

Butler Area School District

2021-2022



ELEMENTARY DISCIPLINE

HANDBOOK

August 2021

August 2021

Dear Parents or Guardians:

As we prepare to start the year, we ask that you review the enclosed Elementary Discipline Handbook. The information contains language from our school policies and practices intended to provide your son or daughter with a healthy, drug-free, and safe educational environment. It is our expectation that all of our children enrolled in the Butler Area School District will work with our parents/ guardians and staff at the Elementary School to support the student code of conduct outlined in this document. Please take the time to discuss with your child(ren) the responsibilities of students attending our school and the consequences for actions that disrupt the learning process.

We want to plan the school day so that each child has the opportunity to gain the greatest possible benefit from his or her school experience. Teaching our children appropriate, responsible behaviors will help to ensure that they can come to school ready to devote full attention to the work and joy of learning by acting respectfully to adults, to each other, and to themselves.

Encouraging open communication among students, parents/guardians, and school staff is also essential in this process. When concerns of inappropriate behavior arise, please contact the school staff promptly so that appropriate steps can be taken.

Thank you for your attention to this most important document. As always, if you have questions, please feel free to contact the school office.

Sincerely,

BASD Administration

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NON-DISCRIMINATION

Butler Area School District is an equal opportunity educational institution and will not discriminate on the basis of race, color, national origin, sex, age, or handicap in its activities, programs or employment practices as required by Title VI, Title IX, and Section 504.

For information regarding civil rights or grievance procedures, contact Dr. Brian Slamecka, Title IX Coordinator, or Mr. Aaron Royhab, Section 504 Coordinator, at 110 Campus Lane, Butler, PA 16001, (724) 287-8721. For more information regarding services, activities and facilities that are accessible to and usable by handicapped persons, contact Mr. Aaron Royhab at (724) 287-8721.

INTRODUCTION

Excellent behavior of students is essential in creating a positive learning environment within our schools. Therefore, the following discipline handbook has been created as a guide for elementary students, parents, teachers, and administrators to help create and foster such an environment for all students.

This booklet is intended to give those concerned an overview of some of the District's policies and a reference for discipline questions that may arise. The complete text of all District Policies can be found on the Butler Area School District website at www.basdk12.org under *Our District – BASD Policies*.

Communication between home and school is crucial in developing an understanding of situations. Involving a parent/guardian at the beginning of the problem is the goal of Butler Area School District. Working together, we can help the student develop into a responsible citizen and learner.

All schools in the Butler Area School District have implemented Positive Behavior Interventions and Supports (PBIS) programs. Both Center Township Elementary and Center Avenue Community School have been recognized for their work in PBIS. The intent of PBIS is to encourage and reinforce positive behavior by students by creating school-wide expectations that are taught to all students. Students can only meet behavioral expectations if they know what the expectations are. PBIS has a few important guiding principles:

- Every child can learn proper behavior
- Stepping in early can prevent more serious behavior problems
- Each child is different and schools need to provide many kinds of behavior support
- How schools teach behavior should be based on research and science
- Following a child's behavioral progress is important
- Schools must gather and use data to make decisions about behavior problems

****Be sure to look for building-specific PBIS information from your child's principal and teachers.***

****The Butler Area School District has developed approved health plans that may change as guidance from the Pennsylvania Department of Education and Department of Health evolves. Please understand that these health plans and guidance from the state could impact information contained within this handbook. Current Health and Safety Plans for the Butler Area School District can be located at:***

<https://www.basdk12.org/administration/covid19>

GUIDELINES FOR STUDENT BEHAVIOR

Proper student behavior is represented by each student developing the desire and ability to live as a responsible citizen in a free society. It is the by-product of teaching and growth which results in an individual's feeling that s/he does right because it is his/her habit to do right. The most effective procedure to develop positive behavior is through the development of self-discipline in each student. Therefore, discipline will always seek to foster self-discipline.

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/her school, during the time they are in attendance, including the time required in going to and from their homes, as the parents/guardians or persons in parental relation to such students may exercise over them. Teachers and administrators shall have the same authority and responsibility over the students attending school-sponsored activities on or off school properties.

When a consequence is necessary for a student's misbehavior it shall:

- 1) Relate in kind and degree to the misbehavior.
- 2) Help the student learn to accept responsibility for his/her actions.
- 3) Be directed, where possible, to make better any harm which may have been caused by the student's misconduct.
- 4) Hold parents or guardians accountable for the actions of their sons, daughters, or wards.

Each student must adhere to the Board policies and the Code of Student Conduct governing student discipline.

Definitions of Consequences

Detention: Detention is assigned by the principal. Detention is held in an assigned area on designated days. Every student who is assigned detention should report to the assigned area on the day determined by the administrator. The requirements for detention are promptness, silence, constructive writing, studying, or reading. Transportation home from detention is the responsibility of the student and parent. (Policy No. 218)

Suspension: In-School Suspension shall mean a student will be removed from the classroom and assigned to a special study area under the direct supervision of a staff member. (Policy No. 233)

Out-of-School Suspension:

- a) Temporary Suspension shall mean exclusion from school for an offense for a period of up to three days by the administrator, without a hearing. (Policy No. 233)
- b) Full Suspension shall mean exclusion from school for an offense for a period of up to ten school days, after an informal hearing before the principal is offered to the student and the student's parent(s)/guardian(s).

Suspension Procedures (In-School Suspension): No student will receive an in-school suspension without notice of the reasons for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent(s)/ guardian(s) shall be informed of the suspension.

Suspension Procedures (Out-of-School Suspension): The principal or teacher in charge of a public school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days. No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard in his/her behalf before the building principal. When the suspension exceeds three (3) days, the student and parent(s)/ guardian(s) will be given the opportunity for an informal hearing with the building principal. The hearing will take place as soon as possible after the suspension. The suspension, in most cases, will officially start the next school day after issuing the suspension. An informal hearing is the contact of the school administrator with the parent/ guardian to discuss the student's infraction and the appropriateness of the discipline rendered to change this behavior. The student will assume the responsibility of making up work missed because of time lost due to the suspension. Suspension is considered a planned absence; therefore, the suspended student shall have only that number of make-up days equal to

the number of days missed up to a maximum of five (5) days total.

Expulsion: Expulsion shall mean exclusion from school for an offense for a period exceeding ten (10) school days and may be a permanent expulsion from the school rolls, by action of the Board of School Directors. (Policy 233) No student will be expelled without an opportunity for a formal hearing before the Board of School Directors, or a qualified hearing examiner appointed by the Board. The adjudication or decision of the committee or hearing examiner must be approved by the Board of School Directors.

Students who are less than eighteen (18) years of age are still subject to the compulsory school attendance law even though expelled and must attend school. The responsibility for placing the student in school rests initially with the student's parent(s)/guardian(s). If, however, the expelled student is unable to attend another public or private school, or if the expelled student is not eligible to do so, the parent(s)/guardian(s) shall immediately notify in writing the Assistant Superintendent's Office of said fact. Options and guidance will be provided by the Assistant Superintendent at that time.

Hearings: The formal hearing shall be preceded by an informal hearing. If an informal hearing indicates that a student's presence in school would constitute a threat to the health, safety, morals, or welfare of himself/herself or of others, and it is not possible to hold a formal hearing within the period of a full suspension, the student may be excluded from school for more than ten (10) school days by the principal and with the concurrence of the superintendent, provided the hearing is not unreasonably delayed. Any student so excluded shall be provided with alternative instruction in accordance with administrative regulations.

At the formal hearing for expulsion, due process shall be assured the student through the following provisions:

- 1) The student's parent(s)/guardian(s), unless the student is emancipated, must be notified of the charges and of the time and place of the hearing by certified mail.
- 2) The hearing shall be private, unless the student's parent(s)/guardian(s) or the student himself/herself in the event that he or she is emancipated requests it be held in public.
- 3) The student shall have the right to an impartial tribunal, to be represented by counsel, and to testify and produce witnesses on his/her behalf.
- 4) The student has a right to the names of witnesses against him/her, to copies of affidavits of those witnesses, and to demand that any such witnesses appear in person and answer questions or be cross-examined.
- 5) If the student and/or his/her parent(s)/guardian(s) are dissatisfied with the findings of the hearing, recourse can be had to the appropriate court.
- 6) A record shall 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.
- 7) Expelled students who are eligible to return to school must attend a readmission hearing with a parent/guardian and must sign a Behavior Stipulation Agreement as a condition of readmission. Failure to comply with any of the requirements in the Behavior Stipulation Agreement may result in future and immediate disciplinary action.

Readmission to School: Expelled students who are eligible to return to school must attend a readmission hearing with a parent/guardian and must sign a Behavior Stipulation Agreement as a condition of readmission. Failure to comply with any of the requirements in the Behavior Stipulation Agreement may result in future and immediate disciplinary action.

While suspended from school, students lose the privilege to practice or compete on athletic teams or participate in any after-school activity, rehearsal, practice or meeting. Students are not permitted on any school district property during a suspension without prior approval from a building administrator.

ATTENDANCE POLICY

Attendance is of interest and importance to every student. Regular and punctual attendance to all school sessions creates good habits for school and for future life. Students who attend school regularly derive the maximum benefit from the instructional program, generally achieve higher grades, and enjoy school more. (Policy 204)

Pennsylvania School Code-Attendance

1. Purpose The Board of Education requires that school-aged pupils 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 in order for students to achieve academic standards and consistent educational progress.

2. Authority Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session, except that a principal or teacher may excuse a student for temporary absences when she/he receives satisfactory evidence of such mental, physical, or other urgent reasons, which may reasonably cause the student's absence. Urgent reasons shall be strictly construed and do not permit irregular attendance.

Written Excuses

The parent/guardian of a school-aged child is responsible to provide an explanation in writing for the pupil's absence from school. The mere fact that a parent/guardian has sent a written explanation to the Office does not necessarily mean that the absence is "excused". If a student is excessively absent from school fifteen (15) days per semester or twenty (20) days per year, the parent/guardian may be required to verify each additional illness/injury with a written excuse from a doctor. Doctor excuses should include type of medical condition and specific information on how the condition impacts attendance. Days excused by a certified doctor will not count toward the 15-day/20-day limit. The administration has the right to excuse other absences as urgent conditions arise. Any student who is absent, whatever the reason, is responsible to submit to the Office a written explanation for his/her absence. All absences from school must be substantiated with a note signed by a parent/guardian. **STUDENT ABSENTEE EXCUSE TEMPLATES ARE LOCATED IN THE BACK OF THIS 2021-2022 ELEMENTARY DISCIPLINE HANDBOOK.**

Excused Absence

The Board, as directed by the PA Dept. of Education, division of child accounting, considers the following conditions to constitute reasonable cause for absence from school:

- Illness or recovery from accident.
- Quarantine.
- Required court attendance.
- Death of family member, classmate, or other adult affiliated with Butler Area School District.
- Family emergency (unavoidable).
- Inclement weather/impassable roads.
- Other requests approved by the building principal.
- Excuses may be mailed directly or faxed to school, provided they are received within five days.

Unexcused Absence

An unexcused absence is one where a student does not provide a written excuse for an absence within five (5) school days. Students absent from school for the following reasons would be considered unexcused: away from home, visiting, had to go to the store, working, hunting, overslept, and babysitting.

Unlawful Absence

Unlawful absence is the unexcused absence of all pupils of compulsory school age for one or more of the following reasons: absences through parent neglect, illegally employed, and truancy.

Excessive Absences

A doctor's excuse may be requested if a student is excessively absent from school. Should absences exceed 15 days in the first semester and twenty days of school accumulated during the full school year, a doctor's excuse will be requested when the student returns to school. In the event this is necessary, the parent/guardian will be notified by mail. Days previously excused by a doctor's excuse do not count toward this twenty day limit. In the event that the doctor's excuse is not received for any absences after the twentieth day, the absence will be considered to be unlawful.

Waiver of Compulsory Attendance

Parents/Guardians may make application for a waiver of compulsory attendance regulations when they desire their children to experience vacation opportunities which are educational in nature and also when parents/guardians must travel for other purposes and it would constitute a hardship to make arrangements to leave children at home or to curtail their trip because of the compulsory attendance laws. Applications for an exception to compulsory attendance requirements are available in each building principal's office. Prior notification, application, and approval by the building principal is required. Final approval rests with the Superintendent. The Board of School Directors may limit the number and duration of educational tours or trips for which excused absences may be granted to a student during the school term.

Truancy

Truancy is defined as when a student is absent from school without permission from a parent/guardian or school official. A student who is truant will receive seven detentions for the first offense. A second occurrence of truancy will result in one day of in-school suspension. When a student is truant or cuts class, they are not permitted to make up any work missed or take any test administered during the period of truancy or class cuts. (Exception: Final examination for subject).

When a student has been absent for three (3) days during the current school year without a lawful excuse, District staff shall provide notice to the parent/ guardian who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.

The notice shall:

1. Be in the mode and language of communication preferred by the person in parental relation;
2. Include a description of the consequences if the student becomes habitually truant; and
3. When transmitted to a person who is not the biological or adoptive parent(s)/guardian(s), also be provided to the child's biological or adoptive parent(s)/guardian(s), if the mailing address of the parent(s)/guardian(s) is on file with the school and the parent(s)/guardian(s) is not precluded from receiving the information by court order.
4. The notice may include the offer of a School Attendance Improvement Conference.

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, District staff shall offer a School Attendance Improvement Conference.

School Attendance Improvement Conference

The district staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference.

The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.

The following individuals shall be invited to the School Attendance Improvement Conference:

1. The student.
2. The student's person in parental relation.
3. Other individuals identified by the person in parental relation who may be a resource.

4. Appropriate school personnel.

5. Recommended service providers. Neither the student nor the person in parental relation shall be required to participate, and the School Attendance Improvement Conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.

The outcome of the School Attendance Improvement Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate District staff. No further legal action shall be addressed until the date of the scheduled School Attendance Improvement Conference has passed.

Habitual Truancy

When a student under fifteen (15) years of age is habitually truant, District staff:

1. Shall refer the student to:

- a. A school-based or community-based attendance improvement program; or
- b. The local children and youth agency.

2. May file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.

When a student fifteen (15) years of age or older is habitually truant, District staff shall:

- 1. Refer the student to a school-based or community-based attendance improvement program; or
- 2. File a citation in the office of the appropriate judge against the student or the person in parental relation who resides in the same household as the student.

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.

Regardless of age, when District staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, District staff shall provide verification that the school held a School Attendance Improvement Conference.

Filing a Citation

A citation shall be filed in the office of the appropriate judge/ magistrate whose jurisdiction includes the school in which the student is or should be enrolled. Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law.

Student Responsibility: Absences

- 1. When returning to school after being absent, a written excuse must be provided, signed by a parent or guardian, stating the exact reason why the student was absent, and the dates of the absence. ("Illness" is not an exact reason, so state specifically what kind of "Illness.")
- 2. The student must give the excuse to his/her teacher.
- 3. When the student reports to school after an absence without a written excuse, he/she will be asked to bring

one the next time he/she comes to school.

4. Absences will be recorded as unexcused if the absence note is not received within five (5) school days from the day the child returns to school. All unexcused absences will become unlawful if they are chronic and/or unresolved.

Student Responsibility: Early Dismissals

1. Present an excuse written by the student's parent or guardian to the teacher before the time the student wishes to be excused.
2. If the excuse is approved by the building principal, the student will be permitted to leave school early. The early dismissal request may be verified by phone.

The practice of the school is to cooperate with the medical and dental professions as much as possible. However, the student may not be excused from school to keep routine medical and dental appointments which can be made for out-of-school hours, Saturdays, or other school holidays. Early dismissals will be granted in cases of emergency if the student brings a request from his/her doctor or dentist and is signed by the student's parent(s)/guardian(s).

Dismissal from school to attend church activities on religious holidays which do not coincide with vacation days on the school calendar may be permitted.

Homebound Instruction (Policy No. 117)

Pupils unable to attend school and who anticipate confinement to their homes because of an extended illness or injury may apply for homebound instruction through the office of their respective building principal.

BULLYING AND HARASSMENT

The Board prohibits all forms of bullying and harassment of students by all District students. Bullying is an intentional electronic, written, verbal, or physical act directed at another student or students.

Bullying or Harassment is defined as conduct where a student strikes, shoves, kicks, or otherwise subjects another student to physical contact or attempts or threatens to do the same, or when a student commits acts or engages in a course of conduct which demonstrates:

- A. an attempt to place the person in reasonable fear of bodily injury
- B. an intent to cause substantial emotional distress to the person
- C. hostile, offensive or derogatory remarks
- D. physical interference with another student's movements
- E. offensive or abusive behavior having the purpose or effect of interfering with an individual's academic pursuits or going to and from school
- F. substantially disrupting the orderly operation of the school. **School setting** shall mean in the school, on school grounds, in school vehicles, at a designated bus stop, or at any activity sponsored, supervised, or sanctioned by the school district.

The term "harassment" or "bullying" includes but is not limited to slurs, jokes, hazing, or other verbal, graphic or physical conduct relating to an individual's race, color, religion, ancestry, genre, national origin, age, handicap/disability, or sexual preference. (Policy 218)

The Board directs that complaints of bullying or harassment be investigated promptly, and corrective action be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations. Neither reprisals nor retaliation shall occur as a result of good faith charges of harassment or bullying.

Consequences for bullying or harassment may range from a warning or loss of privilege(s) to out-of-school suspension and/or referral to the Board of School Directors for an expulsion hearing.

BUS TRANSPORTATION

A student's behavior on the bus directly impacts the safety of all other students on the bus. To safely transport students, the bus driver must be able to concentrate on driving the bus without distractions from students who are misbehaving. Unacceptable behavior by students will not be tolerated and will ultimately result in loss of bus riding privileges.

DISCIPLINE MAY BE ASSIGNED AS DEEMED APPROPRIATE BY THE BUILDING PRINCIPAL AND TRANSPORTATION SUPERVISOR

INFRACTION LEVEL 1 –

Pushing, tripping, hitting, scratching, standing, grabbing, spitting, shouting, yelling, screaming, lying, profane language, threatening, littering, eating or drinking, opening windows against drivers orders, disobeying driver, rude annoying conduct, obscene gestures/material/remarks, failure to remain seated, failure to sit in assigned seat, jumping over seats, moving from seat to seat, improper boarding/departing procedures, refusing to identify himself/herself to the bus driver, insulting the driver, verbal/abusive language, obscene material, intimidation or bullying of others, tampering with bus equipment or damaging the bus (restitution required), destroying property of others, arms or head out of the windows, or other similar offenses deemed by the principal and transportation supervisor to merit the following penalties.

CONSEQUENCES (Level 1)–

First Offense: Driver verbal warning; parents will be notified.

Second Offense: Driver verbal warning; parents will be notified.

Subsequent Offenses: Referred to school office.

When a referral is made to the school office, the administrator will assign consequences ranging from warning to suspension of riding privileges. Consequences related to the behavioral or safety concern will vary based on the severity of the incident. Parents will be notified by phone and/or letter from the transportation office. Suspensions will follow a progressive pattern from one to five days. The maximum number of days of suspension per offense will not exceed five, unless a situation warrants suspension of riding privileges for a longer period of time, up to the remainder of the school year.

*Seat assignment changes may occur at any time based on the safety needs on the bus.

INFRACTION LEVEL 2 –

Fighting, throwing potentially dangerous items in or out of the bus, opening exit doors, lighting of any ignitable items, possession of weapons or mace, hitting or pushing the bus driver, throwing objects at the bus driver when s/he is on or off the bus, or other similar offenses deemed by the principal and transportation supervisor to merit the following penalty.

CONSEQUENCES (Level 2) – *Determined by Principal, based on student age and severity of infraction.*

First Offense: Suspension of riding privileges for a minimum of one day.

Second Offense: Suspension of riding privileges for a minimum of three days.

Subsequent Offenses: Suspension of riding privileges for five days.

The maximum number of days of suspension per offense will not exceed five, unless a situation warrants suspension of riding privileges for a longer period of time; up to and including the remainder of the school year.

Bus Pass Request (Temporary)

Parents may request to have their child ride another bus in case of extreme need, not as a convenience. A note must be presented to the principal's office at the beginning of the school day. It should include: student's first and last name, parent name, bus number and stop requested, and a telephone number at which a parent can be reached. All requests must be verified. *Students with disciplinary issues may be denied permission to ride another bus.*

Bus Pass for Custodial Arrangements

In the event a student resides in two district locations due to custodial arrangements, written notification must be

provided to the transportation office in order that the student's regular bussing can be arranged. Contact the transportation office at 724/287-8721 for further information.

Video and Audio Monitors on School Buses (Policy 810.1)

The Board of School Directors and school officials recognize that serious misconduct on a school bus may jeopardize the safety of all passengers. Therefore, video and audio recording devices shall be used to discourage student misconduct. The use of video and audio recording devices on school buses as an aid to monitor student behavior does not replace the discipline policy as enumerated in Policy 810, or the authority of the bus driver, or the responsibility of school officials to act on bus misconduct. The Bus Conduct Report shall remain the primary tool for use by the driver in reporting misconduct that cannot be corrected by less formal means. Video and audio recording devices will be assigned to buses on a rotating or an "as needed" basis. Additional guidelines are listed in policy 810.1.

CAFETERIA BEHAVIOR

The 30-minute lunch period is that part of the school day during which time students have an opportunity to eat their lunch in the school lunchroom. During this period, students will be supervised by cafeteria monitors. Students are expected to cooperate with the monitors, to demonstrate etiquette and socially acceptable behaviors, and to adhere to established lunchroom rules and regulations specific to the setting. Depending upon the infraction, disciplinary action can range from a simple verbal warning to a suspension from school. (Policy 218)

CHEATING

Cheating is a very serious offense. Students who are caught cheating on tests or other assignments may receive a zero or have points deducted for that particular work. The teacher should inform the parent or guardian of the offense. The second offense will result in the student receiving a zero for the assignment. A phone conference between teacher and parent, or a conference between teacher, parent, and student will occur. The teacher will inform the principal of the second offense. (Policy 243)

DISOBEDIENCE

Disobedience is defined as the refusal or failure to obey any professional and support staff. The consequence for this violation could range from a parental conference, to loss of a privilege, to detention, to suspension, depending upon the severity of the case. (Policy 218)

DISRESPECT

Disrespect is defined as the lack of respect, rudeness, or offensive behavior in word or action to any professional and support staff. The consequence for this violation could range from a warning or loss of a privilege to detention or suspension, depending upon the severity of the case. (Policy 218)

DRESS CODE – STUDENTS

An individual's dress, personal appearance and cleanliness, like his/her behavior, should reflect a sensitivity to and a respect for others. The fact that the school will permit a wide variety in school clothes does not mean that all styles are equally appropriate. This is a decision that the student must make in conjunction with his/her parents/guardians, always keeping in mind that his/her appearance must not present a clear and present danger to the student's health and safety, cause an interference with work, or create classroom or school disorder.

Students may be required to wear certain types of clothing while participating in physical education classes, shops, extracurricular activities, or other situations where special attire may be required to ensure the health or safety of the student.

The building principal and staff members shall be responsible to monitor student dress and grooming and to enforce Board policy and school rules governing student dress and grooming.

Staff members shall be instructed to demonstrate, by example, positive attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

Guidelines

Although this is no attempt to include all items, the following types of clothing will be excluded from what is considered acceptable dress by District students:

1. Articles which are soiled with grease, oil, paint, and dirt.
2. Articles that could cause damage to other students or property.
3. If holes exist in bottoms, above the fingertips, they must be covered with a permanent patch.
4. Apparel that reveals or exposes the midriff, lower back, chest, sides of the upper body, and/or undergarments.
5. Gang-related attire, articles of clothing which are inappropriately designed, contain offensive and/or inappropriate logos, iron-ons, emblems, decorations and words.
6. Clothing, pins, patches, tattoos, or any other items that encourage violence.

Footwear: Shoes with a substantial sole must be worn throughout the building at all times, except in the locker room and pool areas. Students are expected to follow all school rules related to safety that may require proper foot protection; for example, in science labs, shops, physical education classes, etc.

Slippers are not permitted.

Clothing: Clothing should be worn in the manner for which it has been designed. For example:

1. Shirts and blouses must be properly buttoned.
2. Outerwear (coats) must be placed in lockers or on coat hooks during the school day. (Exception: Senior High School students during the winter.)
3. Loose-fitting clothing such as baggy pants must be secured with a belt and must be worn above the hips. The midriff, lower back, chest, sides of the upper body, and/or undergarments may not be exposed.
4. To avoid accidental tripping or falls, pant legs are not permitted to be worn below the student's footwear.
5. Leggings or other similar tight fitting clothing may be worn as long as a top is worn that falls below the buttocks.

Students representing the school at extracurricular activities should wear clothes appropriate for the occasion.

Shorts: Shorts are permitted to be worn by students, provided that they meet the following guidelines. Shorts must:

1. Reach below the fingertips when the arms are fully extended at one's sides.
2. Be designed and sold as shorts.

Skirt/Dress Length Guidelines: Skirts and dresses should be long enough to reach below the fingertips when the arms are fully extended at one's sides.

Hats/Caps: Students are expected to remove caps or other headgear while in the building. Students are not permitted to have hoods up while in the school building.

Body Piercing: Body piercing shall be restricted as follows:

1. Any piercing items shall be removed for safety reasons in the following curricular and extracurricular activities:
 - a. Physical education classes.
 - b. Science lab classes in which protective eye glasses must fit securely around the eyes.
 - c. Industrial arts classes where equipment is used and protective eye glasses must be worn.

- d. Extracurricular activities involving physical contact.

Body piercing that has become infected and presents a health hazard to the student and/or others is prohibited and must be removed.

Accessories: Chains that are attached to wallets or other items are not permitted.

Sunglasses are not permitted to be worn during the school day unless medically prescribed.

Penalties: Penalties for violation of the student dress code are as follows:

- First Offense: Students will be afforded the opportunity to change into school appropriate clothing. If a student refuses to change, the student will be sent home or retained in the office or in-school suspension room until a parent/guardian provides a proper change of clothing.
- Second Offense: Student will be assigned detention in addition to the first offense penalties.
- Third Offense: Student will be assigned in-school suspension in addition to the first offense penalties.
- Fourth Offense: Principal will determine appropriate consequences, ranging from suspension to a hearing before the Board of School Directors in addition to the first offense penalties.

Discretion

In view of the fact that fashions are continually changing, the building principals have the discretion to be the final authority in all issues regarding the dress code.

DRUG AND ALCOHOL POLICY

The Butler Area School District Board of School Directors recognizes and affirms the individual value and potential of each member of its school community. We recognize that substance use/abuse and dependency seriously impairs the ability of individuals to develop their full academic and social potential and adversely impacts the educational environment. The Board shall endeavor to use curriculum, classroom activities, administrative and faculty efforts and disciplinary procedures to prevent and intervene in the misuse and abuse of alcohol/ drugs. It is the goal of the district to protect the health, safety and welfare of students and staff of the Butler Area School District.

The Butler Area School District prohibits the possession, use, misuse, being under the influence of, or the distribution by students and unauthorized personnel of drugs (controlled, non-controlled or mood-altering substances), look-alikes, designer drugs, drug paraphernalia, health endangering substances, medication not registered with the health office, or alcohol on school district property, at any school-sponsored event, in any conveyance providing transportation to or from school or school-sponsored events, while traveling to or from school or school sponsored events or during activities under school district jurisdiction.

Definitions

Drug/Mood-Altering Substance

As used in this policy shall be defined as any controlled substance, non-controlled substance, or designer drug, look-alike substance or health endangering substance.

Controlled Substance

A controlled substance is any drug or substance listed in Schedules 1 – 5 of the Pennsylvania Drug Device and Cosmetic Act of 1972. Examples include, but are not limited to, alcohol, marijuana, stimulants, depressants, hallucinogens, etc.

Non-controlled Substance

A non-controlled substance is any substance containing phenylpropanolamine, pseudoephedrine, ephedrine, or any other non-controlled substance that has or is represented to have a stimulant or depressant effect on humans. In

addition to the items stated above, any product that includes chemical solvents, inhalants, or aerosol carcinogens, such as but not limited to glue and aerosol products, is also considered a non-controlled substance.

Designer Drug

A controlled substance analog is a non-controlled substance which either produces the pharmacological effect or is represented to produce pharmacological effects similar to a controlled substance in Schedule 1 or 2 of the Pennsylvania Drug Device and Cosmetic Act of 1972.

Look-Alike Substance

A non-controlled substance whose physical appearance of the finished dosage form containing the non-controlled substance is substantially identical to any controlled substance, taking into account size, shape, color, markings or lack thereof.

Health Endangering Substance

Any substance that may be harmful to the individual.

Medication

Prescription and nonprescription medicines, as defined by the Butler Area School District's Medication Policy, #210.

Drug Paraphernalia

All equipment, products and material of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injection, injecting, ingesting, inhaling, or otherwise introducing to the human body a controlled substance.

Distribution

Delivering, selling, passing, sharing, offering, giving, transferring, soliciting or procuring any drug or mood-altering substance including controlled substances, non-controlled substances, designer drugs or look-alike substances, as defined by this policy, from one person to another, to aid therein or to agree upon, conspire to engage in or attempt such action.

Possession

Possess or hold, with or without any attempt to distribute, any drug or mood-altering substance including controlled substances, non-controlled substances, designer drugs or look-alike substances, or paraphernalia determined to be illegal or as defined herein.

Complete Drug and Alcohol Screening

The NIDA (National Institute on Drug Abuse) Urine Drug Screen, which includes a 10-drug panel and confirmation by a NIDA Certified Lab. The collection must include NIDA protocol and a secured chain-of-custody. A breath alcohol testing may be required if determined appropriate. All screening and testing required by this policy will be completed at the expense of the school district.

Delegation of Responsibility

The Superintendent shall prepare guidelines for the identification, amelioration and control of substance use/abuse in the schools which shall establish procedures for the investigation of suspected violations of this policy, provide a consistent means for effectively responding to and reporting violations of this policy and provide guidance for the instruction and readmission to school of students determined to have violated this policy.

Incidents of possession, use and/or distribution of controlled substances, including alcohol, by any person on school property, on a school bus/vehicle or at a school activity shall be reported to the local police department. In addition, such incidents shall be annually reported to the Office of Safe Schools or as otherwise required by law.

Maintaining the confidentiality of information involving or arising from investigations of suspected substance use/abuse is the responsibility of all parties involved. Such information shall be limited to the parties who have immediate knowledge of the situation and may only be extended to medical personnel, the Superintendent, the building principal and assistant principal, and counselors or other school personnel having a legitimate educational interest, and law enforcement officials in compliance with law.

Disciplinary Response

The following disciplinary action is prescribed for any student found in violation of this policy:

1. Immediate Action – The student shall receive an out-of-school suspension for a period of three (3) days. During the first three (3) days, an informal hearing will be held with the student accompanied by a parent/guardian. Subject to such informal hearing, the student's out-of-school suspension may be extended to a period of ten (10) days and the incident shall be referred to the Superintendent for the initiation of a formal expulsion hearing. Before determination of final disciplinary action, the student will be required to receive immediate, complete drug and alcohol screening by the district's vendor. If a student adulterates or refuses to submit a urine sample, the situation will be ruled as a positive result and the student will receive the same consequences as if s/he had tested positive. The student may be required to complete an assessment by a licensed drug and alcohol facility, rehabilitation, drug counseling or other remedial programs and further drug and alcohol testing as a condition to reinstatement to the school district's educational, co-curricular and/or extra-curricular programs.

The maximum out-of-school suspension period that a building principal can assess to a student is ten (10) school days. Any disciplinary action resulting in exclusion from school for more than ten (10) school days constitutes an expulsion and can only be the result of a formal hearing of the School Board. If the student is to appear at a formal hearing, the district pledges to make such hearing available within the ten (10) school day period. The student and family are expected to be prepared for this hearing within the ten (10) school days. Delays for attorney schedules and the like will not result in the student being reinstated to the classroom nor in-school suspension. If a delay is granted, it will only be granted with the understanding that in the interim, the student will be prohibited from attending school on parent/guardian violation.

2. Expulsion – Subject to a formal hearing before the Board of School Directors, the student shall be expelled for a minimum of thirty (30) days (inclusive of any initial administratively imposed suspension) and for such further period as may be determined by the Board of School Directors.
3. The Superintendent or his/her designee is granted the discretionary authority, on a case-by-case basis, to supersede the minimum period of suspension in consideration of the nature of the offense, the age of the student and any other mitigating circumstances.
4. The disciplinary provisions set forth in this policy are subject to and may be limited by the provisions of the Individuals with Disabilities Education Improvement Act (IDEIA), its accompanying regulations or other applicable law. To the extent permitted by IDEIA, its accompanying regulations or other applicable law, the disciplinary provisions applicable to students without disabilities shall be applied in a similar manner to those students with disabilities.

ELECTRONIC DEVICES

The Butler Area Board of School Directors has determined that the possession of most electronic devices by students is not a vital part of the educational process. Such items under most circumstances serve as a distraction to the educational process and some can be used in the furtherance of inappropriate and unsafe activities.

Prohibited Items: Laser pens and other laser devices are particularly capable of causing harm and disruption and are therefore prohibited from being in a student's possession in school, during a school-sponsored activity or on a District vehicle.

Conditional Items: Students are discouraged from possessing certain types of electronic devices during school hours; however, their possession does not constitute a violation of this policy unless the student fails to comply with the following provisions:

Students are not to use audio listening devices (CD players, MP3 players, etc.), handheld electronic games, digital cameras, audio or video recording devices, or other such devices during the instructional school day unless they have permission from a staff member to do so as part of a classroom activity. In addition, the distribution, e-mailing, or posting on an Internet site of any unauthorized photograph, audio recording, or video recording taken in school buildings or on school grounds, or on any school bus or commercial vehicle providing transportation to and from school or any school-related activities is prohibited. Consequences for violation of this policy may include warning, detention, suspension, or a hearing before the Board of School Directors.

Students may possess cell phones for use before and after school, but their use during the school day is strictly prohibited. "Use" is interpreted as using any cell phone function or feature, not just sending or receiving telephone calls. Cell phones must be turned off upon entering the school building and may not be turned on again until the student leaves the building at the end of the school day. Cell phones must be kept out of sight, and the student bears total responsibility for safeguarding this and any other device in his or her possession.

The Butler Area School District assumes no responsibility for the loss, theft, damage, or misuse of any electronic device that is brought onto school grounds, to a school-sponsored activity or any District vehicle.

Discipline: Violation of any part of this policy may result in consequences ranging from confiscation and loss of privileges, to detention, suspension, and referral to the Board of School Directors for possible expulsion. (Policy 237)

FIELD TRIPS

Field trips should be conducted for the purpose of extending, supplementing, and enriching the educational activities of the classroom. Field trips should be viewed as an extension of the school day and are, therefore, governed by established rules and regulations.

Since students are representing both their school and the District as a whole, their **conduct** and **appearance** should be of exemplary nature and should depict an appropriate image of which everyone would be proud.

It is hoped that every student would have an opportunity to participate in a field trip experience with his/her class. However, due to **inappropriate student conduct** and **lack of cooperation** which could **jeopardize the safety and welfare of the student and/or the group** while on the field trip, individual students may be **excluded** from participation in the field trip. (Policy 121)

FIGHTING

Students are not permitted to fight in school, on school property, on the bus, or during school-sponsored activities. Fighting will be dealt with by the classroom teacher and/or the Principal. Parents will be notified about the incident and actions taken.

Depending on the severity of the incident and/or the frequency, the student(s) will receive the following punishment:

1. **Loss of privilege or time-out with appropriate conflict resolution interventions**
2. **After-school detention**
3. **One to ten days of in-school or out-of-school suspension**

If proof can be obtained concerning the blame or cause of the fight, the student who provoked the fight may receive

a time-out, detention, or suspension of longer duration.

Students who instigate fights between others but do not actually participate may also receive a time-out, detention, or suspension. This includes students who push one student into another or who verbally incite other students into fighting.

The local police may be involved in certain types of fights and disorderly conduct charges may be filed against all students involved in fighting. The local magistrate may levy a fine if disorderly conduct charges are filed.

The student may also be referred to the Board of School Directors for a hearing and possible expulsion from school. (Policy 218)

GUM

Gum chewing is not permitted unless under the direction of the classroom teacher. If a student is chewing gum without permission, the student will be asked to deposit the gum in the trash can.

HOMEWORK AND MAKE-UP WORK

Homework can be viewed as a student work task as directed by the teacher, to be completed by the student for a set period of time as specified by the teacher.

The Butler Area School District recognizes the need for, and importance of, assigning and doing homework as an integral part of an extension of the instructional school day. Completion of assigned homework should aid in the development of knowledge, proper work habits, self-reliance and independence, and the responsibility in carrying through a work task to completion. This, in turn, will directly aid classroom instruction and indirectly prepare students for socially acceptable behaviors in an adult world. Homework should involve the combined efforts of the teacher, student, and parents.

Teacher's Role:

1. Homework shall be used for positive purposes only. No homework shall be assigned as disciplinary measures.
2. Homework assignments shall be evaluated and shared with students, providing feedback and reinforcement of developed concepts.
3. Homework shall be incorporated in the compilation of students' report card grades.
4. When a student habitually fails to do homework, the following steps shall be taken: a) a conference with the student, b) conference with parents, c) referral to a counselor.
5. Incomplete assignments may result in a range of consequences, as agreed upon by teacher and building administrator and reviewed with the student and parent.

Student's Role:

Students are encouraged and expected to complete all homework assignments to the best of their ability.

Parent's Role:

1. The support by parents is of paramount importance for a homework policy to operate effectively within our schools.
2. Parents should encourage their children to complete assignments, provide a home study area conducive for learning, and offer assistance and guidance as needed with the completion of tasks.

Administrator's Role:

The administrator is to monitor homework practices to ensure proper implementation of the provisions of the homework policy in all classrooms.

Make-up Work

Unplanned Absence: Students who are legally absent from school and who provided a written excuse within five (5) days of return to school shall have up to five (5) days to make up missed work. The five (5) days begin the day that the student returns to school and is able to meet with each of his or her teachers. Should the student be absent again within the five (5) days designated to make up work, the student is entitled to an extension of the number of make-up days remaining from the initial absence.

Example: Absence occurs on Friday (five allotted make-up days): Monday, first make up day (arrange make up work with teacher), Tuesday, second make up day, Wednesday, third make up day, Thursday, second absence, Friday, fourth make up day for initial absence and first make up day for second absence, Monday, fifth make up day for initial absence and second make up day for second absence, Tuesday, make up days for the initial absence have expired but make up days for second absence continue.

If a student misses a class within the five (5) make-up days as a result of participation in a school-approved activity, the student is entitled to an extension of make-up days for that class only. If the teacher is absent the day the student returns, the five (5) school days the student has to make up work will begin the day the teacher returns. Should the regular classroom teacher provide the work to be made up to the substitute teacher, the time allotted for making up the work will begin on that day.

Planned Absence: Students who are legally absent from school because of a planned absence shall determine what work was missed on the day they return and shall have only those number of additional make up days equal to the number of days missed up to a maximum of five (5) days total. Prior to leaving, students should attempt to make arrangements to obtain assignments and test/quiz schedules for the period of absence.

Example: Initial planned absences occur on Thursday and Friday (three allotted make up days), i.e., Monday, first make up day (arrange make up work with teacher), Tuesday, second make up day, Wednesday, third make up day.

At the elementary level additional time may be granted by the classroom teacher if circumstances warrant such consideration. (Policy 204.1):

INAPPROPRIATE LANGUAGE/SWEARING

The use of profanity and inappropriate language, along with vulgar drawings or gestures will not be permitted during the school day or during any school-sponsored activity, function, or event. Depending upon the severity of the case, the penalty for this violation could range from a parent conference or loss of a privilege, to one hour of detention, to a recommendation to the Board of School Directors for expulsion from school. (Policy 218)

LEAVING SCHOOL WITHOUT PERMISSION

The student may receive loss of privileges, temporary suspension, or detention. (Policy 218)

OFF-CAMPUS ACTIVITIES

Activities that occur off-campus may be in violation of **Policy 218, Student Discipline** and/or **Policy 227, Alcohol and Drugs** if the following applies:

- A. There is a nexus between the proximity and timing of the conduct in relation to the student's attendance at school-sponsored activities.
- B. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.

- C. Student expression or conduct materially and substantially disrupts the operations of the school or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
- D. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Student Discipline Policy.
- E. The conduct involves the theft or vandalism of school property. **(Policy 218 and Policy 227)**

RACIAL AND ETHNIC INTIMIDATION

Butler Area School District promotes an appreciation and acceptance of racial and ethnic diversity. District policy prohibits all forms of racial and ethnic intimidation in any areas under the permanent or temporary control of the District. Any person who engages in racial or ethnic intimidation while acting as a member of the school community will be in violation of this policy. Racial or ethnic intimidation is defined as:

- comments or conduct which interfere with personal or academic performance
- create a hostile, intimidating, or offensive academic environment
- demeaning remarks
- demeaning display or depiction of any racial or ethnic group

Any student who feels that s/he has been a victim of racial or ethnic intimidation shall bring the matter to the immediate attention of any teacher, principal, or counselor. If it is determined that any student has engaged in racial or ethnic intimidation while under the control of Butler Area School District, he/she shall be subject to appropriate disciplinary action, up to and including suspension or expulsion. **(Policy No. 249)**

SEXUAL HARASSMENT

The School Board is committed to assuring equal educational opportunities to all students and does not discriminate on the basis of sex. The district is committed to maintaining an educational environment for all its students that is free from any type of sexual harassment. The School Board will not tolerate any behavior by administrators, faculty, staff or students, which constitutes sexual harassment of a student.

A. Sexual Harassment Definitions

Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

- 1) An employee of the School District conditioning the provision of an aid, benefit or service of the School District on an individual's participation in unwelcome sexual conduct;
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School District's education program or activity; or
- 3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) of the Clery Act, "dating violence" as defined in 34 U.S.C. 12291(a)(10) of the Violence Against Women Act (VAWA), or stalking as defined in 34 U.S.C. 12291(a)(30) of the VAWA.

B. Supportive Measures

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to the School District's programs or activities without unreasonably burdening the other party, including measures to protect the safety of all parties or the educational environment, or to deter sexual harassment. Examples include counseling, extensions of deadlines or other course-related adjustments, modifications to schedule, monitoring, mutual restrictions on contact, and other similar measures.

C. Penalties

Penalties will be determined based on facts of each case and will focus on the restoration or preservation of equal access to the School District's educational program and activities to the complainant. Possible penalties are set forth in the School District's Code of Conduct, including, but not limited to in-school suspension, out-of-school suspension, formal board discipline hearing, and/ or notification to police.

D. Emergency Removal

A respondent to a complaint of sexual harassment may not be removed from the School District's educational program or activity, unless the School District conducts an individualized safety and risk assessment and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The respondent shall be given notice and an opportunity to be heard to challenge the decision consistent with the Pennsylvania School Code disciplinary procedures.

E. Anti-Retaliation Assurance

Retaliation is prohibited. No person may intimidate, threaten or coerce or discriminate against any individual for the purpose of interfering with any right of privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation under this policy. This policy seeks to encourage any individuals to express freely, responsibly, and in an orderly way any complaints or concerns with sexual harassment.

F. Procedure

A. Formal Complaints

Formal complaints regarding sexual harassment are filed by a complainant and signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting the School District to investigate the allegation of sexual harassment. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed below.

Title IX Coordinator: Dr. Brian Slamcka

110 Campus Lane, Butler, PA 16001

(724)287-8721

brian_slamecka@butler.k12.pa.us

B. Review of Formal Complaints/Dismissal

If the conduct alleged does not constitute sexual harassment as defined in this policy, did not occur in the School District's educational program or activity, or did not occur in the United States the School District must dismiss the complaint.

The School District may dismiss the formal complaint or any allegations therein, if at any time during the investigation a complainant notifies the Title IX Coordinator in writing of intent to withdraw the formal complaint or any allegations therein, the respondent is no longer enrolled or employed, or specific circumstances prevent the School District from gathering evidence sufficient to reach a determination.

Upon dismissal, the School District must promptly send written notice of the dismissal and reasons for the dismissal to both parties along with the procedures to appeal.

C. Notice of Allegations

Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator must provide to the complainant and respondent:

- i. Notice of the investigation process including the availability of an informal resolution process.
- ii. Notice of the allegations constituting sexual harassment, including sufficient details known at the time for a respondent to prepare a response prior to the initial interview. Sufficient details include the

identity of the parties involved, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, if known.

- iii. A statement that the respondent is presumed not responsible for the alleged conduct.
- iv. Each party may have an advisor of their choice
- v. Each party will have equal opportunity to present evidence and inspect and review evidence received.
- vi. A statement referencing the School District's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the investigation process.

D. Informal Resolution

Upon the filing of a Formal Complaint, the School District may facilitate an informal resolution process that does not involve a full investigation and adjudication, provided that both parties provide written consent. The School District must disclose to both parties the allegations and the requirements of the informal process to preclude a party from resuming a formal complaint arising from the same allegations, provided however any party may withdraw from the informal process and resume the investigation process.

Informal resolution is not a process available or used to resolve allegations that an employee sexually harassed a student.

E. Investigation and Adjudication

- i. Burden of Proof: The burden of proof and burden of gathering evidence sufficient to reach a determination regarding responsibility is on the School District.
- ii. Access to Evidence: Both parties will be given an equal opportunity to present witnesses, including fact and expert witnesses and other inculpatory and exculpatory evidence. Each party will have an opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint; including evidence the School District does not intend to rely in reaching a determination and inculpatory and exculpatory evidence so that each party may meaningfully respond to the evidence prior to the conclusion of the investigation.
- iii. Notice of Meetings: Both parties will receive written notice of the date, time, location of investigative interviews; or other meetings with at least 10 calendar days prior notice for the party to prepare to participate.
- iv. Written Response to Evidence: Following review of all evidence, each party will have 10 calendar days to submit a written response to the investigator. The investigator must consider the written responses prior to completion of the investigative report.
- v. Investigative Report: The investigative report must summarize relevant evidence and must be provided to both parties at least 10 calendar days prior to submission to a decision-maker.
- vi. Written-cross-examination: Each party may submit relevant written cross-examination questions to the decision-maker to distribute to the other party. Each party will have 10 calendar days to prepare and file a response to the written cross-examination with the decision-maker.
- vii. Written Determination: The decision-maker (not the Title IX officer or investigator) will conduct an objective review of all relevant evidence. The standard of responsibility will be determined by clear and convincing evidence. The decision-maker shall issue a written determination regarding responsibility or dismissal within 30 calendar days of the parties' completion of responses to written cross-examination. The written determination shall include identification of the allegations; a description of the procedural steps, including notice to the parties, interviews and other methods used to gather evidence; findings of fact to support the determination; conclusions regarding the School District's code of conduct to the facts; rationale for determination and whether the remedy is designed to restore or preserve equal access to the School District's education program or activity.

The written determination shall be issued to both parties simultaneously and shall include the process to appeal.

The written determination becomes a final adjudication unless a timely appeal is filed.

D. Appeals

Upon receipt of a written determination either party may file notice of an appeal to the Board of School Directors within 15 calendar days of receipt of the written determination.

The Board of School Directors shall hear appeals:

- involving a procedural irregularity that affected the outcome of the matter;
- new evidence that was not reasonably available at the time of the determination, that could affect the outcome; and
- allegations the Title IX Coordinator, investigator or decision-maker had a conflict or interest or bias against the complainant or respondent that affected the outcome of the matter.

The Board of School Directors has discretion to hear an appeal on any additional bases.

A Notice of Appeal may be filed electronically, in person or by regular mail written to the attention of the Superintendent of Schools.

Upon notification of the filing of a Notice of Appeal and the Board of School Directors role as decision-maker on appeal, each party shall have 30 calendar days to submit a written statement in support of, or challenging, the outcome of the written determination.

The Board of School Directors shall issue a written decision simultaneously to both parties describing the result of the appeal and the rationale within 45 calendar days of the submission of both parties' written statements.

STUDENT EXPRESSION

While respecting the right of students to express themselves in words or symbols and distribute materials as a part of that expression, the Board of School Directors recognize that the exercise of that right must be limited by the need to maintain an orderly school environment and to protect the rights of all members of the school community. The Board reserves the right to designate and prohibit manifestations of student expression that violates the rights of others. Students who wish to distribute materials must submit them for prior approval to the principal. Any violation of the Student Expression policy will result in appropriate disciplinary action. (Policy 220)

STUDENT SEARCHES

The primary purpose and justification for a student search is the protection of the health, safety and welfare of the students, faculty, school property and the educational process.

1. School officials shall be permitted to conduct a search of a student and/or of items in the student's possession or within the student's control if the school official has reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the laws of the United States of America or the Commonwealth of Pennsylvania or the rules and regulations of the School District or the school official has reasonable cause to believe that the search is necessary to maintain school discipline or to protect the health, safety, and welfare of the students, faculty, and staff and to protect school property or the educational process.
2. All searches of a student and/or of items in the student's possession or within the student's control shall be conducted in the presence of the building principal and/or his/her designee(s) and a witness. Based on the nature and severity of the incident, the student's parents/guardian(s) are permitted to be present during the search of a student and/or of items in the student's possession or within the student's control if it is possible to

locate the student's parent(s)/guardian(s) and they report to the building principal's office within a reasonable period of time.

3. Prior to conducting a search of a student and/or of items in the student's possession or within the student's control, the school official conducting the search may provide the student with an opportunity to voluntarily produce any suspected evidence that the student has violated or is violating either the laws of the United States of America or the Commonwealth of Pennsylvania or the rules, policies, and regulations of the School District.
4. Illegal or prohibited material(s) seized during a student search may be used as evidence against the student in a school disciplinary proceeding.
5. If the student refuses to voluntarily produce any suspected evidence that the student has violated or is violating either the laws of the United States of America or the Commonwealth of Pennsylvania or the rules, policies, and regulations of the School District, the school official may ask the student to consent to a search prior to conducting an involuntary search of the student and/or of items in the student's possession or within the student's control.
6. If the student refuses to voluntarily produce any suspected evidence that the student has violated or is violating either the laws of the United States of America or the Commonwealth of Pennsylvania or the rules, policies, and regulations of the School District and refuses to consent to a search, the building principal and /or his/her designee(s) in the presence of a witness and, if present, the student's parent(s) / guardian(s), shall order the student to empty his/her pockets, remove his/her outer jacket, coat and/or vest, remove his/her shoes and socks, roll up his/her pant legs to the knee, and/or shirt sleeves to the elbows, remove his/her belt, and turn over to the person conducting the search any and all items in the student's possession or within the student's control.
7. The refusal of a student to submit to a search of himself/herself and/or of items in the student's possession or within the student's control shall be immediately reported to the appropriate law enforcement officers and/or juvenile probation officers for further investigation. The student shall be detained by the principal until such time as a law enforcement officer or juvenile probation officer arrives to interview the student.
8. If the search produces weapons, drugs, or any other dangerous or illegal items or contraband, such items shall be turned over to the police as soon as possible. Such items shall be secured by the building principal and/or his/her designee until they are able to be turned over to the police.

Desk and Storage Space Inspections:

All desks and student storage spaces are and shall remain the property of the Butler Area School District. As such, students shall have no expectation of privacy in them.

Desks and storage areas are provided to students for storing school-related items and clothing. The school has an obligation to insure that desks and storage areas are properly used and that no item or substance that is placed in the desk or storage area jeopardizes the protection of the health, safety, and welfare of students, faculty, school property, and the educational process. To fulfill this obligation, school officials have the right to conduct desk and/or storage space inspections at any time. (Policy 226.1)

METAL/WEAPON DETECTION SYSTEM/DEVICES

Butler Area School District is committed to maintain safe, orderly schools; to promote health and safety within the school setting; and to provide a school environment conducive to education.

Butler Area School District has the authority to create reasonable rules and regulations to maintain a safe climate. Therefore, the Board of School Directors may authorize the use of scanning devices when appropriate for the purpose

of reducing and discouraging the presence of weapons in our schools. For this reason walk-through metal detectors are used on a daily basis at all of the schools within the District.

Students and adults entering the elementary schools may be asked to submit to a metal detector search procedure to ensure that weapons, controlled substances, and other prohibited articles are not brought into the building. Metal detector searches will be conducted on a daily basis at each of the District's school buildings.

Metal detector searches may be conducted at the District's discretion during after-school events. **(Policy 218.3)**

Metal Detector Search Procedure:

During a metal detector search, students will be directed to walk through the metal detector upon entering school:

Should the metal detector alarm sound:

1. The student will be directed to move to one of the adjacent tables.
2. Butler Area School District personnel will then search the individual's book bag, backpack, gym bag or other parcel that the individual has in his or her possession.
3. The student will be directed to remove any metal objects from his/ her possession and will walk through the metal detector for a second time.

Should the metal detector alarm sound a second time:

1. The student will be directed to move to an area as directed by District personnel.
2. The student will be scanned with a hand-held metal detector.
3. The student will be directed to remove any objects detected by the hand-held metal detector.
4. Following the removal of any items detected by the hand-held metal detector, the student will be directed to walk through the metal detector for a third time.

Should the metal detector alarm sound a third time:

1. The student will be directed to move to an area as directed by District personnel.
2. Again the student will be asked to check for any metal objects and to remove such objects.
3. If no objects are produced, the student will be escorted to the principal's office. At this point the **STUDENT SEARCHES (Policy 226.1)** policy procedures will be followed, which are listed above.

In all cases, the search process will cease when the metal detector scan is completed without activating the alarm. The Butler Area School District will not be responsible for any items damaged in the metal detecting or bag-checking process. It is the students' responsibility to remove any valuable items (cell phones, i-Pods, etc.) and place them in the container provided.

Discovery of Contraband:

If the search produces weapons, drugs, or any other dangerous or illegal items or contraband, such items shall be turned over to the police as soon as possible. Such items shall be secured by the building principal and/or his/her designee until they are able to be turned over to the police.

TERRORISTIC THREATS/ACTS

The Butler Area School District prohibits District students from communicating Terroristic Threats or committing Terroristic Acts directed at any student, employee, Board member, community member, or school building.

Terroristic Threat: A threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience.

Terroristic Act: An offense against property or involving danger to another person.

When an administrator has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

- a. Suspension of the student
- b. Reporting of the incident to the Assistant Superintendent or Superintendent
- c. Possible reporting to law enforcement officials
- d. Consultation with the Assistant Superintendent or Superintendent to determine if there is cause for recommendation for an expulsion hearing
- e. If expelled, the student will not be readmitted without documentation that the student does not pose a risk of harm to others
- f. Following the period of expulsion, the readmitted student shall be subject to possible searches under the provisions of Policy 226.1 (Policy 218.2)

THEFT

Student or parent will be required to return, replace or pay for the missing item(s). The penalty for this violation could range from a parental conference, to loss of a privilege, to detention, to suspension, depending upon the severity of the case. The theft may be reported to the police for further investigation. (Policy 225)

TOBACCO

Smoking or visible possession of tobacco products including smokeless tobacco, commonly called chewing tobacco, or a look-alike product including electronic cigarettes and nicotine products, by students on school property or during a school-sponsored activity, function, or event or on a school bus to or from school or a school-sponsored activity, function, or event is strictly prohibited. Violation of this regulation may result in a parent conference or the loss of a privilege, detention, or in-school or out-of-school suspension. In accordance with Act 145 of 1996, students will also be referred to the district magistrate for tobacco violations. (Policy 222)

VANDALISM

Vandalism is the malicious destruction of school district or private property. Depending on the seriousness of the offense, vandalism will be punishable by the loss of a privilege, and/or the assignment to detention, and/or suspension. In some cases, the child will be expected to clean or remove the vandalism from the damaged surfaces. If the property is destroyed, the student(s) or parent(s) will be required to pay for the damage. The incident will be forwarded to the school solicitor's office should payment not be received. (Policy 218)

VAPING

The use or possession of vaping devices, vaping cartridges, and/ or items used for vaping, is prohibited on school district property, school-sponsored activities, events, or school buses. Depending on the nature of the infraction, the use of vaping devices may also fall under the provisions outlined in Policy 227: Alcohol/ Drugs.

WEAPONS (Act 26)

Act 26 of PA School Code provides for a one (1) year expulsion for possession of a weapon on school property. No student is to possess any form of a weapon on school property, including "look-a-like" or "toy" weapons. Special circumstances require administrative approval.

Definition: "Weapon," for purpose of this section, shall include, but not be limited to, any knife, cutting instrument, cutting tool, martial arts implement, firearm, explosive, fireworks, and any other tool, instrument, or implement capable of inflicting serious bodily injury.

Policy: Any student possessing a weapon in the building or on the grounds, or at any school-sponsored activity, function, or

event, or on any school bus providing transportation to and from any school within Butler Area School District or any school-sponsored activity, function, or event, depending on the facts of the case, may be subject to one or more of the following penalties. Consequences may range from:

- Loss of a privilege
- Detention
- Parental conference
- One to ten days out-of-school suspension
- Referral to the Board of School Directors for possible expulsion from school
- Reported to the appropriate law enforcement officials

Additionally, prior to readmission, at the elementary level the student may be asked to provide competent and credible evidence that s/he does not pose a risk of harm to others. (Policy 218.1)

ASSAULT

The Board acknowledges the need to protect its teaching staff members, staff members, other employees, students, and visitors from assault by others. The definitions of both simple and aggravated assault are the same as the Pa. Statutes and are listed in the District's Assault Policy. The state provides for criminal penalties for assault. In general assault is when a person attempts to cause or intentionally, knowingly, or recklessly causes bodily injury to another. If a student is found guilty of either simple or aggravated assault he or she shall receive up to a ten (10) day out-of-school suspension and may be recommended to the Board for expulsion from school. In addition, said student may be reported to appropriate law enforcement officials. (Policy 218.4)

WEBSITES/INTERNET - ACCEPTABLE USE

The use of the computer network must be in support of education and research consistent with the educational objectives of the Butler Area School District. The determination as to whether a use is appropriate lies solely with the discretion of the School District. The use of the computer network for illegal, inappropriate, or unethical purposes by students is prohibited. (See Form On Page 26)

Consequences for Inappropriate Use

1. The network user shall be responsible for damages to the equipment, systems and software resulting from deliberate or willful acts.
2. Failure to follow procedures and prohibited uses previously mentioned may result in loss of network access. Other appropriate disciplinary actions ranging from loss of privilege to suspension or expulsion may also follow.
3. Illegal use of the network, intentional deletion or damage to files of data belonging to others, copyright violations or theft of services will be reported to the appropriate legal authorities for possible prosecution. (Policy 815)

Regardless of anything to the contrary contained in this document or any school policy, the school administration and school board retain their inherent power to discipline, suspend, or expel students for disobedience or misconduct and to institute proceedings in juvenile court against students for incorrigibility, truancy, insubordination, or other bad conduct or if the presence of any student attending school is detrimental to the welfare of the school on account of the foregoing, as contained in Article XII; Section 1318 and L338 of the Public School Code.



Use of Student Photos, Video and other Multimedia Opt Out

One of our goals at Butler Area School District is to share more positive news with our community. As part of this effort, BASD students may be photographed or video recorded when they have an academic, athletic or extra-curricular accomplishment. In addition, students may be photographed or video recorded as they participate in school related activities throughout the year. The photos and videos may be published on the school district's website, social media platforms and newsletters. They may also be used by the media.

If you do not give permission for your student to be photographed or video recorded, you must complete and return the form below to your child's principal. The form will be active from the time it is signed and returned through the remainder of the 2021-2022 school year.

Opt Out Form

Parents may opt their child out of being featured by the school district, in the media or both. If you would like to opt your child out, please check the appropriate boxes below and return this form to your child's principal. The form will be active from the time it is received through the remainder of the 2021-2022 school year.

Note: If you give permission for your child to be featured, you do not need to do anything with this form. Your child will be automatically opted in, unless otherwise noted on this form.

- I do not give permission for the Butler Area School District to use my child's photograph/video for official School District use (website, social media, newsletters, etc).
- I do not give permission for the Butler Area School District to share my child's photograph/video with the media.

Student's Full Name	
Student's School	
Parent's Name (printed)	
Parent's Signature	
Date	

ACCEPTABLE USE OF COMPUTERS AND OTHER DIGITAL TECHNOLOGY AGREEMENT FORM

Please return this signed Acceptable Use of Computers and other Digital Technology Agreement Form as soon as possible. Students are not permitted to use computers, the computer network or other digital technology at the school until this form has been properly signed and returned to the Principal's Office.

Student Name: _____

School Name: _____

Homeroom: _____

Parent Agreement

By signing this form, I acknowledge that I have read the Butler Area School District's Policies 815 and 815.1 and have reviewed the content of those policies and guidelines with my student. I understand that a violation of the policies and guidelines by my student may result in disciplinary action and/or revocation of the student's permission to use the Butler Area School District computers, the computer network, or other digital technology.

Parent Signature

Date

Student Agreement

By signing this form, I acknowledge that I have read and understand the Butler Area School District's Policy 815, Acceptable Use of Computer Networks/Digital Technology/Internet and Internet Safety, and Policy 815.1 Computers/Computer Software/Other Digital Technology. I understand that a violation of the policies and guidelines by me may result in disciplinary action and/or revocation of my permission to use the Butler Area School District computers, the computer network, or other digital technology.

Student Signature

Date

BUTLER AREA SCHOOL DISTRICT
District-Issued Student Device Guidelines

Student Responsibilities:

- Bring the device to school every day
- Make sure the device is fully charged
- Care for the device properly
- Keep the device in good repair
- Keep the device secure
- Never leave the device unattended
- If storing the device at school, students should secure the device in a locked space, such as a student locker.
- Report a missing or damaged device IMMEDIATELY to the school office
- Student is responsible for password security
- No one other than student to whom the device is issued is permitted to use the device
- Student is responsible for backing up data
- Adhere to Policy 237 - Electronic Devices and Personal Technology Resources
- Follow device guidelines or be subjected to Policy 218-Student Discipline
- Return the device in good condition upon withdrawal from school, at the end of the school year, or prior to graduation, as directed

Care of Device:

- Carry and/or handle the device with care
- The device should be used on a flat, solid surface
- Never apply stickers, marker, or anything to any part of the device
- Do not put the device in a position where there is any pressure on the device or anything on top; in a backpack or case of any kind where the device is squeezed (any situation where the device is under any pressure)
- Keep the device away from food and liquids (e.g., water, beverages, ink, paint, etc.) as to avoid spills that may damage the device

Chargers:

- Chargers will be repaired only if defective. If the wire is torn or frayed, or if the device has visible damage that is considered accidental damage. Any damage that is intentional or misuse will not be covered by the District. The student must pay for a replacement adapter that will be provided by the District.

Educational Use:

- Students are NOT permitted to load software or modify configuration of the device
- Common example of Prohibited Software:

BUTLER AREA SCHOOL DISTRICT

District-Issued Student Device Guidelines (continued)

- File Sharing (Limewire, BitTorrent)
 - Utilities/OS (OSX or other upgrades)
 - Games (Halo, Emulators)
 - Proxy Servers
- Devices are subject to spot checks for compliance by Administration. Personal information stored on District-owned devices will be deleted.

Privacy Rights:

- Teachers/staff members and/or building administrators have the right to read or view anything on a District-issued device

Safety:

- Student should not post any identifiable information about him/herself on the Internet
- Student is not permitted to share their passwords with anyone
- Student should notify a Building Principal immediately of any online harassment or security concerns

Parent & Student Responsibilities

- Parent(s)/student is responsible for the proper use and care of the device.
 - Theft or loss, intentional damage and/or misuse of the device is the sole financial responsibility of the parent(s)/student
 - Intentional damage to the computer will be determined by the BASD IT Department, working in conjunction with the manufacturer (Dell/Apple/Microsoft/etc.
 - The actual cost to repair or replace the device will be the responsibility of the parent(s)/student

*****Parents will have the opportunity to enroll in One2One technology insurance coverage on an annual basis.***

The District provides filtering for inappropriate materials and websites on the Internet. Parents are responsible for monitoring their student's use of the device when at home to ensure that the student does not alter the device settings or bypass the Internet filters.

- Under no circumstances should the parent(s)/student attempt to repair a District- issued device

By my signature, I acknowledge that I have read and understand the guidelines and procedures outlined in this policy and agree to all of its terms and conditions.

Student Name: _____

Signatures:

Student: _____ Date: _____

Parent: _____ Date: _____

Student Absence Excuse Forms

<p style="text-align: center;">STUDENT ABSENTEE EXCUSE (To Be Filled Out By Parent or Guardian)</p> <p>Date _____ was absent _____</p> <p>Name of Student _____ Date(s) of Absence _____</p> <p>Total number of days absent _____</p> <p>Reason _____</p> <p>_____</p> <p>_____</p> <p>Grade _____</p> <p>_____ « Father »</p> <p>Guardian Signature _____ « Mother »</p>	<p style="text-align: center;">STUDENT ABSENTEE EXCUSE (To Be Filled Out By Parent or Guardian)</p> <p>Date _____ was absent _____</p> <p>Name of Student _____ Date(s) of Absence _____</p> <p>Total number of days absent _____</p> <p>Reason _____</p> <p>_____</p> <p>_____</p> <p>Grade _____</p> <p>_____ « Father »</p> <p>Guardian Signature _____ « Mother »</p>
<p style="text-align: center;">STUDENT ABSENTEE EXCUSE (To Be Filled Out By Parent or Guardian)</p> <p>Date _____ was absent _____</p> <p>Name of Student _____ Date(s) of Absence _____</p> <p>Total number of days absent _____</p> <p>Reason _____</p> <p>_____</p> <p>_____</p> <p>Grade _____</p> <p>_____ « Father »</p> <p>Guardian Signature _____ « Mother »</p>	<p style="text-align: center;">STUDENT ABSENTEE EXCUSE (To Be Filled Out By Parent or Guardian)</p> <p>Date _____ was absent _____</p> <p>Name of Student _____ Date(s) of Absence _____</p> <p>Total number of days absent _____</p> <p>Reason _____</p> <p>_____</p> <p>_____</p> <p>Grade _____</p> <p>_____ « Father »</p> <p>Guardian Signature _____ « Mother »</p>

