Lower Merion School District

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INTRODUCTION

Committed to excellence and continuous improvement, the Lower Merion School District strives to ensure that all students achieve their highest level of critical thinking and creativity, that they value themselves and the diversity of others, and that they are knowledgeable, contributing citizens capable of excelling in a rapidly changing world.

The establishment of a true collaborative culture requires the age-appropriate participation of students in the school's decision-making process. Students' opinions and concerns must be considered when planning and implementing high-quality educational programs. With student participation, however, comes student accountability. Our goal as a learning community is to provide an exceptional academic program while establishing a collaborative culture that consistently operates within the philosophy of "students first." In this environment, faculty, staff, administrators and parents/guardians will work side-by-side with students to determine the educational program that best serves the needs of each LMSD student. In turn, students will accept the responsibilities associated with partnership, and elevate their performance behaviorally and academically. A collaborative culture can only be established when all members of the community commit to performing at their personal best, while striving to achieve the common goal of providing an outstanding education for all students.

This policy is intended to help the community understand the expectations that must be met in order for our schools to operate as safe and trusting communities for all students and families. LMSD is a District that prides itself in maintaining a culture of civility, tolerance, and respect. All persons are treated with dignity and are expected to behave according to the expectation set forth.

Part I of this policy is intended to frame the basic rights of students within the school environment**. Part II** outlines the responsibilities of students to create and maintain a positive learning environment where academic engagement is maximized. Part II is also sometimes referred to as a "Code of Conduct."

PART I – STUDENT RIGHTS

I. Equal Educational Opportunity

It is the policy of the Lower Merion School District that no student shall be denied access to a free and full public education on account of race, color, ethnicity, national origin, language, immigration status, sex assigned at birth, sexual orientation, gender identity, gender expression, pregnancy, childbirth, pregnancy-related medical conditions, disability, creed, religion, or religious creed.

II. Establishing a Culture and Climate of Mutual Respect and Trust

The Board, through prior policy enactments, has clarified its priority of fostering inclusive environments within its schools through understanding, respect, and celebration of diversity and the ways in which that positively impacts the sense of belonging for all students. These policies include, but are not limited to:

- Civility (006)
- Equity (101)
- Equal Opportunity Program for School and Classroom Practices (103)
- Individualized Student Supports and Services (114)
- Controversial and Value Issues (119)
- Guidelines Concerning Religion (130)
- Student Athletics (151)
- Participation in Curricular Programs and Activities by Economically Disadvantaged Students (152)
- Transgender & Gender Diverse Students: Ensuring Equity and Nondiscrimination (259)

The District intends to provide sound educational programs and services in a school environment that fosters learning. Responsibility for maintaining such a positive learning environment is shared by students, school staff, and parents/guardians.

A. Student Involvement

1. The school, as a diverse center of learning, invites the open exposure and exchange of ideas and issues to and by students. It is therefore the right of any student to question, examine and debate any issue relating to the world community or the functions and proposals of the school, such as discipline, scheduling and school policy. Because the Board values the input of the District's students, where practical, building administrators shall elicit feedback from their respective student bodies about any revisions to this Policy, except for minor editorial revisions. Any failure to elicit feedback shall not, however, affect the enforceability of the revision.

2. It is the policy of the Lower Merion School District to incorporate into the ongoing curriculum ideas that may transcend traditional curricular topics, and that may raise questions about current social, political, technical, philosophical, and other problems, regardless of the controversial nature of the topic as long as, on divided issues, students should be apprised of the existence and nature of differing views. See also Policy 119 (Controversial and Value Issues in the Curriculum).

The advice and opinions of students shall be sought and considered by the professional staff in the planning of the school curriculum. Channels shall be provided in the school for receiving student advice

and opinions in determining the courses to be taught, the content of the courses, the evaluation of courses being taught, and the nature and conduct of extra-curricular activities.

B. Freedom of Expression

1. Freedom of expression is a right guaranteed by the United States Constitution and the Constitution of the Commonwealth of Pennsylvania. Public school students generally have the right to express themselves. Such expression is referred to as "protected expression."

2. Student-initiated religious expression is permissible and shall not be prohibited expect as to time, place, and manner of distribution, or if the expression involved violates some other part of this Policy or related Administrative Regulation (e.g. because it is independently determined to be unprotected expression under the standards and definitions as defined in the related Administrative Regulation). See also Policy/AR 130 (Guidelines Concerning Religion).

3. The Board respects the right of its students to express themselves in word or symbol and to distribute and post materials in areas designed for posting as part of that expression. The Board also recognizes that exercise of that right must be limited by the District's responsibility to maintain an orderly school environment and to protect the right of all members of the school community.

4. Therefore, expression that is likely to or does materially and substantially interfere with the educational process, threatens serious harm to the school or community, encourages unlawful activity, or interferes with another individual's rights is prohibited by the District, in accordance with State regulations.

5. Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities. Students have the responsibility to obey laws governing libel and obscenity, and to be aware of the full meaning of their expression. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

6. The Board reserves the right to prohibit the posting or distribution of non-school materials containing expression not considered protected expression as defined in paragraph B.1., above, and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Board reserves the right

to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a substantial and material disruption of the school program must be established.

7. Flag Salute and the Pledge of Allegiance: All students are expected to behave respectfully during the Flag Salute and Pledge of Allegiance. However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate in a meaningful ceremony. A student who chooses not to participate may either stand or sit and remain respectfully silent.

8. Dress Code Philosophy

   a. The District believes all students have the right to an equitable education and should be able to dress, and style their hair, for school in a manner that expresses their individuality without fear of unnecessary discipline or body shaming. Enforcement of this universal dress code shall not create disparities, reinforce stereotypes or increase marginalization of any group, nor will it be more strictly enforced against students because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural identity, religious identity, household income or body type/size.

   b. The Board recognizes that each student's mode of dress and appearance is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents/guardians to make decisions regarding their dress and/or appearance, except that schools are responsible for ensuring that a student’s personal appearance does not interfere with the health or safety of any student. However, the mere negative perceptions of other students or staff do not constitute an interference with the health or safety of any student.

   c. The Superintendent or their designee shall ensure that all rules and regulations implementing this Policy impose only the minimum necessary restrictions on the exercise of the student's style and individuality.

   d. Each school’s dress code shall be gender-neutral. Schools cannot enforce specific attire based on gender. Students have the right to dress in accordance with their gender identity within the constraints of the dress codes adopted by the school.

   e. Exceptions to the dress code may be made by the Superintendent or their designee for medical or religious reasons when required by law.

C. Student Government

1. Students are free to establish and are encouraged to participate in student government that provides all students a voice in school affairs through a representative system or otherwise. If the government has elective representatives or officers, the officers and elections must be open to all students on a non-discriminatory basis. Student government is intended to represent the interests of the students.

2. Students have the primary responsibility for the conception and development of the charter for their student government subject to administration and Board approval. The charter must be available to all students and to the administration.

D. Student Organizations

Students have the right to form and participate in student organizations of their choice and these organizations have the right to peaceable assembly and to conduct programs on school property, provided the principal is given reasonable notice, and such assembly and programs do not endanger health or safety, damage property, or seriously disrupt the activities of others. Such assembly and programs shall also adhere to the provisions of this policy. Participants in student organizations have the responsibility to give timely notice to the principal of plans to assemble and to conduct programs and, in so doing, to refrain from endangering health or safety, damaging property, or seriously and immediately disrupting the activities of others.

E. Procedures for the Resolution of Student Concerns

1. Purpose: The Board believes that students and their families should be made aware of how to file a complaint for perceived violations of rules, policies, civility, or established practice by Lower Merion School District staff, students or visitors/volunteers should that become necessary. While there are required procedures under the law and other Board Policy for certain types of violations referenced below, the Board supports a platform that allows any type of concern to be directed immediately to building and central office administrators who are responsible for taking appropriate action.

2. Definition: For purposes of this policy, a student complaint shall be one that arises from actions that directly affect the student's participation in an approved educational program and arises from a violation or misapplication of District or School rules, policies, civility, or established practice. This policy applies to complaints about school programs and activities including extracurricular activities.

3. Authority: The Board and its employees will recognize the complaints of students, provided that such complaints are submitted according to the guidelines established by board policy.

4. Guidelines: The Superintendent will prepare written procedures for prompt and satisfactory resolution of any complaint arising from a purported violation or misapplication of district policies as they pertain to students.

PART II – STUDENT RESPONSIBILITIES

I. **Purpose and Authority**

The Board desires to communicate the District's rules, expectations, and procedures regarding student conduct and discipline. Recognizing that student conduct and academic outcomes are closely related, the Board strives to create a school environment where positive behavior is modeled and encouraged, academic engagement is maximized and rule violations and disruptive behavior are minimized. The Board requires each student to adhere to Board Policies, Administrative Regulations, and school rules in effect at each school, and to submit to such disciplinary measures or other behavior modifying measures appropriately assigned for infractions of those rules.

Board Policies, related Administrative Regulations, and school rules shall apply to the fullest extent permitted by law to student conduct in school, at school-sponsored activities, during the time spent in travel to and from school and school-sponsored activities, and as otherwise permitted by law ("on-campus"). Additionally, the District may discipline students for conduct that occurs off campus and/or at non-school sponsored activities to the fullest extent permitted by law ("off-campus"). Such off-campus conduct occurs when:

- The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;
- The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
- The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;
- The conduct involves the theft or vandalism of school property; or
- The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community, or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

Under **Appendix A** to this policy, the Board provides details regarding certain conduct expectations and prohibitions such as weapons, controlled substances, and personal devices. While these infractions are listed with specificity within this Board Policy, it is not intended, nor should they be read, to exclude from discipline other types of behavior that are described or referenced within Administrative Regulations, Student Handbooks, or classroom rules.

II. Delegation of Responsibility

The Superintendent or their designee shall promulgate an Administrative Regulations implementing this Board Policy governing student conduct which shall detail the behaviors students are expected to exhibit and the consequences students can expect to receive when their conduct falls short of such expectations.

The Administrative Regulations promulgated to implement this Policy shall be in accordance with applicable law and the guidelines outlined below, and consistent with Board Policy 101 (Equity). The equitable administration of school-based discipline utilizing restorative practices rather than punitive measures, when appropriate, and the reduction of disproportionality in school-based discipline are key components of the District's equity efforts. The accompanying Administrative Regulations shall contemplate, incorporate, and be consistent with this critical work.

III. Guidelines

The District's regulations governing student conduct shall not be arbitrary, capricious, discriminatory, or outside its grant of authority. The consequences or other requirements students can expect to receive when they make poor choices regarding their behavior shall:

- Relate in kind and degree to the infraction. Discipline shall generally be progressive in nature, and exclusionary discipline shall generally be reserved for serious infractions or cases where other interventions or restorative practices have proven unsuccessful.

- Require the student to reflect upon and accept responsibility for their actions.

- Ameliorate any harm or disruption caused by the student's misconduct, if possible.

- Hold parents and guardians accountable, including financial liability, for the actions of their child, if applicable.

The severity of any consequence or other measure should be proportional to the severity of the infraction and take into account, among other considerations, the age of the student, the student's

prior disciplinary record, special circumstances about the incident, as well as any applicable laws, regulations, or Board Policy.

Whenever appropriate, the District will utilize restorative practices to address student behaviors that do not conform to the District's rules and expectations. The building principal or designee shall have the authority to assign discipline or other requirements to students, subject to the regulations of the Superintendent or their designee and to the student's due process right to notice, hearing, and appeal.

A. Student Responsibilities, Generally

1. Student responsibilities include regular school attendance, conscientious effort in classroom work, and following school rules and regulations. Most of all, students share with the administration and faculty a responsibility to develop a climate within the school that is safe, inclusive, and conducive to learning.

2. No student has the right to interfere with the education of other students. It is the responsibility of each student to respect the rights of teachers, students, administrators, supportive staff, and all others who are involved in the educational process.

3. Students should express their ideas and opinions in a respectful manner.

4. In fulfilling the student responsibilities set forth above and in addition thereto, it is the responsibility of the students to:

   i. Be aware of all rules and regulations for student behavior and follow them;
   ii. Be willing to volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property;
   iii. Assume that until a rule is waived, altered or repealed, it is in full effect;
   iv. Assist the school staff in operating a safe school for all students enrolled therein;
   v. Be aware of and comply with state and local laws;
   vi. Exercise proper care when using public facilities and equipment;
   vii. Attend school daily, except when excused, and be on time at all classes and other school functions;
   viii. Make all necessary arrangements for making up work when absent from school;
   ix. Pursue and attempt to complete satisfactorily courses of study; and
   x. Avoid obscene and/or inflammatory language, comments, or discriminatory behavior based upon race, color, ethnicity, national origin, language, immigration status, sex assigned at birth, sexual orientation, gender identity, gender expression, disability, creed, or religion.

B. Student Searches

1. The Board recognizes its obligation to protect the health, safety, and well-being of all students and staff and to promote an atmosphere conducive to learning. The District is aware of and respects the rights of students to be free of unreasonable searches of their persons and their possessions. However, in certain circumstances, the safe and orderly operation of the schools sometimes requires the investigation of possible violations of school rules, which may include searches of students and their possessions.

2. The Board directs the Superintendent to establish guidelines implementing this policy which shall:
   a. Provide building and central office administrators with broad discretion to conduct lawful searches, in accordance with law.
   b. Ensure that students and their parents/guardians are notified at least annually of the contents of this policy and the accompanying administrative guidelines.
   c. Ensure that, prior to a search, students shall be notified and given an opportunity to be present, if required by law.

3. Systematic suspicionless testing may be performed on students and their guests at school dances, proms, and other school-sponsored student activities as determined by the High School Principal upon consultation with the Superintendent and pursuant to regulations promulgated by the Superintendent. For purposes of this Regulation, "systematic" means either testing of all students or a predetermined random selection of students. Testing refers to breathalyzers or other similar non-invasive testing.

C. Suspensions and Expulsion

A. The Board recognizes that exclusion from school, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student, and one that cannot be imposed without due process.

B. Every principal or designee in charge of a district school may temporarily suspend any student on account of disobedience or misconduct. Any principal or teacher suspending any student shall promptly notify the Superintendent or their designee. The Board may, after a proper hearing, suspend such child for such time as it may determine, or may permanently expel him/her. Such hearings may be delegated to a duly-authorized committee of the Board, or to a duly-qualified hearing examiner, who need not be a member of the Board, but whose adjudication must be approved by the Board.

C. The Superintendent shall develop administrative regulations to implement this policy in accordance with applicable state and federal law and regulations.

D. Special Considerations - Discipline of Students with Disabilities

Behavioral interventions shall be used for students with disabilities in order to promote and strengthen desirable behaviors and to reduce identified inappropriate behaviors.

Students with disabilities who engage in inappropriate behavior, disruptive activities and/or actions injurious to themselves or others shall be disciplined in accordance with federal and state law, their Individualized Education Program, a behavioral intervention plan, and Board Policy.

The Board directs that the District comply with provisions of the Individuals With Disabilities Education Act (IDEA) and state regulations when disciplining students with disabilities for violations of Board Policy and school rules and regulations.

E. Corporal Punishment

Corporal punishment is defined as the infliction of physical force as punishment for a rules infraction. Corporal punishment is not permitted.

F. Reasonable Force

Reasonable force, however, may still be used by teachers and school authorities under any of the following circumstances: (1) to quell a disturbance, (2) to obtain possession of weapons or other dangerous objects, (3) for the purpose of self-defense, and (4) for the protection of persons or property.

Teaching staff and other District employees responsible for students shall have the authority to take such reasonable actions necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program or threatens the health, safety, or welfare of others.

G. **Discriminatory Harassment, Bullying, and Hazing**

Discriminatory harassment means verbal, written, electronic, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual

orientation, gender identity, gender expression or religion when such conduct:

1. Is sufficiently severe, persistent or pervasive that it affects a student's educational performance or creates an intimidating, threatening or abusive educational environment; and/or
2. Has the purpose or effect of unreasonably interfering with a student's educational performance; and/or
3. Adversely affects a student's educational opportunities.

Discriminatory harassment includes, but is not limited to, slurs, jokes, bullying, hazing or other verbal, written, electronic, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation, gender identity, gender expression or religion. Discriminatory harassment also includes sex discrimination, as defined in the accompanying regulation.

For purposes of effective enforcement of the policy, particular forms of discriminatory harassment shall be defined in the accompanying regulation.

The Board directs that the Superintendent or their designee promptly investigate all complaints of bullying, hazing, and discriminatory harassment, and administer appropriate discipline to any individual who violates this Policy or the accompanying Administrative Regulation, in accordance with applicable Board Policies, Administrative Regulations, and any applicable Code of Conduct.

Any form of bullying, hazing, or discriminatory harassment that is a part of a school sponsored or student activity or organization is prohibited.

No student, coach, activity sponsor, volunteer, District employee, administrator, representative, agent, or contractor shall plan, direct, encourage, assist, engage in, tolerate, condone, ignore or fail to properly report or investigate any known instances of bullying, hazing, or discriminatory harassment.

Students who believe they or others have been subjected to bullying, hazing, or discriminatory harassment are encouraged to promptly report such incidents in accordance with the provisions outlined in the accompanying Administrative Regulation.

Students, administrators, coaches, activity sponsors, volunteers, District employees, representatives, agents, and contractors shall be alert to incidents of bullying, hazing, and

discriminatory harassment, and shall promptly report such conduct to their supervisor or the building principal.

Reports of alleged bullying or hazing that could be interpreted to also constitute discrimination and/or Discriminatory harassment shall be handled in coordination with the appropriate Title IX Coordinator. The Title IX Coordinator shall be provided with appropriate training regarding investigative procedures and protocol.

If the person receiving a complaint of bullying, hazing, or discriminatory harassment is a mandated reporter and has reasonable cause to suspect that a child is the victim of child abuse, the incident should immediately be reported to Children and Youth Services in accordance with Policy and Administrative Regulation No. 806, Child/Student Abuse.

Complaints of bullying, hazing, and discriminatory harassment may be referred to the appropriate law enforcement agency for investigation, as required by law or as determined by the Superintendent or their designee.

Retaliation against an individual who files a good faith complaint in accordance with the procedures in this Board Policy or the accompanying Administrative Regulation, or against an individual who participates in or cooperates with an investigation, is prohibited. Such retaliation will result in the same disciplinary action applicable to one who engages in prohibited conduct. Individuals who file intentionally false accusations will be disciplined.

Reporting bullying, hazing, or discriminatory harassment in accordance with this Policy or the accompanying Administrative Regulation will not affect the reporting individual's status with respect to either an employee's future employment or work assignments or a student's future academic opportunity, progress or record.

The District will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

Appropriate corrective and preventative action shall be taken when allegations of bullying, hazing, or discriminatory harassment are substantiated.

The District shall inform students, staff, parents/guardians, independent contractors and volunteers that bullying, hazing, and discriminatory harassment of students will not be tolerated. The Superintendent or their designees will plan and implement appropriate programs

to educate students, staff, parent/guardians, independent contractors and volunteers about this Policy and the accompanying Administrative Regulations.

A copy of this Board Policy and the accompanying Administrative Regulation shall be posted on the District's publicly accessible website. Additional methods of communication shall be determined by the Superintendent or their designee.

APPENDIX A

I. Weapons and Other Dangerous Items

A. Pursuant to Section 1317.2(b) of the Public School Code, the Board hereby enacts the following written policy regarding expulsions for any student who is determined to have brought any weapon or dangerous item onto any school property, any school-sponsored activity, or any public conveyance providing transportation to the school or a school-sponsored activity.

B. Definitions: The term "**weapon**" shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, explosive, and any other tool, instrument, or implement capable of inflicting serious bodily injury. The term shall also include look-alike weapons, replicas, models, and facsimiles of weapons.

The term "**dangerous item**" shall include firecrackers, laser pointers, smoke bombs, stink bombs, or similar devices that have the potential to cause injury and/or disruption of the school environment.

C. Guidelines: Any student who is determined to have brought a weapon or dangerous item onto any school property, any school-sponsored activity, or any public conveyance providing transportation to/from a school or school-sponsored activity shall be expelled, for a period of not less than one (1) year.

Expulsions shall be conducted in accordance with applicable law, this policy and the accompanying administrative regulations. The Superintendent may recommend or determine discipline short of expulsion for one (1) year on a case-by-case basis. The Superintendent shall, in the case of students with disabilities, take all steps necessary to comply with state and federal laws and regulations, including the Individuals With Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

The provisions of this policy shall not apply to a weapon being used as part of a pre-approved district program by an individual who is participating in the program.

Nothing in this section should be construed as limiting the authority or duty of the district to make alternative assignment or provide alternative educational services during the period of expulsion.

The Superintendent, or their designee, shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials in accordance with Board Policy 225 (Students and the Police) and the memorandum of understanding in place between the district and local law enforcement officials. The Superintendent or their designee shall also make reports to the Pennsylvania Department of Education, as required by the Public School Code of 1949, as amended.

The Superintendent or their designee shall, in accordance with applicable law, ensure notification of an incident involving possession of a weapon on school property, at a school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity, to employees and parents/guardians of students, as follows:

1. Incident occurring at a school building - Notification to parents/guardians of students enrolled in or attending that school building and school employees assigned to that building.

2. Incident occurring at a school building that shares a campus with other school buildings - Notification to parents/guardians of students enrolled or attending and school employees assigned to any building on the shared campus.

3. Incident occurring at a school-sponsored activity or on a public conveyance providing transportation to or from a school or school-sponsored activity - Notification to the appropriate population of parents/guardians and school employees. Notification is not required if the incident is not directly related to the school-sponsored activity or the students or staff involved in the activity.

The notifications referenced immediately above in items 1 through 3 must occur within twenty-four (24) hours of the incident using a method of communication likely to reach designated parents/guardians and employees, unless the circumstances of the incident necessitate otherwise.

The Superintendent, or their designee, shall require upon registration a sworn statement or affirmation from a parent, guardian, or other person having control or charge of a student, stating whether or not the student was previously suspended or expelled from any public or private school in Pennsylvania or any other state for an offense involving weapons, alcohol, or drugs or other violent acts.

In the case of student transfers to the district, the district shall request the sending district to transmit a certified copy of the pupil's disciplinary record. The sending district has ten (10) days from receipt of the request to supply this record.

In the case of student transfers from the district, the district shall send to the receiving district, upon request, a certified copy of the student's disciplinary record within ten (10) days from receipt of the request to supply this record.

School districts who receive a student who transfers from a public or private school during a period of expulsion for a weapon offense may assign that student to an alternative assignment or provide alternative education services provided that the assignment may not exceed the period of expulsion.

II. **Controlled Substances**

A. The Board prohibits student use, possession, sale, distribution, and being under the influence of any controlled substance as defined below. This policy shall apply whenever students are on school property, on school vehicles, at any school-sponsored event, or under the school's jurisdiction, including participation in field trips, sports, dances, and all other extracurricular activities. The district reserves the right to also enforce this policy with respect to off-campus conduct to the fullest extent permitted or recognized by law. Students who violate this policy shall be subject to appropriate discipline.

B. The Board recognizes that the misuse of controlled substances is a serious problem with legal, physical, and social implications for the whole community. As the educational institution of this district, the schools should strive to prevent use and abuse of controlled substances.

C. Definitions: For purposes of this policy:

"**Controlled substances**" shall mean all:

1. Controlled substances prohibited by federal or state law
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to, glue and aerosol products.
7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to board policy.

"**Distributing**" shall mean to deliver, sell, pass, transfer, share, or give any controlled substance to another or to aid therein.

"**Under the Influence**" means noticeable impairment of ability to ambulate, converse, comprehend, or perform muscular movement tasks as a result of consumption of a controlled substance.

"**Drug paraphernalia**" shall mean all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. The term shall include, but not necessarily be limited to, all drug paraphernalia as defined or contemplated by the Controlled Substance, Drug, Device and Cosmetic Act (Act of 1972, No. 64).

D. The Superintendent shall develop appropriate procedures to enforce this policy.

III. Tobacco, Nicotine and Vaping Products

A. The Board recognizes that tobacco, nicotine, vaping and related delivery products present a health hazard which can have serious consequences for both users and nonusers of such products, and the school environment.

B. Definitions:

"**Tobacco**" includes a lighted or unlighted cigarette, electronic cigarette, cigar, cigarillo, little cigar, pipe or other smoking product or material and smokeless tobacco in any form including chewing tobacco, snuff, dip or dissolvable tobacco pieces.

"**Tobacco product**" encompasses any product containing, made or derived from tobacco or nicotine in either natural or synthetic form, that is intended for human consumption. For the purpose of this policy and accompanying regulations, "tobacco product" includes electronic cigarettes as defined in this policy.

"Electronic cigarette" means an electronic device that delivers nicotine or other substances through vaporization and inhalation.

"**Nicotine**" shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

"**Nicotine delivery product**" shall mean a product or device used, intended for use, or designed for the purpose of ingesting or inhaling nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping. See also "Electronic Cigarette."

C. The Board prohibits possession, use or sale of tobacco, nicotine, and nicotine delivery products by students at any time in school buildings, on District property, on buses, vans, or vehicles that are owned, leased, operated, or controlled by the District, and at school-sponsored activities that are held off school property.

D. Students who violate this Policy shall be subject to appropriate discipline in accordance with applicable law and Board Policy.

E. The Board directs the Superintendent or their designee to develop procedures to implement this Policy and to notify employees, students, and parents/guardians of this Policy and the accompanying Administrative Regulation by appropriate methods, as determined by the Superintendent or their designee.

IV. Use of Electronic Devices

Students may possess electronic devices including, but not limited to, cellular telephones, cameras and personal digital assistants with video/camera capabilities within all of the buildings owned by the District, on school grounds, in school vehicles and/or while participating in school-sponsored activities on or off school premises. The administration shall have the right to regulate the use of all electronic devices. In addition to limitations on use imposed by the school administration, possession of electronic devices is subject to the following restrictions:

A. Electronic devices may not be used to conduct any activities which violate state and/or federal law, Board policy or school rules.

B. Electronic devices may not be used in any manner which interferes with, or is disruptive to, educational or extracurricular activities or events.

C. Electronic devices must be turned off and stored when students are in restrooms, locker rooms and in other areas where individuals would have a similar expectation of privacy.

Notwithstanding the rules set forth above, electronic devices may be used at any time to respond to or report an emergency situation.

Violations of this policy may result in disciplinary action, including suspension and/or expulsion. See also Policy/AR 134 (District-Provided Technology Resources).

V. Care of School Property

The Board believes that the schools should help students learn to respect property and develop feelings of pride in community institutions. The Board charges each student in the District's schools with responsibility for the proper care of the school property, school supplies and equipment entrusted to the student's use.

It is the policy of the Board that students who willfully cause damage to school property or who misuse or neglect school property shall be subject to disciplinary measures as determined by the building administrator pursuant to District policies, procedures and practices. Students and others who damage or deface school property may be prosecuted and punished under law. Parents and guardians shall be held accountable for the actions of their child as allowed by law.

The District may report to appropriate juvenile authorities any student whose willful damage or misuse of school property is serious or chronic in nature. Absent urgent or compelling circumstances, in no case shall referral to juvenile authorities be made without prior notification to the student's parent/guardian. The Superintendent or their designee shall develop procedures to implement this policy which include rules for safekeeping and accounting of textbooks, supplies and equipment and an established schedule of fines for lost or damaged textbooks, supplies and equipment. The procedures will also outline consequences for student misuse of laptops as well as rules regarding deposit fees and insurance fees in relation to District-issued equipment and electronic devices such as District-issued laptops.

The Superintendent shall periodically submit a report on incidences of vandalism to the Board.

Vandalism reports shall include the number and kind of incident, cost to the District, and related information the Superintendent deems necessary.