

**CARL SANDBURG DISCIPLINE POLICY**  
**(CONFORMS TO NESHAMINY'S SCHOOL BOARD POLICY #505)**

**I. A STATEMENT ON DISCIPLINE**

According to Section 1317, School Laws of Pennsylvania, "every teacher, assistant principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school during the time they are in attendance, including the time required in going to and coming from their homes, as the parents, guardians, or persons in parental relation to such pupils may exercise over them."

The above authorization, however, does not mean that a parent or guardian may not bring suit against a teacher or principal should he be of the opinion that the punishment has been unjustifiably severe. CORPORAL OR PHYSICAL PUNISHMENT IS NOT TO BE USED AS A DISCIPLINARY MEASURE. Physical contact may be used by members of the certified staff in self-defense, to protect the student involved, to protect other students, or to remove a pupil from, or direct a student to, a given area after a student refuses to follow a directive. Staff should exercise judgment in this matter by calling for administrative assistance when necessary.

**II. BREACHES OF DISCIPLINE - Level 1**

- A. Definition: Misconduct impedes orderly operation of classroom and/or school
- B. Examples: (Please note that the list of examples given under "Breaches of Discipline" are not meant to be all-inclusive)

1. Abusive language, including foul or obscene language NOT directed toward anyone
2. Breach of dress code (see student handbook)
3. Classroom disturbances
4. Failure to bring in an absence note within three days
5. Gum chewing
6. Late to class / school
7. Lying
8. Minor out-of-class problems (inappropriate display of affection, running in the halls, cafeteria violations, unauthorized locker use, littering, etc.)

*Refusal to comply with 1-8 above, or repeat offenses see Level 2 - Minor Breaches of discipline.*

- C. Disciplinary Options Available to Staff Member

Step 1- Talk with student involved, hear student's side of the story, and/or use any of the following:

Verbal reprimand

Teacher counseling

Refer to Peer Mediation Team via guidance counselor

Detention with teacher

Withdrawal of classroom privileges

Behavior contracts

Special assignments

Removal from mainstream of class to other area of the room or to restricted lunchroom in the event of cafeteria violation

Step 2 - Parental contact

Step 3 - Referral to assistant principal

### III. BREACHES OF DISCIPLINE - Level 2

- A. Definition: Misconduct that disrupts the learning climate of school (repeated or serious in nature)
- B. Examples: (Please note that the list of examples given under "Breaches of Discipline" are not meant to be all-inclusive)
1. Continued Minor Level 1 misconduct (*after parental contact, 3 demerits*)
  2. Continued refusal to obey lunchroom rules and regulations. (*3 demerits*)
  3. Cutting class (leaving class without permission is considered a cut except in the case of an emergency (*5 demerits*))
  4. Cutting teacher detention (*5 demerits*)
  5. Disruption of after-school detention (Automatic repeat offense) (*5 demerits*)
  6. Disruption of Assemblies (*3 demerits*)
  7. Disruptive/Nuisance Items (e.g. camera, laser pen, cell phone, toys, unapproved electronic devices, etc.) (*3 demerits*)
  8. Failure to cooperate with a substitute teacher (*5 demerits*)
  9. Forged or altered notes or excuses (*5 demerits*)
  10. Insubordination / defiance / lying to a staff member (*5 demerits*)
  11. Pass Abuse (out of assigned areas, out without a pass, etc.) (*3 demerits*)
  12. Remaining after school without legitimate cause (*3 demerits*)
  13. Roughhousing (*3 demerits*)
  14. Truancy (skipping school) (*10 demerits*)
  15. Dress Code Violation (*3 demerits*)
- C. Disciplinary Options Available to Administration
1. Demerits (Mandatory)
  2. Overnight suspension (student may not return to school until parents accompany him)
  3. In-school suspension (I.S.S.)
  4. Out-of-school suspension (1 to 10 days)
  5. Office Detention
  6. Counseling
  7. Parent conference
  8. Temporary removal from class or cafeteria where misconduct occurred
  9. Restriction from school sponsored social activities (e.g. dances, trips, evening activities, etc.) goes into effect if a student received any combination of two (2) suspensions in a school year. Such restriction will remain in effect through the end of the current school year.

### IV. BREACHES OF DISCIPLINE - Level 3

- A. Definition: Misconduct directed against other persons or property, but whose consequences do not seriously affect health or safety of others.
- B. Examples: (Please note that the list of examples given under "Breaches of Discipline" are not meant to be all-inclusive)
1. Causing injury to another (*10 demerits*)
  2. Computer abuse / misuse (*5 demerits*)
  3. Fighting (not premeditated) or intimidation (*10 demerits*)
  4. Harassment – as explained in District Policy #548 (*5 demerits*)
  5. Instigating a fight (*10 demerits*)
  6. Minor vandalism (*3 demerits*)
  7. Possession of tobacco products (including smokeless, matches, lighters, etc. on school grounds (*5 demerits & C-3 minimum, also cited under crime code Title 18, section 6306.1 subsection A*))
  8. Theft (minor or petty) (*10 demerits*)
  9. Use of foul or obscene language directed at another person (*10 demerits*). If person is a staff member, disciplinary option number 3 (*suspension for 1 to 5 days*) is the minimum action to be taken!
  10. Pantsing/Shanking of Pants (*10 demerits*)
- C. Disciplinary Options Available to Administration
1. Demerits (Mandatory)
  2. Overnight suspension
  3. In-school suspension (I.S.S.)
  4. Out-of-school suspension (1-10 days)

5. Involvement of police
6. Notification of superintendent
7. Referral service
8. Temporary removal from class where misconduct occurred
9. Restriction from school sponsored social activities (e.g. dances, trips, evening activities, etc.) goes into effect if a student received any combination of two (2) suspensions in a school year. Such restriction will remain in effect through the end of the current school year.

## **V. BREACHES OF DISCIPLINE - Level 4**

- A. Definition: Misconduct which results in violence to a person or property; or which poses a direct threat to the safety of others in the school
- B. Examples: (Please note that the list of examples given under "Breaches of Discipline" are not meant to be all-inclusive)
  1. Arson (*10 demerits*)
  2. Assault and battery (*10 demerits*)
  3. Bomb threats (*10 demerits*)
  4. Continued Breaches of Level 3 (*10 demerits*)
  5. Extortion (*10 demerits*)
  6. Intimidation - threats directed against person or property of any staff member or student (*10 demerits*)
  7. Major acts of theft/sale or possession of stolen property (*10 demerits*)
  8. Major acts of vandalism (*10 demerits*)
  9. Possession of any explosive device on school grounds (*10 demerits & C-3 mandatory*)
  10. Possession of drug paraphernalia (*10 demerits & C-3 mandatory*)
  11. Possession or use of dangerous weapons - Any instrument or implement capable of inflicting serious bodily injury (*10 demerits*)
  12. Sale of, possession of, use of, or furnishing of alcohol or other drugs (*10 demerits*)
  13. Setting off false alarms (*10 demerits*)
  14. Sale of, possession of, or use of tobacco, E-Cigarettes, Hookah Pens, or look-alike products on school grounds (*10 demerits & a citation and fine under Middletown Township Ordinance #92-10, subsection 2A*)
- C. Disciplinary Options Available to Administration
  1. Suspension (1 to 10 days) mandatory in all examples listed previously
  2. Restitution of property and damages
  3. Local police/juvenile court
  4. Local Justice of the Peace
  5. Expulsion from school. Referral to School Board for expulsion hearing.
  6. Restrictions from school sponsored social activities (e.g. dances, trips, evening activities, etc.) goes into effect if a student received any combination of two (2) suspensions in a school year. Such restriction will remain in effect through the end of the current school year.

## **VI. DEMERITS - GENERAL GUIDELINES**

1. Demerits are minimums that will be assigned by the assistant principal, even if the assistant principal takes other actions in response to a student's behavior. If the circumstances warrant additional demerits in the judgment of the assistant principal, then he will levy additional ones above the minimum established.
2. If a student commits two offenses in the course of misbehaving, then each offense will be penalized separately. For example, a student cuts a class and then brings a forged note to cover it. This will be handled as two offenses!
3. In cases where a student has demerits but has not accumulated 10, that student's record will be marked clean only if there are no incident cards turned in on that student for the eight weeks following the last incident.

## **VII. SUSPENSION - GENERAL GUIDELINES**

1. A student will at least be placed on in-school or out-of-school suspension when he/she has accumulated a total of ten demerits.
2. Two suspensions of any type cause a restriction from school-sponsored social activities for the remainder of the year.
3. A student may not receive more than 2 separate ISS's in a school year. Each will be progressively longer (e.g. 1 day, 2 days). Following the 2<sup>nd</sup> ISS, out-of-school suspension will be assigned.
4. After a student is suspended, there are two items that have to be considered:
  - A. Suspension...a student will be suspended when he has accumulated a total of ten demerits. Upon serving suspension, the student's record will revert back to a total of five demerits. If there are not incident reports turned in on the student for the following eight weeks, then the student's record will revert back to zero demerits. However, if there are incident cards turned in on that student, the demerits assigned will be added on top of the five.
  - B. A student who is suspended is not permitted on school grounds unless accompanied by a parent. Said student **MAY NOT** participate in ANY school-sponsored activities while on suspension.

## **VIII. DISTRICT NO-SMOKING POLICY**

### Brief Description

Smoking or the use of smokeless tobacco on any Neshaminy School grounds will cause suspension and citation for violating Pennsylvania Crime Code Title 18 Section 6306.1. Subsection (A). This calls for the offender to be fined and pay court costs for the offense.

## **IX. DISTRICT ALCOHOL AND OTHER DRUGS – POLICY (#510)**

Student who seeks help for him/herself or a friend and is not under the immediate influence of, or transferring, or in possession of alcohol or other drugs is not subject to disciplinary action, but rather will be afforded help as defined in Policy #510, Section 11-A, 2a and b.

WARNING TO ALL STUDENTS...any student found to possess, use or abuse alcohol or other drugs for the first time while in school, on school property, or while attending a school sponsored activity (on or off campus) will be suspended from school for a minimum of three (3) days and prosecuted by the local police. In addition, students violating the district Alcohol Other Drugs Policy will forfeit the right to attend all school sponsored social activities for a period of one year, subject to review upon the request from parent(s) after five school months.

A second offense for possession, use or abuse of any alcohol or other drugs...or a first offense for transfer or sale of alcohol or other drugs will result in prosecution by local police, suspension from school up to ten (10) days and referral to the District Hearing Committee for an expulsion hearing. **NOTE:** Over the Counter (OTC) and look-alike drugs are covered by SB Policy #510.

## **X. DISTRICT PROHIBITION AGAINST DISCRIMINATION AND HARASSMENT OF STUDENTS AND/OR STAFF POLICY (#548)**

### **A. PURPOSE**

It is the policy of the Board of School Directors to support fully the laws prohibiting harassment and discrimination, including harassment and/or discrimination because of race, sex, sexual orientation, religion, color, national origin, ancestry, marital status, familial status, disability, medical condition and age as well as sexual harassment, and to maintain a learning environment which is free of any such harassment and discrimination.

### **B. EXAMPLES OF IMPERMISSIBLE DISCRIMINATION AND/OR HARASSMENT**

The School Board recognizes that impermissible discrimination and/or harassment may take many forms, including but not limited to:

1. Verbal conduct such as epithets, derogatory or degrading comments, slurs, or telephone calls, invitations or comments;
2. Visual conduct such as derogatory posters, cartoons, drawings, letters, notes or gestures;
3. Physical conduct such as assault, offensive or unwelcome touching, blocking normal movement, unwanted sexual advances or interference with school studies, courses, programs or activities;
4. Threats and/or demands to submit to sexual requests or activity as/or;
  - (a) a condition or term of the student's status in a course, program or school related activity;
  - (b) the basis for academic or other decisions which may affect a student or;
  - (c) which has the purpose or effect of interfering with a student's educational experience or;
  - (d) which creates an intimidating, hostile or offensive learning environment;
5. Retaliation for having reported the harassment or discrimination, and
6. Denial of any of the benefits of a complete educational program for an impermissible reason such as race, religion, sex orientation age, marital status, familial status, national origin, color, or disability.

### **C. REPORT PROCEDURE**

Any student who feels he or she is being harassed or discriminated against by an employee or another student, or who is aware of harassment or discrimination against another student should report it immediately to the building principal, a guidance counselor, teacher or school nurse. Any employee who believes that a student is being harassed or discriminated against by another employee or a student shall report it immediately to the school principal. Any employee receiving a complaint of harassment or discrimination shall immediately notify the building principal or assistant principal who shall commence an investigation of the charge.

Should a student have a complaint against the building principal or assistant principal, the complaint should be reported to the Deputy Superintendent or alternate designee of the Superintendent who shall begin an investigation of the charge.

Complaints should be made in writing. If it is not possible for the complaint to be made in writing, the investigator shall confirm in writing the substance of the complaint.

#### **D. INVESTIGATION PROCEDURE**

The investigator shall forward a summary of the complaint to the complainant, complainant's parents or guardian, alleged perpetrator and the alleged perpetrator's parents or guardian if applicable.

Thereafter, the complainant, the alleged perpetrator, and any witnesses will be interviewed. A copy of the complaint and/or investigator's report shall be given to the Superintendent.

Parents of a student involved in the investigation of a claim shall be notified of and given the right to attend any interview of the student. The substance of all interviews shall be documented, but the investigation shall be confidential.

The investigator shall review all evidence collected and shall make a determination as to whether there is sufficient evidence to find that the harassment or discrimination occurred. The investigator shall prepare a report which summarizes the content of the witness statements and other evidence reviewed during the course of investigation, contains a determination of whether or not the complaint is founded and where the complaint is deemed founded, contains the penalty imposed. The report shall be submitted to the Deputy Superintendent of Schools.

At the conclusion of the investigation, the investigator shall inform the complainant and where applicable, the complainant's parent or guardian, the alleged perpetrator, and when applicable the alleged perpetrator's parents or guardian of the outcome of the investigation. If the complaint is deemed founded, the perpetrator and the complainant and where applicable, the complainant's parents or guardian, and the perpetrator's parents or guardian, shall be advised of the disciplinary action that will be taken. If the complaint is deemed unfounded, the reason for such a finding shall be explained to the complainant and where applicable, the complainant's parents or guardian, the alleged perpetrator and where applicable the alleged perpetrator's parents or guardian.

#### **E. DISCIPLINE OF OFFENDERS**

A finding by the investigator that a student has engaged in harassment or discrimination shall subject the student to disciplinary action, which may include exclusion from social activities, detention, suspension, and/or expulsion from school. Any exclusion from school shall be governed by the laws of Pennsylvania.

#### **F. REPORTING ACTS OF RETALIATION**

If harassment and/or discrimination is found to have occurred, prompt, and appropriate remedial action will be taken in addition to discipline of the offender. No student or employee will be retaliated against for reporting harassment or discrimination or participating in an investigation thereof. Any student or employee who feels he or she has been retaliated against for making a complaint or participating in an investigation should immediately report the retaliatory act to the investigator of the original complaint who shall immediately commence an investigation in accordance with the procedures outlined below.

#### **J. DISTRICT COMMITMENT**

The district will continue to build conflict resolution procedures and positive mediation behavior into its daily operations to encourage all students and staff to find non-violent physical and mental methods to reduce incidents of harassment and discrimination in a positive manner.

#### **K. NOTICE OF POLICY**

Students, parents, and employees shall be advised of this school board policy by the posting of the policy on bulletin boards accessible to students and through publication in the student handbook.

### **XI. DISTRICT BULLYING/CYBERBULLYING – POLICY (#553)**

“Effective April 23, 2008, the Neshaminy Board of School Directors approved Policy 553 - Bullying/Cyberbullying. All forms of bullying and cyberbullying by district students are hereby prohibited. Anyone who engages in bullying or cyberbullying in violation of this policy shall be subject to appropriate

discipline. This policy is in effect while students are on property within the jurisdiction of the district: while on school-owned and/or school-operated vehicles: while attending or engaged in school-sponsored activities: and while away from school grounds if the misconduct directly affects the health and safety of students and staff as well as the good order, efficient management and welfare of the district. Any student who retaliates against another student for reporting bullying or extortion or for assisting or testifying in the investigation or hearing may be subject to disciplinary action. Please refer to Policy 553 -Bullying/Cyberbullying for more detailed information."

## **XII. CUTTING CLASS**

1. Verification of class cuts - an unexplained absence from class may or may not be a cut. For all major and minor subjects, teachers will verify all unexplained absences by questioning students about their absences and determining if they actually cut. It is up to the student to produce valid evidence that he/she was not cutting a class. The teacher does not have to run around collecting this information. Once the teacher has verified the student's absence as a cut, he will fill out an incident card and submit it to the office.
2. An illegal day is a class cut in each class.
3. If a student comes in after the halfway point in a period as an unexcused late, it will be considered a class cut.
4. Teachers have the option of adding up the number of minutes late to class during a marking period toward class cuts.
5. Any work missed due to cutting class will forfeit the student's right to make up the work missed.

## **XIII. FAILURE TO TURN IN ABSENCE EXCUSE CARD**

1. Students who have been absent for acceptable reasons are expected to return an absence excuse note to their roll call teacher within three school days after returning to school.
2. If the student fails to bring in the note after three school days, the roll call teacher will turn that student's name and the dates of absence over to the assistant principal.
3. At this point the assistant principal will declare the day(s) illegal, assign an after-school detention, and notify the parents of such. He will also determine whether the student's absence was due to an acceptable cause or due to actual cutting of school.
4. If the assistant principal determines that the incident is simply a "no note offense," he will convey to the parents how failure to bring in excuse cards could lead to future court fines and suspension. The second time a student fails to bring in an absence excuse card within three days, he will be given two (2) detentions and parent notified.
5. The third time (or more) a student fails to bring in an absence excuse card within three days, the student will be assigned to three (3) after school detentions and parent notified.

## **XIV. LATENESS PROCEDURES**

1. Lateness-to-school occurs when a student is not in homeroom by 7:55 a.m. Homeroom doors will be closed promptly at 7:55 a.m. and student must report to the office for sign-in pass. All excused and unexcused lateness will be marked on the daily absentee sheet so that student lateness and cuts may be verified by teachers.
  - (a) Lates #1 through #4 - WARNINGS.
  - (b) Late #5 (or 60 minutes of accumulated school time) - PARENT CONTACTED.
  - (c) Lates #6 and above - after school detention for EACH lateness.
2. Lateness to Class
  - (a) For any unexcused lateness occurring before the first half of the period, the teacher is to add up time late. When this reaches 25 minutes, a full class cut is reached and the cut policy goes into effect.
  - (b) Any unexcused lateness which results in a student's missing more than half a class period will be considered a cut for that period. The regular cut policy will be followed by teachers.

## **XV. BEHAVIOR OF STUDENTS ON BUSES**

### **A. STATEMENT**

The safety and well-being of students riding to and from school is the primary job of the bus driver. To accomplish this task requires the full attention of the driver and complete cooperation of all students.

Any student who interferes with the driver's ability to drive the bus safely will be dealt with firmly and consistently, following all due process guidelines.

Students positively identified by the driver and a member of the school administration, as having violated the rules of safe conduct will be dealt with as follows:

#### B. LEVEL 1 INFRACTION

1. Smoking
2. Vandalism+
3. Setting off explosive devices++
4. Throwing objects at the driver
5. Use of foul, obscene/objectionable language/gestures directed toward the driver
6. Illegal use of emergency door
7. Fist fights

*+ = Students must pay for damage*

*++ = Suspension from school and/or turned over to police*

#### C. ADMINISTRATIVE OPTIONS IN RESPONSE TO LEVEL I

1. Suspension from bus for 1 to 10 school days
2. Suspension from school for 1 to 5 school days
3. Payment for any damage to bus
4. Recommendation to Ass't. Supt. for removal of bus privileges for more than 10 school days
5. Involvement of local police/magistrate... prosecution of student
6. Special seating assignment on bus
7. Administrative warning (special needs students only)

#### D. LEVEL II INFRACTIONS

1. Failure to remain seated
2. Loud & obnoxious behavior
3. Showing disrespect to driver
4. Putting any part of body out window
5. Spitting inside or out of bus
6. Use of foul, obscene or objectionable language or gestures among students
7. Roughhousing

#### E. ADMINISTRATIVE OPTIONS IN RESPONSE TO LEVEL II

1. Administrative warning to student
2. Notification to parents and/or parent conference+
3. Assigned seating on bus
4. Suspension from bus for 1 to 5 days+
5. After school detention+
6. Change in bus assignment+
7. Overnight suspension from school+
8. Any appropriate provisions of the individual building discipline code

*+ = Parents to be notified via phone/letter*

**PLEASE NOTE:** THE ADMINISTRATOR MAY USE ANY OR MORE OF THE OPTIONS LISTED ABOVE.

When the student is suspended from the bus, transportation becomes the responsibility of the parent. Suspension of bus privileges may be carried over the following school year.