Burgettstown Area School District

CODE OF CONDUCT

Updated
August 15, 2025

100 Bavington Rd
Burgettstown, PA 15021

phone: 724-947-8136 website: https://www.burgettstown.k12.pa.us/

MISSION

We, at Burgettstown Area School District, aim to create a better everyday life for students by empowering them to develop a curiosity for learning while discovering their interests.

VISION

Within a nurturing and supportive school community, Burgettstown Area School District's students will become confident, future-focused, life-long learners who proudly provide meaningful contributions to society.

SHARED VALUES

We believe…

- All students can be successful learners.
- All students are welcomed and valued in a safe learning environment.
- Students become lifelong learners through their participation in academic, extracurricular, and community activities.
- Developing successful citizens is the shared responsibility of students, staff, home, and the community.

PURPOSE

The purpose of the *Code of Conduct* is to ensure a healthy and productive learning environment in our schools so that the maximum learning potential can exist. At the beginning of each school year, a copy of the *Code of Conduct* is made available to each student in the District. In addition, the *Code of Conduct* is communicated to students by their principals and teachers. Throughout the school year, the *Code of Conduct* is reviewed with the students when necessary and appropriate. The text of the *Code of Conduct* is also published on the District website.

Creating and maintaining a safe, happy, and productive learning environment is the responsibility of each one of us, whether we are professional educators or parents. Since this document will be revised periodically, your thoughts and ideas on this important issue are appreciated and should be forwarded to your building principal.

The staff of Burgettstown Area School District looks forward to working with parents in continuing to make BASD a nurturing and supportive environment for students to thrive.

Title IX Compliance

The Board declares it to be the policy of this District to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex, as well as to prohibit retaliation for protected conduct related to Title IX. Such discrimination and retaliation may be referred to collectively throughout this Policy and the Attachments as "Title IX sexual harassment." Inquiries regarding the application of Title IX to the District may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The District does not discriminate on the basis of sex in the education program or activity that it operates, and it is required by Title IX not to discriminate in such a manner. This requirement extends to admission and employment.

The Board also declares it to be the policy of this District to comply with federal and state laws prohibiting other unlawful harassment, discrimination and retaliation against employees, students and others who may be protected by law, as stated in this Policy.

The District is committed to the maintenance of a safe, positive learning environment for all students that is free from all forms of unlawful discrimination, harassment and retaliation, by providing all students course offerings, counseling, assistance, services, athletics and extracurricular activities without any form of unlawful discrimination, harassment, or retaliation, including but not limited to Title IX sexual harassment and retaliation. Such unlawful conduct is inconsistent with the rights of students and the educational and programmatic goals of the District.

In accordance with Title IX, the District does not discriminate on the basis of sex in the education program or activity that it operates, and is required by Title IX not to discriminate in such a manner. The District's legal obligation not to discriminate in its education program or activity extends to admissions and employment.

To maintain a program of nondiscrimination practices that comply with applicable laws and regulations, the District designates a Title IX Coordinator in each building. The Title IX Coordinator can be reached using the contact information below.

Burgettstown Area Elementary Center/Title IX Coordinator
Mrs. Melissa Mankey
100 Bavington Rd
Burgettstown, PA 15021
724-947-8150

Burgettstown Middle High School/Title IX Coordinator
Dr. Shaun Cooke
104 Bavington Rd
Burgettstown, PA 15021
724-947-8100

Individuals with complaints of sexual harassment and/or sexual misconduct should follow the complaint/investigation procedures outlined in Board Policy 103 and corresponding administrative regulations. Complaints alleging a violation of the District's Sexual Harassment Policy should be directed to the building-level Title IX Coordinator using the contact information above.

INTERPRETATION

Discipline is an essential part of educational excellence. Discipline is a responsibility shared by parents and educational professionals. The family assumes the initial responsibility for helping the child develop physically, intellectually, socially, emotionally, and ethically. The school provides additional opportunities to promote the individual's growth in these five critical areas. Children enter school at various levels of development. The school recognizes these levels of maturation and addresses each situation as it occurs. In this manner, the school promotes personal growth, societal responsibility, and citizenship.

In a democratic society, individuals must work with others and share the privileges and responsibilities of citizenship. Therefore, the development of self-discipline and the acceptance of personal responsibility are important goals of education. Students help create an environment in which learning can take place by mastering self-discipline and modeling appropriate behavior in the school community.

The building administration recognizes that good faith, common sense, and reasonableness are necessary for a proper interpretation of this *Code of Conduct*. Questions regarding interpretation may be addressed to building administrators. When appropriate, other District documents such as Student Handbooks and School Board Policy may serve to interpret and clarify this *Code of Conduct*.

Title 22, Chapter 12 of the Pennsylvania School Code "Student Rights and Responsibilities," is available at the link below.

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https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/022/chapter12/chap12toc.html

Student Rights and Responsibilities

Student Rights

Student Expression - Distribution and Posting of Materials

Students have the right to speak or express themselves, publish, and distribute their opinions in a respectful, accurate manner, and have access to school facilities. The exercise of these rights shall be per **Burgettstown Area School District Board Policy #220**.

Students have the responsibility to avoid the following whenever they speak or write:

- Obscenity
- Ridiculing a person's reputation
- Damaging a person's reputation
- Causing unlawful behavior or serious disruption to normal school operation
- Using minority or racial slurs

Unlawful Harassment

The District is committed to providing a physically and psychologically safe learning environment. To that end, no person shall make any unwelcome or unwanted sexual advance, a form of improper physical contact, or sexual remarks that create a hostile or offensive learning environment per **Burgettstown Area School District Board Policy #103**. **Conduct related to other forms of unlawful harassment or discrimination is prohibited per Burgettstown Area School District Board Policy #103.**

Searches

As established by **Burgettstown Area School District Board Policy #226**, lockers are the property of the District. The administration reserves the right to search an individual student's locker or to inspect it in case of an emergency or reasonable suspicion. Also, students shall not expect privacy regarding items placed in school lockers. All lockers are subject to random, periodic, or sweep searches by school officials at any time for any reason.

Flag Salute

Every citizen should show proper respect for our country and its flag. Students who choose to refrain from the Pledge of Allegiance and Flag Salute shall respect the rights and interests of classmates who wish to participate, according to **Burgettstown Area School District Board Policy #807**.

Dress Guidelines

Students shall dress as they deem appropriate unless their clothing or personal hygiene causes a health or safety hazard or disrupts the educational process. Age-appropriate guidelines are published in respective building Student Handbooks. The establishment of these guidelines is supported by **Burgettstown Area School District Board Policy #220**.

Suspension and Expulsion

According to Burgettstown Area School District Board Policy #233, a student who breaks school rules may receive a temporary suspension, full suspension, or expulsion, depending on the nature of the offense.

The principal may temporarily suspend a student for up to three (3) days without a hearing. The principal is required to establish the facts, allow the student to respond to the charges, and notify the parent(s) or guardian(s) if the suspension is imposed. The principal will send a written notice to the Superintendent and the student's parent(s) or guardian(s).

A full suspension may be issued for up to ten (10) days. However, the student must have an informal hearing conducted by the principal or Superintendent within the first three (3) days of suspension. Before the hearing, the student and parent(s) or guardian(s) must receive written notice stating the nature of the alleged charges and all information to which they are entitled to prepare properly for the hearing.

A suspension, whether temporary or full, may be served either in a supervised area of the school or in the custody and control of a student's parent(s) or guardian(s), as the principal decides. Students are permitted to make up exams and work missed while on suspension.

Expulsion is exclusion from school for more than ten (10) consecutive days and may be permanent. Expulsion proceedings require a formal hearing before members of the Burgettstown Area School District School Board. Appropriate notices and appropriate information to which students and parent(s) or guardian(s) are entitled will be furnished. Students have the right to legal counsel at a formal hearing before the School Board.

The formal hearing shall be held in private unless the student or parent(s) or guardian(s) requests a public hearing. If the School Board rules in a student's favor, all references to the alleged indecent shall be removed from the student's records.

Per **Burgettstown Area School District Board Policy #233**, a principal may assign a student to in-school suspension from one (1) to ten (10) days without an informal hearing. Before the suspension, the student shall be informed of the reasons and be allowed to respond. The parent(s) or guardian(s) shall be given notice of the suspension. If the suspension exceeds ten (10) school days, an informal hearing with the principal shall be offered to the student and the student's parent(s) or guardian(s).

Student Responsibilities

Student responsibilities include regular school attendance, conscientious effort in classroom work, and appropriate conduct. Most of all, students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to wholesome lying and learning. It is the responsibility of each student to respect the rights of all who are involved in the educational process.

Every student should:

- Read the building Student Handbook.
- Be aware of and exhibit appropriate conduct.
- Follow the rules and regulations.
- Cooperate with school staff in disciplinary cases should they have relevant information.
- Pursue and complete the course of study prescribed by state and local authorities.
- Cooperate with the school staff in running a safe school.
- Express ideas and opinions respectfully and accurately.
- Complete homework carefully and totally and make up work when absent from school.
- Exercise proper care when using public facilities and equipment.
- Be on time for all classes and other school functions.
- Dress and groom in a manner that is safe, clean, and not disruptive to the educational process.

Parent/Guardian Responsibilities

Parents/guardians should teach their children the importance of honesty, respect for law, respect for property, and respect for the rights of others. When parents/guardians and a school work diligently toward the fulfillment of these obligations, every individual benefits.

Every parent should:

- Assure their child's compliance with approved codes of behavior and discipline.
- Read the building Student Handbook and discuss school rules with their children.
- Cooperate with school personnel whenever special services are indicated for the student.
- Become involved in their child's school life.
- Participate in school/community meetings, functions, and projects.
- Call to arrange a conference with the building administrator to discuss concerns or questions regarding disciplinary action.

Staff Responsibilities Responsibilities

Each member of the school staff must understand the *Code of Conduct* and accept responsibility for making it work. The staff must know the information in the building Student Handbook. Efforts by staff to counsel students should convey respect for students as persons.

Every staff member should:

- Serve as a positive role model.
- Recognize that preventative discipline is preferable to remedial discipline.

- Respond to disciplinary situations within the school or on school property.
- Exercise control through appropriate planning, management, and instruction.
- Recognize individual differences and levels of maturation in students.
- Obtain assistance from counselors, nurses, attendance persons, and administrators, where appropriate.
- Enforce the *Code of Conduct* consistently.
- Protect students' rights; communicate students' responsibilities.
- Communicate appropriately with parents.
- Communicate appropriately with school personnel.

Goals

- To communicate the Burgettstown Area School District *Code of Conduct* to students, parents/guardians, staff, and the community.
- To enforce School Board Policy, local, state, and federal laws.
- To ensure the rights and personal dignity of students and staff.
- To emphasize the need for acceptance of personal responsibility and self-discipline.
- To assure a fair, reasonable, and consistent approach to the enforcement of the *Code of Conduct*.
- To maintain an effective and safe learning environment.
- To maximize learning and minimize disruptions.
- To protect and maintain school property.
- To identify, diagnose, and remediate students who exhibit inappropriate behavior.
- To refer students to appropriate persons for counseling, examination, remediation, or rehabilitation.
- To promote and recognize exemplary student behavior.

Code of Conduct Misconduct and Response Structure

The examples provided in this *Code of Conduct* are not to be construed as limiting the behaviors that may require disciplinary action by school personnel. The following misconduct/response structure includes four (4) levels. Levels I, II, III, and IV represent a continuum of misbehaviors based on the seriousness of the act and the frequency of the occurrence. Students should avoid the behaviors listed as examples under each level and, instead, exhibit good conduct. Any student found in violation of Board Policy or District rules and regulations will receive appropriate disciplinary action.

Level I

Misbehavior on the part of the student which IMPEDES ORDERLY CLASSROOM PROCEDURES OR INTERFERES with the ORDERLY OPERATION OF THE SCHOOL.

These misbehaviors are usually handled by individual staff members but sometimes require the intervention of other school support personnel.

Examples Include, but Not Limited to:

- Classroom/school disturbance or disruptive/inappropriate classroom/school behavior
- Non-defiant failure to complete or carry out directions
- Bringing radios, tape recorders, cell phones, cameras, and other electronic devices without authorization
- Eating outside the cafeteria or in unauthorized area(s)
- Failing to have or return required forms, books, library books, materials, and equipment
- Littering
- Loitering
- Running or shouting in the halls
- Unauthorized presence in the halls or other school areas
- Verbal harassment of others
- Inappropriate display of affection
- Unauthorized sale of non-harmful items
- Disorderly bus conduct
- Classroom tardiness and first-offense class cut
- Lying
- Inappropriate language

Examples of Disciplinary Options:

- Verbal or written reprimand
- Written behavior agreement (between student and teacher)
- Denial of recess (elementary only)
- Detention
- Denial of privileges
- Confiscation

Level II

Misbehavior whose frequency or seriousness tends to DISRUPT THE LEARNING CLIMATE OF THE SCHOOL.

These infractions, which usually result from the continuation of LEVEL I misbehaviors, require the intervention of personnel on the administrative level because of the execution of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors that DO NOT represent a direct threat to the health and safety of others, but whose EDUCATIONAL CONSEQUENCES ARE SERIOUS ENOUGH to require corrective action on the part of administrative personnel.

Examples Include, but Not Limited to:

- Extreme Level I misconduct
- Continuation of Level I misconduct
- Abusive, obscene, or disrespectful language, writing, or gestures
- Using forged notes or excuses
- Unsafe bus conduct
- Violation of school attendance policies (e.g. tardiness, leaving school property without permission; 2nd offense cutting class)
- Failure to serve detention
- Unauthorized possession or use of school property, facilities, lockers
- Hazing
- Bullying/Cyberbullying
- Plagiarism/Cheating
- Misbehavior during field trips or school programs
- Misbehavior during field trips or school programs
- Open defiance of authority; willful refusal to do as ordered; or any form of insubordination
- Violation of dress guidelines
- Abuse of vehicular privileges
- Inappropriate use of electronic devices
- Using, installing, or downloading unauthorized software (i.e. games, music, etc.)
- Other violations of the Student Acceptable Use Policy

Examples of Disciplinary Options:

- Modified day
- Detention
- Denial of recess (elementary only)
- Denial of privileges/extra-curricular activities; social probation
- In-school suspension
- Temporary suspension
- Confiscation

In cases of in-school suspension, temporary suspension, full suspension, or exclusion, students shall be entitled to due process rights as outlined in the sections entitled “Student Rights” and “Student Responsibilities”.

Level III

Acts whose FREQUENCY or SERIOUSNESS tend to disrupt the learning climate of the school and/or ACTS DIRECTED AGAINST PERSONS OR PROPERTIES and whose consequences COULD ENDANGER THE HEALTH OR SAFETY OF OTHERS IN THE SCHOOL.

Examples Include, but Not Limited to:

- Continuation of extreme Level II misconduct
- Vandalism
- Petty theft
- Fighting
- Minority, ethnic, or racial slurs or intimidation
- Trespassing on or in school property when closed
- Refusal to leave school property when ordered to do so
- Intimidating others
- Hazing
- Bullying/Cyberbullying
- Sexting
- Unauthorized or improper use of vehicles on school grounds
- Destruction of the property of others
- Lewdness or indecent exposure
- Throwing any object
- Possession or use of tobacco, matches, e-cigarettes, lighters, vapes, vaping material, etc.
- Sexual harassment
- Spitting on individuals or property
- Possession of laser pointers
- Inappropriate use of electronic devices

Examples of Disciplinary Options:

- Detention
- Confiscation
- Temporary removal from class
- In-school suspension
- Temporary suspension
- Full suspension
- Denial of privileges/extra-curricular activities
- Restitution of property or damages
- Social probation
- Referral to police or district magistrate

- Referral to an outside agency

In cases of in-school suspension, temporary suspension, full suspension, or exclusion, students shall be entitled to due process rights as outlined in the sections entitled "Student Rights" and "Student Responsibilities". Accumulation of three or more Level II or Level III suspensions may require referral to Central Office Administration for a possible School Board Hearing, a possible expulsion, or further disciplinary action.

Level IV

Acts whose FREQUENCY or SERIOUSNESS tend to disrupt the learning climate of the school. ACTS DIRECTED AGAINST PERSONS OR PROPERTIES THAT COULD OR DO POSE A THREAT TO THE HEALTH, SAFETY, OR WELFARE OF OTHERS IN THE SCHOOL.

Such acts will require administrative action which could result in the immediate removal of the students from school and the possible intervention of law enforcement authorities.

Examples Include, but Not Limited to:

- Continuation of or extreme Level III misconduct
- Extortion or attempted extortion
- Bomb threats or threatening phone calls
- Possession/use/transfer of dangerous weapons
- Assault
- Lighted or ignited objects
- Theft or possession/sale of stolen property
- Arson or attempted arson
- Hacking, cracking, or tampering with the network/computers
- Other violations of the Student Acceptable Use Policy
- Inappropriate use of electronic devices
- Transfer/sale/possession/purchase/procurement/distribution/use or under the influence of unauthorized substances (e.i. drugs, alcohol, or drug paraphernalia)
- Possession, sale, or use of firecrackers, cherry bombs, or other fireworks
- Disorderly conduct
- Unauthorized use of fire alarm or equipment
- Reckless driving or speeding on school property
- Other violations of federal, state, or local laws
- Terroristic acts
- Repeated incidents of bullying/cyberbullying
- Retaliation against a student for reporting bullying or extortion, or for assisting in an investigation

Examples of Disciplinary Options:

- Confiscation
- In-school suspension
- Temporary suspension

- Full suspension
- Restitution for damages to or loss of property
- Expulsion
- Referral to police or district magistrate
- Referral to an outside agency

In cases of in-school suspension, temporary suspension, full suspension, or exclusion, students shall be entitled to due process rights as outlined in the sections entitled "Student Rights" and "Student Responsibilities". A Level IV suspension may result in a School Board Hearing for further disciplinary action; possible expulsion.

Definition of Key Terms

Detention: requiring a student's presence outside the regular school day for disciplinary reasons.
Due Process: a student's right to be informed of charges and be heard before the designated authority.
Electronic Cigarette or Vape: battery-operated products designed to deliver nicotine flavor and other chemicals by turning the substance into a vapor that is inhaled by the user which simulates smoking. The term shall include any such devices and partial devices, whether they are manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vapes, or under any other product name or descriptor.
Expulsion: exclusion from school, after a formal hearing, for an offense for a period exceeding ten school days. This may be permanent expulsion from school rolls.
Full Suspension: exclusion from school for an offense for a period of up to ten days, after an informal hearing before the principal is offered to the student and the student's parents.
In-School Suspension: exclusion from classes for disciplinary reasons and assignment to a supervised area following a student conference with the principal.
Modified Day: a change designated in a student's daily schedule by the principal.
Parent: refers to a parent, guardian, or person in legal custody of the student.
Staff: any employee of the Burgettstown Area School District.
Temporary Suspension: exclusion from school for an offense for a period of up to three school days, by the principal, after a conference with the student.

District Guidelines in Support of the Code of Conduct

Academic Integrity

Plagiarism/Cheating

The District views academic integrity to be of the utmost importance. Students should not take other's work and attempt to pass it off as their own or cheat on assignments, quizzes, or exams.

Student Responsibility

Students have the responsibility to respect the intellectual and academic property of themselves and others.

Parent Responsibility

Parents are responsible for requiring their children to maintain high personal standards of academic involvement by producing original quality work.

Teacher Responsibility

Teachers are responsible for teaching, monitoring, and maintaining academic integrity by requiring quality original work by each student. To that end, professional staff members should provide written and oral notification of the evaluation procedures and actively provide a positive, safe learning environment.

Violations

The following practices are considered to be violations of the *Code of Conduct* in the area of academic integrity: “Any attempt to receive and/or give unauthorized assistance from either printed or recorded aids or material from any person or another’s work.” This includes but is not limited to, improper use of District or personal technology, such as computers, calculators, and other electronic devices that apply to Burgettstown School Board Policy #224 - Responsibility of School Property. In addition, students re-submitting work to different classes and academic areas verbatim and without modifications, editing, or other appropriate changes is also considered to be a violation.

Bullying Policy

The **Burgettstown School Board Policy #249** sets forth the District’s commitment to providing all students and employees with the right to a safe and civil educational environment, free from harassment or bullying. The District recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

What is Bullying?

Bullying shall be defined as an intentional electronic, written, verbal, or physical act or series of acts that have these characteristics:

- Physical - includes hitting, kicking, spitting, pushing, and taking personal belongings.
- Verbal - includes taunting, malicious teasing, name-calling, and making threatening statements or gestures.
- Psychological or Relational - includes spreading malicious rumors, and engaging in social isolations or intimidation.
- Cyberbullying - includes any form of verbal or psychological bullying that may occur on the Internet through social media. Cyberbullying includes but is not limited to the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student by sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or website postings including any social networking accounts.

It is severe, persistent, and pervasive.

It has the effect of:

1. Substantially interfering with a student's education.
2. Creating a threatening environment.
3. Substantially disrupting the orderly operation of the school.

It occurs in a "school setting". School setting shall mean in the school, on school grounds, in school vehicles, at a designated bus stop, or in any activity sponsored, supervised, or sanctioned by the school.

How Should Students Report Acts of Bullying?

Students are encouraged to report bullying complaints to the Principal or designee. Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented.

What Happens if the Policy is Violated?

Students who bully others will be subject to disciplinary options as outlined in the *Code of Conduct*.

Any student who retaliates against another student for reporting bullying or extortion, or for assisting or testifying in the investigation or hearing may be subject to further disciplinary action as outlined in the *Code of Conduct*.

Use of Electronic Devices

The Burgettstown Area School District recognizes that the appropriate use of electronic devices can provide great potential for enhanced learning opportunities for all students. However, there are many other uses of electronic devices that can distract from the learning process; thus the use of electronic devices for educational purposes is permitted, under the direction of the classroom teacher and per the *Code of Conduct*.

Any student who violates these provisions of the *Code of Conduct* shall receive appropriate disciplinary action and may have his or her privileges regarding electronic devices temporarily or permanently revoked. Further, the student's electronic device may be subject to confiscation, either temporary or permanent, and the District reserves the right to hold a confiscated item until a conference has been held with the student's parent(s)/guardian(s). Finally, if such violations could constitute a crime under local, state, and/or federal law, the District will report such conduct to the appropriate law enforcement agencies.

Electronic devices shall include all devices that can take photographs; record audio or video data; store, transmit, or receive messages, data, or images; or provide a wireless connection to the internet. Examples of these electronic and personal communication devices include, but shall not be limited to iPads, cell phones, laptops, or other student-owned computers, as well as any new technology developed with similar capabilities of data storage or transmission. If a student is unsure whether the restrictions outlined in the *Code of Conduct* apply to a particular device is subject to the *Code of Conduct*. The District is not liable for the loss, damage, or misuse of an electronic device brought to school by a student.

Appropriate use of electronic devices shall include any use of such devices for educational purposes, such as educational research, which is authorized by a classroom teacher. Limited personal use of electronic devices at the high school level may be permitted during transitional times at the discretion of the building administration.

Inappropriate use of electronic devices has the potential to negatively impact the educational processes and individual students. Any use of electronic devices that leads to the disruption of the instructional/educational processes and/or violates the rights of individual students is a violation of the *Code of Conduct*.

Any student found to be inappropriately using electronic devices will be subject to consequences set forth within the *Code of Conduct.* Infractions of this policy can result in a minimum of Level II consequences. In addition, such acts may violate the **Burgettstown School Board Policy #224 - Care of School Property, Policy #237 - Electronic Communication Devices, and/or Policy #249 - Bullying.** Inappropriate use of these devices includes, but is not limited to the following examples:

- Placing and/or receiving a call, text message, or other communication during instructional time. Parent(s)/guardian(s) are asked to call the school for emergencies, rather than attempting to contact their child directly. The school will, in return, contact the student.
- The use of electronic devices in locker rooms, health suites, restrooms, and other areas where an individual would have a responsible expectation of privacy.
- Audio or video recording without advanced expressed permission from either a teacher or administrator and the individuals who are being recorded.
- Taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, inappropriate, unauthorized, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and e-mailing.
- Using any electronic device for purposes that are in direct violation of other provisions within this *Code of Conduct*, such as bullying, cyberbullying, cheating, or otherwise violating academic integrity, or harassing or intimidating students or staff members.

The District shall enforce these provisions of the *Code of Conduct* regarding electronic devices on school grounds, District-operated school buses, and other conveyances, and during any District-sponsored activities, whether or not occurring on school grounds. Such prohibited activity shall also apply to student conduct that occurs on school property if the prohibited conduct is (a) directed at another student or students, is (b) severe, persistent, or pervasive, and (c) interferes with a student's education, creates a threatening environment, or substantially disrupts orderly operations of the school. Such activities are in direct violation of the **Burgettstown School Board Policies #224, #237, and #249** and will result in violators being disciplined accordingly.

Hazing

The Burgettstown School Board Policy #247 is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the District and are prohibited at all times.

Hazing - For the purposes of this policy, Hazing is defined as when a person intentionally, knowingly, or recklessly, initiates, admits, or affiliates a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug, or other substance that subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated Hazing - For the purposes of this policy, Aggravated Hazing is defined as when a person commits an act of hazing that results in serious bodily injury or death to the student and:

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces, or forces the consumption of an alcoholic liquid or drug by the student.

Organizational Hazing - For the purposes of this policy, Organizational Hazing is defined as when an organization intentionally, knowingly, or recklessly promotes or facilitates hazing.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:

1. The consent of the student was sought or obtained, or
2. The conduct was sanctioned or approved by the school or organization.

This policy prohibits any form of initiation or harassment, known as hazing, as part of any school-sponsored student activity. No student, coach, sponsor, volunteer or district employee shall plan, direct, encourage, assist, or engage in any hazing activity. Infractions of this policy can result in Level II or Level III consequences.

This policy directs that no administrator, coach, sponsor, volunteer, or district employee shall permit, condone, or tolerate any form of hazing.

Searches

The **Burgettstown School Board Policy #226** acknowledges the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the district's interest in protecting and preserving the health, safety, and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning. The Burgettstown School District believes that the elimination of drugs, alcohol, and weapons in public schools is important to the welfare and safety of students. School officials may conduct a reasonable search of a student and his/her personal effects. Since student lockers are owned by the Burgettstown Area School District and loaned to students and since the student parking lot is owned by Burgettstown Area School District and parking permits are made available, the school exercises exclusive control over lockers and student vehicles in the parking low. Students should not expect privacy regarding items placed in their lockers or their vehicles as random searches of lockers and the student parking lot may be conducted by school officials. This policy has been explained to include the use of trained dogs in conducting locker searches at the secondary level.

What Happens if This Policy is Violated?

Students found to possess, convey, use, or store contraband including drugs, alcohol, weapons, or other materials in violation of Federal or State law or school policy will be subject to a Level IV violation of the *Code of Conduct*. Students will be disciplined according to the appropriate provision of the substance abuse guidelines. Illegal material confiscated will be turned over immediately to the appropriate law enforcement agency for further investigation and the institution of possible juvenile or criminal proceedings.

Discrimination/Sexual Harassment

Burgettstown School Board Policy #103 declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs and activities offered in the schools without discrimination based on race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.

The **Burgettstown School Board Policy #103** also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination based on sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the district and is prohibited at or, in

the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

"Unwelcome sexual conduct" may include but is not limited to making sexual propositions or pressuring others for sexual favors; touching of a sexual nature; writing graffiti of a sexual nature; displaying or distributing sexually explicit drawings, pictures, or written materials; performing sexual gestures or touching oneself sexually in front of others; telling sexual or dirty jokes; spreading sexual rumors or rating others as to sexual activity or performance; and circulating or showing emails or websites of a sexual nature. Sexual harassment is forbidden and will not be tolerated, as the District is committed to providing a physically and psychologically safe environment in which students can learn. Should a student wish to file a complaint, they should direct the complaint to the Title IX Coordinator under **Burgettstown School Board Policy #103.**

Controlled Substance and Paraphernalia

The following disciplinary actions will result for students found in violation of Burgettstown Board Policy #227 regarding the possession, procurement, use, distribution, sale, or under the influence of intoxicating beverages, narcotics, or controlled substances.

Health/Medical Emergency

If a student demonstrates obvious symptoms of possible substance use (staggering, slurred speech, dazed appearance, incoherence, inability to respond), the situation shall be handled as a health problem and potential emergency. If evidence confirms substance use, disciplinary action will be administered according to the appropriate situation in the Substance Abuse Guidelines.

Possession/Use/Under the Influence | First Offense

If a student possesses, uses, or is under the influence of a Substance as defined in **School Board Policy #227** for the first time, the student will receive a temporary suspension, followed by an informal hearing. In cases where student misconduct is proven, students will be suspended for ten (10) days of Out of School Suspension. Based upon circumstances, involvement of law enforcement, and evidence discovered through an investigation, the administration will administer disciplinary action up to and possibly including a referral to the Burgettstown School Board, which could result in expulsion, per **School Board Policy #233**. A referral to the Student Assistance Team will also be made and students will be expected to comply with recommendations made by this team. The student will also be required to participate in a drug and alcohol assessment by a recognized drug and alcohol agency and comply with all recommendations resulting from said assessment.

Subsequent Offenses

If a student is caught (use, possession, or under the influence of) in subsequent offenses the student will be suspended for a minimum of ten (10) days of Out of School Suspension with an automatic referral to the School Board and will be recommended for expulsion per School Board Policy #233 or assignment to an alternative educational placement.

Distribution

If a student is caught distributing an illicit substance, and in instances where student misconduct is proven, students will receive a minimum of ten (10) days of Out of School Suspension with automatic referral to the School Board, which could result in expulsion, per **School Board Policy #233**.

Violations of Substance Abuse Guidelines at School-Sponsored Functions

If a student violates any portion of the Burgettsotn Substance Abuse Guidelines at a school-sponsored function, the student will be disciplined according to the appropriate situation described in the Substance Abuse guidelines, and herein. If a student is uncooperative during the process, the student will be referred to security personnel or the local police.

Possession of Drug Paraphernalia

If a student is caught with any type of drug paraphernalia with the intent to use, sell, or transfer the same, the student will be subjected to the appropriate disciplinary actions of the Burgettstown Substance Abuse Guideline. Students will also be subject to the appropriate provisions of the Substance Abuse Guidelines should the result of testing by the police or school health official indicate a positive substance identification and/or involvement.

Possession of Drugs and Alcohol at Off-Premises School-Related Activities

Possession of drugs and alcohol applies to conduct while on school grounds, anywhere during school-sponsored activities, anywhere under the jurisdiction of the school, or while using school transportation. Said conduct shall include the use of, intent to use, and sales or transfer of drugs and alcohol and shall subject the student to the appropriate disciplinary actions of the Burgettstown School Board Policy.

Use of Tobacco and Tobacco-Like Products

Burgettstown School Board Policy #222 prohibits possession, use, purchase or sale of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, regardless of whether such products contain tobacco or nicotine, by or to students at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; on property owned, leased or controlled by the school district; or at school-sponsored activities that are held off school property.

State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and under state law, shall be defined to include the following:

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff, and snus.
2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe, and a hookah.

3. Any product containing, made, or derived from either:
    a. Tobacco, whether in its natural or synthetic form; or
    b. Nicotine, whether in its natural or synthetic form, is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. Any component, part, or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term tobacco product does not include the following:

1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. NOTE: This exception shall be governed by Board policy relating to Medications.
2. A device, included under the definition of tobacco product above, is sold by a dispensary licensed in compliance with the Medical Marijuana Act. *NOTE: Guidance issued by the PA Department of Health directs schools to prohibit possession of any form of medical marijuana by students at any time on school property or during any school activities on school property. This exception shall be governed by Board policy relating to Controlled Substances/Paraphernalia.*

A student is in possession of tobacco if tobacco in any form is found on the person of the student; in the student's locker; in a student's car on school property; in a student's purse, backpack, and gym bag, or like objects; in a student's coat or other clothing; or otherwise under the student's control. **Burgettstown School Board Policy #222.1** prohibits the use or possession of e-cigarettes and vapes by students. Students who possess or use e-cigarettes or vapes for the first time will be subject to an immediate In-School Suspension of three (3) days and will be required to complete a tobacco and vaping Purpose Prep program activity. Students who possess or use e-cigarettes or vapes for subsequent times will receive increasingly more significant discipline up to referral to the Burgettstown School Board for expulsion per **School Board Policy #233**. Students who violate **School Board Policy #222** or **#222.1** will also be referred to the Student Assistance Program. The Burgettstown Board of Directors also prohibits the use by any person - employees, residents, parents, guests, and all others - of tobacco products on all school property owned or under the control of the District.

Use of Electronic Surveillance Systems

To promote a safe school environment, the Burgettstown Area School District has installed electronic surveillance systems to monitor activity on school property and in school vehicles as one measure of prevention and protection. The use of video recordings obtained by surveillance equipment is subject to District policies addressing the confidentiality of student and staff records.

Information obtained from electronic surveillance systems may be used by the administrator to assist in an investigation to determine whether a student has committed an unlawful or unsafe act. Violations of the *Code of Conduct* will result in appropriate disciplinary consequences.

Any activity detected through the use of surveillance cameras that might constitute a violation of the law will be reported to the appropriate law enforcement agency.

Weapons

The **Burgettstown School Board Policy #218.1** strictly prohibits students from possessing and bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to school or a school-sponsored activity or while the student is coming to or from school.

This ban applies to students, employees, and visitors, even those who may have a legal permit to carry.

What is a Weapon?

The Administration retains final authority in determining what constitutes a weapon, especially when evaluating potential danger. However, the term weapon shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument, or implement capable of inflicting serious bodily injury.

Are There Exceptions to This Policy?

Law enforcement officials may carry weapons on school property. The Superintendent or authorized staff may issue exceptions for items such as cutting instruments used in art, technology education, or look-alikes used for the instructional program.

What Happens if the Policy is Violated?

All discoveries of any prohibited weapons on school property will be reported to local law enforcement officials.

Student: This is a Level IV violation of the *Code of Conduct* and will result in a mandatory one (1) calendar-year expulsion from school for the possession of weapons. The Superintendent may recommend a modification of the one (1) year expulsion on a case-by-case basis.

Employees: Violation entails suspension without pay, pending a disciplinary hearing. Penalties may include dismissal.

Visitors: The District will vigorously pursue prosecution through law enforcement agencies.

Terroristic Threats-Acts

The **Burgettstown School Board Policy 218.2** recognizes the danger that terroristic threats by students present to the safety and welfare of district students, staff, and community. District students are prohibited from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member, or school building.

What is a Terroristic Threat?

For this Policy, Terroristic Threat shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly, or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.

What Happens if the Policy is Violated?

Staff members and students shall be responsible for informing the building principal regarding any information or knowledge relevant to a possible or actual threat or act.

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

1. The building principal may immediately suspend the student.
2. The building principal shall promptly report the incident to the Superintendent.
3. Level IV disciplinary action will be taken.
4. Based on further investigation, the Superintendent or principal may report the student to law enforcement officials and bring charges against the student.
5. Based on further investigation, the Superintendent may recommend the expulsion of the students to the Burgettstown School Board.

No. 249

SECTION	**PUPILS**
TITLE	**BULLYING/CYBERBULLYING**
ADOPTED	**09/18/2008**
REVISED	**06/12/2023**

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Definitions

Bullying means an intentional electronic, written, verbal, or physical act or series of acts directed at another student or students, that occurs in a school setting that is severe, persistent or pervasive and has the effect of doing any of the following:[1]

1. Substantially interfering with a student's education.
2. Creating a threatening environment.
3. Substantially disrupting the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means 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.[1]

Authority

The Board prohibits all forms of bullying by district students.[1]

The Board encourages students who believe they or others have been bullied to promptly report such incidents to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report

objectively, neutrally, and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of bullying shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct that may not be proven to be bullying under this policy but merits review and possible action under other Board policies.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community, or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[2][3]

Title IX Sexual Harassment and Other Discrimination

Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.[4][5]

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the district’s legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.

Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[1]

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.[1]

District administration shall annually provide the following information with the Safe School Report:[1]

Board's Bullying Policy.

1. Report of bullying incidents.

2. Information on the development and implementation of any bullying prevention, intervention, or education programs.

Guidelines

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.[1][6][7]

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website.[1]

Education

The district shall develop, implement, and evaluate bullying prevention and intervention programs and activities. Programs and activities shall provide district staff and students with appropriate training for effectively responding to, intervening in, and reporting incidents of bullying.[1][8][9][10]

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[1][6][11]

1. Counseling within the school.

2. Parental conference.

3. Loss of school privileges.

4. Transfer to another classroom or school bus.

5. Exclusion from school-sponsored activities.

6. Detention.

7. Suspension.

8. Expulsion.

9. Referral to law enforcement officials.

***Note: If convicted, cyber harassment of a child is a third-degree misdemeanor in Pennsylvania punishable by a maximum $2500 fine and/or one year in prison.*