

SECTION: PUPILS

TITLE: STUDENT DISCIPLINE

ADOPTED: NOVEMBER 20, 2002

REVISED: MARCH 25, 2015

218. STUDENT DISCIPLINE	
1. Purpose	The Board finds that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.
2. Authority SC 914-A Title 22 Sec. 12.3, 12.4 Pol. 103, 103.1	The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in school or Intermediate Unit programs during the time they are under the supervision of the Intermediate Unit, including while on school property of the Intermediate Unit , while present at any school function under the jurisdiction of the Intermediate Unit , and while traveling on a conveyance providing transportation to or from any school function under the jurisdiction of the Intermediate Unit .
Title 22 Sec. 12.2, 12.3, 12.4	The Board shall adopt a Code of Student Conduct for Intermediate Unit programs to govern student discipline. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.
Pol. 103, 103.1	Students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability.
Title 22 Sec. 12.5	The Board prohibits the use of corporal punishment to discipline students.
Pol. 233	Any student disciplined by an Intermediate Unit or district employee shall have the right to notice of the infraction.
Pol. 233	Suspensions and expulsions shall be carried out in accordance with Board policy.
Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, 113.2, 805.1	In the case of a student with a disability, including a student for whom an evaluation is pending, the Intermediate Unit shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement that has jurisdiction over the school property of the Intermediate Unit and Board policies.

<p>3. Delegation of Responsibility</p> <p>Title 22 Sec. 12.3 Pol. 235</p> <p>SC 1317, 1318</p>	<p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:</p> <ol style="list-style-type: none"> 1. The conduct occurs during the time the student is traveling to and from the Intermediate Unit, an Intermediate Unit program or an Intermediate Unit-sponsored activity, whether or not via Intermediate Unit furnished transportation. 2. Student expression or conduct materially and substantially disrupts the operations of the school or Intermediate Unit program, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school or Intermediate Unit program. 3. The conduct has a direct nexus to attendance at school, an Intermediate Unit program, or an Intermediate Unit-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, which would violate the Code of Student Conduct if conducted in school. 4. The conduct involves the theft or vandalism of Intermediate Unit property. 5. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school, Intermediate Unit programs, or Intermediate Unit-sponsored activities. <p>The Executive Director or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.</p> <p>The Executive Director or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the applicable Code of Student Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct shall be available in the Intermediate Unit office and each school library and school office of a district school that hosts Intermediate Unit programs.</p> <p>The building administrator and/or program supervisor shall have the authority to assign discipline to students, subject to the Board policies, rules and regulations of the Intermediate Unit and school district of residence, if applicable, and to the student's due process right to notice, hearing, and appeal.</p>
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<p>SC 1317</p>	<p>Teaching staff and other Intermediate Unit and school employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of the Intermediate Unit, and when such conduct interferes with the educational program of the Intermediate Unit or schools or threatens the health and safety of others.</p>
<p>Title 22 Sec. 12.5</p>	<p>Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.</p>
<p>4. Guidelines</p>	<p><u>Referral To Law Enforcement And Reporting Requirements</u></p>
<p>SC 1303-A Title 22 Sec. 10.2 35 P.S. Sec. 780-102</p>	<p>For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.</p>
<p>SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.21, 10.22 Pol. 805.1</p>	<p>The Executive Director or designee shall immediately report required incidents and may report discretionary incidents committed by students at school or Intermediate Unit programs, on school property of the Intermediate Unit, at any school function under the jurisdiction of the Intermediate Unit, or on a conveyance providing transportation to or from any school function under the jurisdiction of the Intermediate Unit to the local police department that has jurisdiction over the school property of the Intermediate Unit, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>
<p>Title 22 Sec. 10.2, 10.25 Pol. 805.1</p>	<p>The Executive Director or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Executive Director or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property of the Intermediate Unit has been or may be notified of the incident. The Executive Director or designee shall document attempts made to reach the parent/guardian.</p>
<p>SC 1303-A Pol. 805.1</p>	<p>In accordance with state law, the Executive Director shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.</p>

The Executive Director shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

References:

School Code – 24 P.S. Sec. 914-A, 1302.1-A, 1303-A, 1317, 1318

PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-102

State Board of Education Regulations – 22 PA Code Sec. **10.2, 10.21, 10.22, 10.23, 10.25**, 12.1 et seq.

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

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

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

NOTES:

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

Individual Codes of Conduct may be developed for separate Intermediate Unit programs.

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