Level 1 actions are non-violent. Level 1 actions do not necessarily pose a threat to the health, safety, or property of others. Positive classroom and school-wide interventions and supports are used to address Level 1 actions. Students are not referred to an administrator for Level 1 actions unless they continue after appropriate intervention and support. In such cases, the referral to an administrator serves to help identify the most appropriate interventions available for the student.

101.A. Tardiness to School: Arriving after the posted start time without a written, lawful excuse.

101.B. Tardiness to Class: Arriving after the class start time without a written, lawful excuse.

102. Truancy or Cutting Class: Unexcused absence from class or school.

103. Inappropriate Personal Property: Possession and/or use of items that cause a distraction to learning, damage person's property, or otherwise interfere with the learning process. Inappropriate items of personal property may include, but are not limited to, electronic devices, toys, playing cards, hats, clothing, unpermitted food, medication that is not registered with the school nurse under Policy 229 – Use of Medications, and Policy 229.1 – Possession/Use of Emergency Medications.

104. Pestering, Teasing, or Horseplay: Physical contact or communication with another student that is made for non-educational purposes and either interferes with education or safety of the school environment.

105. Inappropriate Language or Gestures: Written or verbal remarks or gestures that demean, degrade, or humiliate a person or group of persons through the use of words or acts, including use of profane or obscene language.

106. Noncompliance with Posted Bus Rules: Violation of the posted or written rules of conduct for the bus or school; examples: not in assigned seat, not following conduct requests of staff, or getting on or off the bus at the wrong bus stop.

107. Noncompliance with Posted School Rules: Violation of specific posted or written school or class rules and regulations. Examples include but are not limited to: repeated gum chewing, repeatedly talking out in class, running, throwing objects, gambling, and dress code violations.

111. Possession of Electronic or Telecommunication Devices. Students may possess electronic devices only as permitted by Board policy and school rules. School-based Discipline Committees may establish such restrictions in a manner consistent with Board Policy 216 – Electronic Devices. Specific information regarding electronic device restrictions will be provided to students and parents/guardians in advance of implementing of any restriction.

Electronic device restrictions shall not apply when a student (1) is a member of a volunteer fire company, ambulance, or rescue squad; or (2) has a need for such a device due to the medical condition of an immediate family member.

Students who violate the electronic device restrictions may be subject to disciplinary action and confiscation of the device.

112. Disruption of Class: Verbal or physical behavior which is determined by the classroom teacher to be disruptive to learning. Examples include but are not limited to: repeatedly talking out in class or out of turn, being exceptionally loud, running, throwing objects, failure to follow classroom rules.

114. Misuse of Computers/Computer Networks/Electronic Device: A student shall not engage in any act that violates the District's Network Usage and Safety Policy, any individual school computer use

guidelines or mobile computing device program guidelines, including, but not limited to the following acts that may not necessarily pose a threat to the health, safety, or property of others:

A. Utilizing computers, computer networks, or electronic devices during times when such conduct is not permitted

B. Intentionally loading or use of unauthorized games, programs, files, or other electronic media, on District devices

C. Impersonation of another user, anonymity, and pseudonyms, within District systems

D. Creation of links to other networks whose content or purpose would violate the District's Network Usage and Safety Policy

E. Offensive and inflammatory communications that do not pose an apparent risk to safety

Proper virtual etiquette will be taught and reinforced before proceeding to discipline for computer conduct violations.

Examples of Guidance Interventions (Alternatives to Exclusionary Discipline)
The list below is provided as a menu of possible options and not intended to be used in succession. The implementation of interventions shall be individualized, rather than a one-size-fits-all approach.

- Reteaching core Social Emotional Learning (SEL)[1] skills (Purpose, Self-Awareness, Adaptability, Empathy, Collaboration, Agency)
- Use of Restorative Practices[2] ~~(i.e., affective statements, restorative questions, circles, small impromptu conferences, etc.)~~
  - Teacher led responsive circle
  - Administrator led responsive circle
  - Student Led Mediation (for Level 1 Infractions)
- Referral to Multi-Tiered System of Supports (MTSS)[3] process to find the root cause of the behavior
- Use of PBIS to reteach classroom and school-wide expectations
- Referral to in-school conflict resolution programs (e.g., peer mediation)
- Restorative phone or written notification to parent/family
- Student/teacher impromptu conversation ~~conference~~
- ~~_____~~
- Parent or guardian/teacher impromptu conference
- IEP Team meeting or evaluation for special education services, if applicable
- Reteach/model expectations
- Student/A~~a~~dministrator impromptu ~~conference~~ conversation
  - ~~_~~
- Intervention by counseling staff/guidance conference
- Written reflection assignment
- Develop, review, or revise individual student planning tools ~~(e.g., Behavior Support Plan)~~
- Using Reintegration Meeting Notetaker
- ~~____~~
- Change in schedule or class (with parent/guardian notification)
- Individual/group counseling

[1] Social Emotional Learning (SEL) is defined on pages #11-12 of the Student Support Guide.
[2] Restorative Practice is defined on page #9 of the Student Support Guide.
[3] Multi-Tiered System of Supports (MTSS) is defined on page #9 of the Student Support Guide.

- Referral to Student Assistance Program (SAP) for prevention (e.g., social emotional skills instruction groups like anger management, aggression replacement, organizational skills) and/or intervention (e.g. behavioral health counseling) services
- School attendance improvement conference/plan
- Student behavior plan
- Referral to mentoring program
- Referral to District-approved Community-Based Organization (CBO)
- Community service (with parent/guardian consent)
- Other appropriate alternatives to exclusionary discipline (exclusionary discipline includes detention, in-school-suspension, out of school suspension)
- Security aid student engagement
- Peer mentorship and mediation

Level 2 actions are of a serious nature and may pose a threat to the health, safety, or property of any person. An administrator is notified when a Level 2 action occurs. Students in grades 6-12 may be suspended for Level 2 actions. **Actions with asterisks trigger a mandatory notification to school police pursuant to School Code Section 1303-A(b) and 22 Pa. Code Section 10.22.**

202. Damage, Destruction, or Vandalism of School Property (Violent*[4]***)** : Causing or attempting to cause damage to school property.

203. Damage, Destruction, or Vandalism of Private Property (Violent***)**: Causing or attempting to cause substantial damage to private property

209. Unauthorized Presence of Students During School Hours (*Nonviolent***)**

209.A. On School Grounds: A student shall not be on any portion of the school grounds where their presence is unauthorized, nor remain after having been either ordered or requested to leave by any school employee.

209.B. On Private or Public Property: A student shall not be present on any portion of private or public property that is next to school property during designated school hours. During school hours students must be in school unless they have an approved reason for absence.

210. Smoking & Tobacco Use (*Nonviolent***)**: Smoking, possessing, or using tobacco or any electronic smoking device in school buildings, school buses, or on any property owned by, leased by or under the control of the school.

212. Academic Dishonesty *(Nonviolent)* **:** Academic dishonesty shall include, but not be limited to, all forms of cheating, plagiarism, pre-exam access to test forms, representing someone else's work as their own, and the unauthorized use of aids during examinations, projects, and assignments.

213. Harassment (*Violent***)**: A form of discrimination based on the basis of race, color, age, creed, religion, sex, gender (including gender identity or expression), sexual orientation, ancestry, national origin, marital status, pregnancy or disability consisting of unwelcome conduct, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is sufficiently severe, persistent, or pervasive and a reasonable person in the complainant's

[4] Violent Offenses are defined on page #20 of the Student Support Guide.

position would find that it creates an intimidating, threatening or abusive educational environment. Specific harassment infractions are further defined as follows:

213.A. Sexual Harassment: Conduct on the basis of sex that is both unwelcome and is determined by a reasonable person to be so severe, pervasive and objectively offensive that it denies a person equal access to a District program. Quid pro quo sexual harassment, requiring a person to submit to unwelcome sexual conduct in exchange for an aid, benefit or service is also covered by District policy. Sexual assault, dating violence, domestic violence, and stalking, as defined by District policy are also types of sexual harassment.

213.B. Racial/Ethnic Harassment: Discrimination on the basis of race, color, or national origin includes discrimination based on a person's actual or perceived race, color, national origin, ethnicity, or ancestry. This includes discrimination based on the country, world region, or place where a person or their ancestors come from; a person's limited English Proficiency or English Learner status; or a person's actual or perceived shared ancestry or ethnic characteristics, including membership in a religion that may be perceived to exhibit such characteristics (such as Hindu, Jewish, Muslim, and Sikh individuals).

~~**213.B.**~~ This also includes race discrimination based on att historically associated with race, such as natural or protective hairstyles, textures and hair coverings.

213.C. Gender-Based Harassment: may include acts of verbal, nonverbal, or physical aggression intimidation, or hostility based on sex stereotyping. Thus, harassment of a student for failing to conform to stereotypical notions of masculinity and femininity constitutes sex discrimination. Gender-based harassment can rise to a violation of District policy and/or Title IX when such conduct denies or limits a student's ability to receive educational aid, benefits, services, or treatment.

213.D. Disability Harassment: Intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the institution's program. Harassing conduct may include verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

213.E. Other Forms of Harassment: Any act that violates the District's Prohibition of Bullying/Harassment Policy which does not meet the definition of sexual harassment, racial/ethnic harassment, gender-based harassment, or disability harassment.

213.F. Gender Identity/Sexual Orientation Harassment: May include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on a known or perceived sexual orientation or gender identity. Gender identity refers to one's internal sense of one's own gender. It may or may not correspond to the sex assigned to a person at birth and may or may not be made visible to others. Sexual orientation refers to an individual's physical, romantic, and/or emotional attraction to people of the same and/or opposite gender.

214. Misuse Of Computers/Computer Networks/Electronic Device (*Nonviolent***)**: A student shall not intentionally engage in any act that violates the District's Network Usage and Safety Policy, any individual school computer use guidelines or mobile computing device program guidelines, or agreements signed

by the student or the student's parents regarding the use of technology resources, including, but not limited to the following:

A. Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including videos of inappropriate student conduct, cyberbullying and "sexting," either on or off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
B. Attempt to alter, destroy, or disable District technology resources including, but not limited to, computers and related equipment, District data, the data of others, or other networks connected to the District's system, including off school property if the conduct causes a substantial disruption to the educational environment.
C. Use the internet or other electronic communications to threaten or harass District students, employees, board members, or volunteers, including off school property if the causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
D. Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
E. Attempt to access or circumvent passwords or other security-related information of the District, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.

Proper virtual etiquette will be taught and reinforced before proceeding to discipline for computer conduct violations.

216. Fighting (*Violent***)**: Use of physical violence between two students, whereby it is unclear after an investigation is conducted which student was the aggressor or initiator of the fight.

217.A. Bullying (*Violent)*: Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting, that is severe, persistent or pervasive and has the intent or effect of:

1. Creating an intimidating or hostile environment that substantially interferes with a student's education; or
2. Physically, emotionally or mentally harming a student; or
3. Placing a student in reasonable fear of physical or emotional harm; or
4. Placing a student in reasonable fear of damage to or loss of personal property

217.B. Cyberbullying *(Violent)*: Bullying includes cyberbullying and/or bullying through electronic communication devices including, but not limited to, social networking, email, instant messages, text messages, Microsoft Teams messages, tweets (via Twitter), blogs, photo and video sharing, chat rooms, dash boards, websites, or file-sharing tools, such as AirDrop Cyberbullying may include acts that occur outside of school if certain criteria are met.

The complete Prohibition of Bullying/Harassment Policy, complaint and investigation procedures are posted on the District website at www.pps.k12.pa.us/Page/481, and in every building and classroom.

218. Hazing (*Violent)*: Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting, or affiliating 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 which subjects the student to a risk of emotional or physical harm.
3. 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.
4. Endure brutality of a sexual nature.
5. Endure any other activity that creates a reasonably likelihood of bodily injury to the student.

The above activities are considered hazing regardless of whether the consent of the student was sought or obtained.

219.A. Profanity and Vulgarity/Verbal Altercation (Student) (*Nonviolent)*: Swearing, cursing, making obscene gestures, or using verbally abusive language toward another student.

219.B. Profanity and Vulgarity/Verbal Altercation (Staff) (*Nonviolent)*: Swearing, cursing, making obscene gestures, or using verbally abusive language toward staff.

220.A. Physical Aggression/Altercation (Student) (*Violent)*: Use of violence by a student on a student when there is no major injury as determined by the school administrator, but there is a clear aggressor or initiator of the physical aggression and physical contact was made.

220.B. **Physical Aggression/Altercation (Staff) (***Violent)*: Use of violence by a student on a staff member when there is no major injury as determined by the school administrator, but there is a clear aggressor or initiator of the physical aggression and physical contact was made.

221. Terroristic Threats (*Violent)*: 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.

~~**221.**~~

222. Inappropriate Sexual Behavior *(Nonviolent)*: Exposing or touching one's own genitals, breast, or buttocks, or those sexual parts of another person. May also involve engaging in intercourse, oral sex, or simulated sex on school grounds.

***223. Inciting A Disturbance Or Melee** *(Violent)*: Causing a serious disruption or fight amongst a group of individuals, resulting in the involvement of multiple school staff members to quell the disturbance.

225. Threats/Intimidation *(Nonviolent)*: A threat to commit violence. Threats in this infraction level pose a minimal risk to the victim and public safety. The threat is vague and indirect; the information contained within the threat is inconsistent, implausible, or lacks detail; the threat lacks realism; and the content of the threat suggests the person is unlikely to carry it out. Threats can be made verbally, in writing, or with gestures.

***226.A. Theft, Burglary, or Robbery of School Property** *(Violent)*: A student shall not engage in or attempt to engage in theft, burglary, or robbery of school property.

***226.B. Theft, Burglary, *or* Robbery of Student's Private Property** *(Violent)*: A student shall not steal or attempt to steal from a student or burglarize private property.

Level 2 – Example of Guidance Interventions

The list below is provided as a menu of possible options and not intended to be used in succession. The implementation of interventions shall be individualized, rather than a one-size-fits-all approach.

- Reteaching core Social Emotional Learning (SEL) skills (Purpose, Self-Awareness, Adaptability, Empathy, Collaboration, Agency)
- Use of Restorative Practices (i.e. affective statements, restorative questions, circles, small impromptu conferences, formal restorative conference, etc.)
- Referral to Multi-Tiered System of Supports (MTSS) process
- Refer to in-school conflict resolution programs ~~(e.g. peer mediation, restorative conferencing)~~
  - Administrator led responsive circle
  - Staff led mediation for Level II infractions
  - Community led mediation for Level II infractions
- ~~•~~ Student/teacher informal conference
- Parent or guardian/teacher informal conference
- IEP Team conference or evaluation for special education services
- Reteach/model expectations
- Student/administrator informal conference
- Intervention by counseling staff/guidance conference
- Written reflection assignment
- Develop, review, or revise individual student planning tools ~~(e.g., Behavior Support Plan)~~ using the MTSS Request for Assistance Packet
- Change in schedule or class (with parent/guardian notification)
- Individual/group counseling
- Referral to Student Assistance Program (SAP) for prevention (e.g. social emotional skills instruction groups like anger management, aggression replacement, organizational skills) and/or intervention (e.g. behavioral health counseling) services
- Student behavior plan
- Referral to mentoring program
- Referral to District-approved Community-Based Organization (CBO) • Community service (with parent consent)

- Other appropriate alternatives to exclusionary discipline (exclusionary discipline includes detention, in-school-suspension, out of school suspension)
- Security aid student engagement
- Peer mentorship and mediation

Examples of Recommended Disciplinary Actions After or in Addition to Guidance Interventions Used (Level 2)

- Detention: Assignment to a specified school location outside of school hours (e.g., before school, after school, or on a non-school day) or restorative reflection lunch
- In-school suspension: Exclusion from classes and assignment to ~~a designated learning space~~the reflection room. This assignment may be given a name other than "In-School Suspension" specific to each school's PBIS system. In-school suspension may only be assigned in accordance with administrative guidance issued by the Superintendent and Assistant Superintendent for Student Support Services.
- Other appropriate alternatives to out of school suspension
- Suspension of field trips, assemblies, or other special privileges
- Exclusion from extracurricular activities
- Suspension of transportation privileges
- Exclusion from special events or promotion exercises
- Short-term out-of-school suspension (1–3 days)
  - A student that receives an out-of-school suspension should not be disciplined twice for the same infraction. If field trips, assemblies, or any other activities occur while the student is serving their out-of-school suspension, they may not attend such event; however, should the event occur outside of the time period in which the student is serving their out-of-school suspension, they shall not be excluded from such event unless there is a safety concern.

Level 3 actions are of a serious nature and, when they occur, can be expected to pose a threat to the health, safety or property of any person. An administrator is notified when a Level 3 action occurs. Students may be suspended for any Level 3 action. School administrators are required to consult with their assigned Assistant Superintendent before proceeding with a charge of Assault, Aggravated Assault, or Weapon. Actions with asterisks trigger a mandatory notification to school police pursuant to School Code Section 1303-A(b) and 22 Pa. Code Section 10.22.

***302.A. Damage, Destruction, or Vandalism of School Property**: A student shall not intentionally cause or attempt to cause damage to school property, or steal or attempt to steal school property. Damage, destruction, or theft in this infraction level exceeds one hundred dollars ($100).

***302.B. Damage, Destruction, or Vandalism of Private Property**: A student shall not intentionally cause or attempt to cause substantial damage to private property, or steal or attempt to steal private property. Valuable private property should not be brought to school. Damage, destruction, or theft in this infraction level exceeds one hundred dollars ($100).

***307. Drugs Including Less Serious Offenses of Marijuana, Paraphernalia, and Alcohol**: A student shall not possess, use, distribute, or be under the influence of any intoxicant of any kind. However, in an effort to minimize exclusionary discipline, a graduated response to the handling of drugs based on the severity of an offense is outlined according to drug offense categories on page [PLACEHOLDER #]. Rule 307 violations include first-time offenses of marijuana under 5 grams, alcohol, and possession of paraphernalia occurring in the same school year. Please note that use of a drug as authorized by a medical prescription from a registered physician for the student for whom it is prescribed shall not be considered a violation of this rule, but may be a violation of the District's Use of Medications policy. Failure to comply with the Use of Medications policy may also result in school discipline.

313. Harassment: A form of discrimination based on the basis of race, color, age, creed, religion, sex, gender (including gender identity or expression), sexual orientation, ancestry, national origin, marital status, pregnancy or disability consisting of unwelcome conduct, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is

sufficiently severe, persistent, or pervasive and a reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment.

Harassment constitutes a Level 3 infraction, as opposed to Level 2, when the conduct is so outrageous, dangerous, or illegal that the District cannot reasonably expect to correct it solely through intervention.

Specific harassment infractions are further defined as follows:

313.A. Sexual Harassment: Conduct on the basis of sex that is both unwelcome and is determined by a reasonable person to be so severe, pervasive and objectively offensive that it denies a person equal access to a District program. Quid pro quo sexual harassment, requiring a person to submit to unwelcome sexual conduct in exchange for an aid, benefit or service is also covered by District policy. Sexual assault, dating violence, domestic violence, and stalking, as defined by District policy are also types of sexual harassment.

313.B. **Racial/Ethnic Harassment**: Discrimination on the basis of race, color, or national origin includes discrimination based on a person's actual or perceived race, color, national origin, ethnicity, or ancestry. This includes discrimination based on the country, world region, or place where a person or their ancestors come from; a person's limited English proficiency or English learner status; or a person's actual or perceived shared ancestry or ethnic characteristics, including membership in a religion that may be perceived to exhibit such characteristics (such as Hindu, Jewish, Muslim, and Sikh individuals). This also includes discrimination based on natural hairstyles, textures, and hair coverings.

~~313.B.~~

313.C. Gender-Based Harassment: May include acts of verbal, nonverbal, or physical aggression intimidation, or hostility based on sex stereotyping. Thus, harassment of a student for failing to conform to stereotypical notions of masculinity and femininity constitutes sex discrimination. Gender-based harassment can rise to a violation of District policy and/or Title IX when such conduct denies or limits a student's ability to receive educational aid, benefits, services, or treatment.

313.D. Disability Harassment: Intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the institution's program. Harassing conduct may include verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

313.E. Other Forms of Harassment: Any act that violates the District's Prohibition of Bullying/Harassment Policy which does not meet the definition of sexual harassment, racial/ethnic harassment, gender-based harassment, or disability harassment.

313.F. Gender Identity/Sexual Orientation Harassment: May include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on a known or perceived sexual orientation or gender identity. Gender identity refers to one's internal sense of one's own gender. It may or may not correspond to the sex assigned to a person at birth and may or may not be made visible to others. Sexual orientation refers to an individual's physical, romantic, and/or emotional attraction to people of the same and/or opposite gender.

Commented [ES1]: ELC recommends to reflect CROWN Act - DG approved

314. Misuse of Computers/Computer Networks/Electronic Device: A student shall not engage in any act that violates the District's Network Usage and Safety Policy, any individual school computer use guidelines or mobile computing device program guidelines, including, but not limited to the following and personal devices:

A. Hate mail, discriminatory remarks, as well as offensive and inflammatory communications that pose an apparent risk to safety
B. Using any electronic device to display or access obscene or pornographic materials
C. Transmission of sexually explicit language or images, including images of oneself
D. Destruction, modification or abuse of network hardware, software, or information
E. Videotaping fights or videotaping someone in a place where they have an expectation of privacy
F. Posting videos of inappropriate student conduct to a social media site that affects the school community or individuals within the school community in a negative manner.

Proper virtual etiquette will be taught and reinforced before proceeding to discipline for computer conduct violations.

317.A. Bullying: Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting, that is severe, persistent or pervasive and has the intent or effect of:

1. Creating an intimidating or hostile environment that substantially interferes with a student's education; or
2. Physically, emotionally or mentally harming a student; or
3. Placing a student in reasonable fear of physical or emotional harm; or
4. Placing a student in reasonable fear of damage to or loss of personal property

317 B. Cyberbullying: Bullying includes cyberbullying and/or bullying through electronic communication devices including but not limited to social networking, email, instant messages, text messages, Microsoft Teams messages, tweets (via Twitter), blogs, photo and video sharing, chat rooms, dash boards, websites, or file-sharing tools, such as AirDrop.. Cyberbullying may include acts that occur outside of school if certain criteria are met. The complete Prohibition of Bullying/Harassment Policy, complaint and investigation procedures are posted on the District website at www.pps.k12.pa.us/Page/481, and in every building and classroom.

318. Hazing: Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting, or affiliating 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 which subjects the student to a risk of emotional or physical harm.
3. 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.
4. Endure brutality of a sexual nature.
5. Endure any other activity that creates a reasonably likelihood of bodily injury to the student.

Any activity, as described above, shall be deemed a violation regardless of whether the consent of the student was sought or obtained.

321. Terroristic Threats. 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.

322. Sexual Act/Misconduct: Sexual misconduct in this infraction level involves engaging in intercourse, oral sex, or simulated sex on school grounds.

323. Inciting a Disturbance or Melee: Causing a serious disruption or fight amongst a group of individuals, resulting in the involvement of multiple school staff members and school safety staff to quell the disturbance.

***326.A. Theft, Burglary, or Robbery of School Property**: A student shall not steal or attempt to steal or burglarize school property. Theft, burglary, or robbery in this infraction level exceeds $100.

***326.B. Theft, Burglary, or Robbery of Student or Private Property**: A student shall not steal or attempt to steal from a student or burglarize private property. Theft, burglary, or robbery in this infraction level exceeds $100.

Level 3 – Examples of Guidance Interventions

The list below is provided as a menu of possible options and not intended to be used in succession. The implementation of interventions shall be individualized, rather than a one-size-fits-all approach.

- Reteaching core Social Emotional Learning (SEL) skills (Purpose, Self-Awareness, Adaptability, Empathy, Collaboration, Agency)
- Use of Restorative Practices ~~(i.e. affective statements, restorative questions, circles, small impromptu conferences, formal restorative conference, etc.)~~
  - Administrator Led responsive circle
  - Community Partner led mediation
  - Mediation led by an unbiased facilitator
- Referral to Multi-Tiered System of Supports (MTSS) process
- Refer to in-school conflict resolution programs (e.g. peer mediation, restorative conferencing) •
- Student/teacher formal conference
- Parent or guardian/teacher formal conference
- Reteach/model expectations
- Student/administrator formal conference
- Intervention by counseling staff/guidance conference
- IEP Team Meeting or evaluation for special education services, if applicable
- Written reflection assignment
- Develop, review, or revise individual student planning tools ~~(e.g., Behavior Support Plan)~~ using the MTSS Request for Assistance Packet
- Change in schedule or class (with parent/guardian notification)
- Individual/group counseling
- Referral to Student Assistance Program (SAP) for prevention (e.g. social emotional skills instruction groups like anger management, aggression replacement, organizational skills) and/or intervention (e.g. behavioral health counseling) services
- Student behavior plan
- Referral to mentoring program

- Referral to District-approved Community-Based Organization (CBO)
- Community service (with parent consent)
- Positive behavioral management support contract
- Alcohol/drug evaluation referral
- Other appropriate alternatives to exclusionary discipline (exclusionary discipline includes detention, in-school-suspension, out of school suspension)
- Security aid student engagement
- Peer mentorship and mediation

Examples of Recommended Disciplinary Actions in Addition to Guidance Interventions Used (Level 3)

- Suspension of field trips, assemblies, or other special privileges
- Exclusion from extracurricular activities
- Suspension of transportation privileges
- Exclusion from special events or promotion exercises
- Out-of-school suspension (4-10 days)

A student that receives an out-of-school suspension should not be disciplined twice for the same infraction. If field trips, assemblies, or any other activities occur while the student is serving their out-of-school suspension, they may not attend such event; however, should the event occur outside of the time period in which the student is serving their out-of-school suspension, they shall not be excluded from such event unless there is a safety concern.

Level 4 actions are of a serious nature and pose a threat to the health, safety or property of any person. An administrator must be notified when a Level 4 action occurs, in the form of a discipline referral or statement describing the incident. Students may be suspended or expelled for Level 4 actions. School administrators are required to consult with their assigned Assistant Superintendent before proceeding with a charge of Assault, Aggravated Assault, or Weapon. Actions with asterisks trigger a mandatory notification to school police pursuant to School Code Section 1303-A(b) and 22 Pa. Code Section 10.22.

***404. Assault on a School Employee**: An assault on a school employee is considered aggravated assault because the victim is in a protected class as a teacher, staff member or other school employee or contractor. When a student engages in any of the following actions against a school employee or contractor: (1) attempts to cause or intentionally, knowingly or recklessly causes bodily injury to a school employee without physical provocation; (2) negligently causes bodily injury to another with a deadly weapon; or (3) attempts by physical menace to put another in fear of imminent serious bodily injury.

405.A. Assault on a Student or Other Person not Employed by the School: When a student intentionally and without provocation hits, punches, or kicks a student or other person employed by the school. Other physical conduct that does not meet the definition of assault may fall under the prohibition against fighting, bullying, and/or harassment.

***405.B. Aggravated Assault on a Student or Other Person not Employed by the School.** When a student (1) attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; or (2) attempts to cause or intentionally or knowingly causes bodily injury to another with a deadly weapon.

***406. Weapons and Dangerous Instruments:** A student shall not possess, handle, or transmit any item defined by the Pennsylvania School Code as a weapon (hereinafter "weapon") while on any school property, while at any school-sponsored or approved activity or while walking or being transported in any manner to or from a school or school-sponsored or approved activity.

a. **Weapons as Defined by Statute.** The term "weapon," by School Code, includes but is not limited to any knife, cutting instrument, cutting tool, explosive, bullets, nunchaku, firearm, shotgun, rifle, and/or any other tool, instrument or implement capable of inflicting serious bodily injury. When determining whether an object is a weapon, schools must consider what the object is practically and functionally intended to do. The manner in which a student uses an object does not convert an otherwise nonweapon into a weapon.

b. **Self-Defense Items**. A self-defense item is a tool, instrument, or implement which is made or commonly used for self-protection. Examples include but are not limited to pepper spray, self-defense keychains, self-defense rings, tactical pens, or flashlights, and kubatons. PPS will only charge a student with a weapons violation if the student has used or threatened to use the self-defense item against another individual.

c. **Lookalike Item**. Any imitation of a knife, cutting instrument or tool, nunchaku, firearm, shotgun or rifle. While students may have access to lookalike items that are often sold as toys or costume accessories, such items are prohibited in the school setting or at school sponsored events. Students who bring in lookalike items shall have them confiscated and will receive no discipline consequence unless the item was used to perpetrate some other conduct prohibited by this Code of Student Conduct.

~~c.~~d. 3-D Printed Weapons. Any solid, three-dimensional object that is made or used to mimic or otherwise be used as a weapon as defined under District policy and law, including but not limited to 3-D printed firearms, knives, blunt instruments, and explosives.

Commented [ES2]: Review definition with committee

***407. Possession, Use, or Under the Influence of Alcohol or Drugs**: Students in possession of a large quantity of drugs (i.e. over 5 grams of marijuana); drug defined in Schedules I through V of the Controlled Substance Act,[5] (i.e. Adderall); and repeat drug offenses are considered Level 4 violations. A student shall not possess, use, distribute, or be under the influence of any intoxicant of any kind. However, in an effort to minimize exclusionary discipline, a graduated response to the handling of drugs based on the severity of an offense is outlined according to drug offense categories on the subsequent page(s). This includes possession of all drugs; high quantities of drugs that meet the threshold of intent to distribute; quantities of marijuana 5 grams or over 5 grams and repeat offenses of marijuana and alcohol occurring in the same school year.

Please note that use of a drug as authorized by a medical prescription from a registered physician for the student for whom it is prescribed shall not be considered a violation of this rule but may be a violation of the Use of Medications policy. Failure to comply with the Use of Medications policy may also result in school discipline.

As a part of the District's efforts to continue reforming the process for reducing exclusionary discipline, a tiered procedure for the administrative response to drug and alcohol violations has been adopted.

[5] Controlled Substances Act (21 U.S.C. § 812) and further defined by regulations at 21 C.F.R. Parts 1308.11 through 1308.15, or as defined in The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §780-101), the Pennsylvania Drug and Alcohol Abuse Control Act (71 P.S. §1690.101), (collectively "the Acts") or any regulations relating to the Acts, or any successor statutes or regulations.

Definitions relevant to the below tiered response chart are on the following page.

- Drugs: Any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, other intoxicant or substance causing a hallucinogenic or toxic effect, designer drugs, anabolic steroid or any other controlled substance, as defined in Schedules I through V of the Controlled Substances Act (21 U.S.C. § 812) and further defined by regulations at 21 C.F.R. Parts 1308.11 through 1308.15, or as defined in The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §780-101), the Pennsylvania Drug and Alcohol Abuse Control Act (71 P.S. §1690.101), (collectively "the Acts") or any regulations relating to the Acts, or any successor statutes or regulations.
- Marijuana: Refers to marijuana, cannabis, THC oil, or any of these substances in any form, including but not limited to, wax-based, edibles, pill, oil, topical forms such as gels, creams or ointments, forms administered by vaporization or nebulization, tincture, or liquid.
- Alcohol: Any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor. • Paraphernalia: Rolling papers, roach clips, hemostats, pipes or parts of pipes, and other homemade devices used for the ingestion of drugs.
- Drug Residue: A small or even trace amount of a drug that remains after the larger presence of the substance has been used or removed (for example, the resin which is the byproduct of smoked marijuana).
- Repeat Drug & Alcohol Offense: Second or subsequent drug and alcohol offense during the same school year. The total offenses in one school year shall include offenses from prior schools in which the student has been enrolled. When a student has more than one drug and alcohol offense in a given school year, any drug and alcohol offense in the subsequent school year is considered a repeat offense.
- ATOD Program: Alcohol, Tobacco, and Other Drug Diversion Program
- IAES: Interim Alternative Education Setting

Drug Offense Categories & Response Structure

The below Response Structure Chart applies to regular education students who do not qualify for the services of an IEP. The response structure recommended for students with disabilities who qualify for an IEP are noted in italics within the Response Structure Chart. Students with 504 Plans and students for whom the District is deemed to have knowledge of a student's disability (i.e., "thought-to-be"), are entitled to the same disciplinary protections as those afforded to students with IEPs. Although a 45-day unilateral placement for serious infractions is not automatically available for a student with a 504 Plan, the student's 504 Team, including the Parent/Guardian, can agree that a 45-day placement is appropriate, so long as the services in the student's 504 Plan can be effectively implemented at the alternative setting. Schools are directed to consult with the Office of Student Support Services and the Legal Department for guidance.

The outlined suspension time frames for Level 3/Rule 307 violations may be reduced upon attendance at the Alcohol, Tobacco, and Other Drugs (ATOD) program. Specifically, students will serve five (5) days of the suspension period (two (2) days for students with IEPs) and the remaining days will be held in abeyance pending the opportunity to attend the ATOD Program as outlined in these guidelines.

Students shall not possess, use, distribute, or be under the influence of any controlled substance, including marijuana. PPS recognizes that marijuana has become more readily available for medical purposes as a result of the state's Medical Marijuana Act, 35 Pa. C.S. § 10231.101, et seq. However, marijuana remains an illegal substance according to federal law. Pennsylvania's legalization of marijuana for medical purposes does not supersede enforcement of federal drug laws, including those that prohibit

the presence and use of drugs on school property, including the including the Every Student Succeeds Act, 20 U.S.C. § 71118. Possession of marijuana is a criminal offense under State and Federal law and is also a violation of the District Policy 217 – Drugs and Alcohol: https://go.boarddocs.com/pa/pghboe/Board.nsf/Public#.

The prohibition of marijuana on school grounds extends to marijuana, THC, or THCs in any form, including marijuana products. Prohibited forms of marijuana extend to these substances in any form, including but not limited to, wax-based, edibles, pill, oil, topical forms such as gels, creams or ointments, extracts, flower or bud forms, and forms administered by vaporization or nebulization, tincture, or liquid. PPS will abide by any state or federal guidance which may be issued relating to the possession of marijuana or marijuana products on school grounds.

Students found to be in possession of less than 5 grams of marijuana on a first offense are referred for a 307 Code of Conduct violation. Students in possession of 5 grams or more of marijuana, or a second offense for possessing less than 5 grams, will be referred for a 407 Code of Conduct violation. Students who present an medical marijuana prescription, card or certification authorizing the use for their own medical condition shall receive no disciplinary consequence for possessing or using marijuana on school grounds. However, all controlled substances, including marijuana, shall be confiscated by school administration and provided to custody of the Division of School Safety.

Drug Offense Categories	Level 3 10-day Suspension *3-day Suspension**	Level 4 10-day Suspension + Expulsion (Alternative Education) *3-day Suspension + 45 Day placement* *Interim Alternative Education Setting*
Paraphernalia (First or Repeat Offense)	Possession of paraphernalia with presence of marijuana (residue or quantity under 5 grams)	Repeat offense of possession of paraphernalia with presence of marijuana (any quantity)
Drug Type: Alcohol, Marijuana, or Other Drugs (First or Repeat Offense)	First offense of possession of alcohol; First offense of possession of marijuana (residue or quantity under 5 grams)	Repeat offense of possession of alcohol **; Repeat offense of possession of marijuana (any quantity); First offense of possession of marijuana (5 grams or over 5 grams); Possession of drugs other than marijuana
Intent to Distribute		Possession of marijuana over 5 grams or 5 grams
Quantity	Possession of marijuana (residue or quantity under 5 grams)	Possession of marijuana 5 grams, over 5 grams or any other drug or alcohol

Tiers of Support	Type of Service by Code of Conduct Infraction Level	Program and Service Provider***
Tier 3: Subsequent and/or Serious Offenses	SAP Screening Referrals Alternative to Out of School Suspension (ATOSS) Programming Drug Education Classes and Services (Code of Conduct Violation: Level 4)	Student Achievement Center ATOSS Program/Alternative Education Placement Designated SAP Providers (students can receive concurrent services during an alternative education placement) Residential In-Patient Treatment

Tier 2: First-Time Minor Offenses	SAP Screening Referrals Alternative to Out of School Suspension (ATOSS) Programming (Code of Conduct Violation: Level 3)	Designated SAP Providers SHORES Student Achievement Center ATOSS Program/Alternative Education Placement Center that Cares ATOSS Program Three Rivers Youth Drug Education Program
Tier 1: Universal Prevention	Drug Awareness & Education Speakers	Allegheny Recovery Krew CVS Cares Drug Awareness on opioids

- Students are provided an opportunity to hold suspension days in abeyance for attendance and compliance with an ATOD program.
- Please note: Students with IEPs may not be referred to a 45-day IAES for possession of alcohol or paraphernalia. For students with IEPs, the term "drug" does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other provision of federal law. *See* 34 C.F.R. 300.530.
- As programming may be expanded year to year, please visit the website for the most up to date listing (www.pghschools.org/conduct).

Alcohol, Tobacco, and Other Drugs (ATOD) Program

The District provides an Alcohol, Tobacco, and Other Drug (ATOD) Diversion Program to students who have violated Code of Student Conduct rules relating to drugs, alcohol or smoking. Students have ninety (90) days to complete nine (9) hours of the program in a virtual setting. Students must complete the aforementioned required courses within 90 days of the offense in order for additional suspension days to be held in abeyance.

The school principal or designee handling discipline of drug and alcohol offenses shall provide the student and parent/guardian with a copy of the most updated ATOD services and supports information letter with the initial Notice of Suspension. The ATOD services and supports information letter shall outline dates, times, and locations for all ATOD Program services and supports.

ATOD services and supports can also be used proactively for students. For instance, if a student is found to be high or smells of marijuana.

For students who have been incarcerated as a result of their Code of Conduct offense by law enforcement, the assigned exclusion from school will not begin until the student is released. Similarly, the 60 day timeline for completion of the ATOD Program will not begin until the student is released from incarceration.

Involvement of Law Enforcement & Testing Substances

When a student is found in possession of drugs or alcohol as prohibited by Board Policy, the Division of School Safety will be notified of the violation without delay. Relevant evidence preservation and chain of custody procedures of the Division of School Safety shall be followed. The assigned Division of School Safety School Police Officer shall be responsible for packaging the prohibited substance or item. Initial field testing of prohibited substances or residue is the responsibility of the assigned School Police Officer. The substance shall then be provided to the Allegheny County Crime Lab for further testing and weighing. A confidential Report of Laboratory Findings and Drug Chemistry Section Report are then provided to the Division of School Safety. The Crime Lab reports will then be provided to the Office of Student Support Services.

Possession of a vape pen containing THC oil is a violation of the District's drug and alcohol policy. The contents of vape pens will be tested to determine if the substance is THC oil.
Students who possess one or two vape pens containing THC will be processed under Rule 307.
Possession of three (3) or more vape pens containing THC will be processed under Rule 407.
Repeat vape pen violations will also be processed under Rule 407.

***408. *Arson*:** The deliberate starting of a fire or explosion, or helping, asking, or telling another person, to start a fire or explosion, which could or does place property in danger of being damaged or a person (including a fire fighter) in danger of injury.

418. *Aggravated Hazing*: Occurs when a person commits an act of hazing as defined Rule 218 or 318 that results in serious bodily injury or death to a student and:

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

*School administrators are advised to consult with the Office of Student Support Services before charging a student with an Assault or Weapons violation.

Level 4 – Example of Guidance Interventions
The list below is provided as a menu of possible options and not intended to be used in succession. The implementation of interventions shall be individualized, rather than a one-size-fits-all approach.

- Reteaching core Social Emotional Learning (SEL) skills (Purpose, Self-Awareness, Adaptability, Empathy, Collaboration, Agency)
- Use of Restorative Practices (i.e. affective statements, restorative questions, circles, small impromptu conferences, formal restorative conference, etc.)
- Referral to Multi-Tiered System of Supports (MTSS) process
- Refer to in-school conflict resolution programs (e.g. peer mediation, restorative conferencing)
- Student/Teacher formal conference
- Parent or guardian/Teacher formal conference
- IEP Team meeting or evaluation for special education services, if applicable
- Student/Administrator formal conference
- Intervention by counseling staff/guidance conference
- Written reflection assignment
- Develop, review, or revise individual student planning tools (e.g., Behavior Support Plan)
- Change in schedule or class (with parent/guardian notification)

- Individual/Group counseling
- Referral to Student Assistance Program (SAP) for prevention (e.g. social emotional skills instruction groups like anger management, aggression replacement, organizational skills) and/or intervention (e.g. behavioral health counseling) services
- Student behavior plan
- Referral to mentoring program
- Referral to District-approved Community-Based Organization (CBO)
- Community service (with parent consent)
- Positive behavioral management support contract
- Alcohol/drug evaluation referral
- Other appropriate alternatives to exclusionary discipline (exclusionary discipline includes detention, in-school-suspension, out of school suspension)
- Security aid student engagement
- Peer mentorship and mediation

Examples of Recommended Disciplinary Actions in Addition to Guidance Interventions Used (Level 4)

- Suspension of field trips, assemblies, or other special privileges
- Exclusion from extracurricular activities
- Suspension of transportation privileges
- Exclusion from special events or promotion exercises.
- Referral and consultation with school police pursuant to School Code Section 1303-A(b) and 22 Pa. Code Section 10.22.
- Out-of-school suspension
- Exclusion/expulsion (11 or more days)
- Alternative education placement

A student that receives an out-of-school suspension should not be disciplined twice for the same infraction. If field trips, assemblies, or any other activities occur while the student is serving their out-of-school suspension, they may not attend such event; however, should the event occur outside of the time period in which the student is serving their out-of-school suspension, they shall not be excluded from such event unless there is a safety concern.

School Bus Conduct:

Commented [ES3]: Added in Bus Conduct per DG

Level 1 – Minor Bus Infractions:

These behaviors disrupt the bus environment but typically do not pose an immediate safety risk.

Examples include:

- Excessive noise or yelling
- Standing or moving while the bus is in motion
- Not remaining seated or blocking the aisle
- Minor horseplay or roughhousing
- Littering or eating/drinking when prohibited
- Failure to follow driver directions after initial reminder

Possible Responses:

- Verbal warning from driver or staff
- Assigned seating
- Parent/guardian notification
- Bus conduct report
- School-based disciplinary response

Level 2 – Repeated or Moderate Bus Infractions:

These behaviors interfere with the safe operation of the bus or occur repeatedly after prior intervention.

Examples include:

- Repeated Level 1 behaviors
- Throwing objects on the bus
- Bullying, harassment, or intimidation of another student
- Distracting the bus driver
- Use of inappropriate language directed toward others
- Tampering with bus equipment or safety features

Possible Responses:

- Bus conduct referral to school administration
- Parent/guardian conference
- Temporary suspension of bus privileges
- Restorative or behavioral interventions
- School disciplinary action consistent with the Code of Conduct

Level 3 – Serious Bus Safety Violations:

These behaviors pose a significant safety risk to students, the driver, or the operation of the vehicle.

Examples include:

- Fighting or physical aggression
- Threatening behavior toward students or staff

- Vandalism or destruction of bus property
- Opening emergency exits without authorization
- Possession of prohibited or dangerous items
- Behavior that interferes with the safe operation of the vehicle

Possible Responses:

- Immediate referral to school administration
- Suspension of bus privileges
- Parent/guardian conference
- Restorative practices or behavioral intervention plan
- School disciplinary consequences consistent with district policy

Level 4 – Severe Safety Violations:

These behaviors create an immediate danger to students or staff.

Examples include :

- Possession of weapons or illegal substances
- Assault on another student or driver
- Severe vandalism or damage to the vehicle
- Actions that intentionally endanger the bus driver or passengers

Possible Responses:

- Immediate removal from transportation services
- Long-term suspension of bus privileges
- Referral to school administration and district leadership
- Possible law enforcement involvement
- Disciplinary action consistent with district policy